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Trends and Issues in Juvenile Crime and Victimization
by Henry G. Sontheimer, Ph.D.

Juvenile crime continues to be a high profile issue in this country, despite the fact that overall juvenile offending is significantly down over the past decade. When juvenile offending peaked in the early 1990s, predictions of a coming wave of serious juvenile violent crime and “super predators” might have seemed credible. If anything, the opposite happened, as juvenile offending reversed course and fell to historically low levels over the next ten years. The national discussion over juvenile crime now focuses more on preventing and responding to delinquency. The juvenile justice system’s jurisdictional and due process provisions are receiving attention, and there is renewed focus on identifying and following best practices in the delivery of services. Specific issues under discussion include: juvenile competency and culpability, risk and protective factors, prevention programs, the role of guns in offending and victimization, juvenile waiver, and juvenile sentencing.

How Much Crime is Attributable to Juveniles?

Juveniles (persons under age 18) comprised 25% of the nation’s population in 2002. By comparison, juveniles accounted for 15% of all arrests for violent index crimes and for 29% of all property index crimes in 2003. Among index crimes, the percentage of arrests involving juveniles was highest for arson (51%), burglary (29%), motor vehicle theft (28%), and larceny-theft (28%). Only 9% of all arrests for murder involved juveniles.

Another method of assessing juveniles’ involvement in crime is to consider crime clearance rates. Because juveniles are more likely than adults to commit crimes in groups, looking at the percent of crimes cleared by the arrest of one or more juveniles may provide a more accurate picture of juvenile offending. In 2003, 12% of violent index crime clearances and 19% of property crime clearances involved juveniles. The disparity between arrest rates and crime clearance rates was considerable for some offenses. For example, 29% of arrests for motor vehicle theft and for burglary involved juveniles, but only 17% of the clearances for these crimes involved juveniles (Snyder, 2005).

The primary source of official data on juvenile involvement in crime is the Uniform Crime Reports. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) publishes an annual summary of this information in its Juvenile Arrestds series. A much more comprehensive picture of juvenile offending is presented in the less frequently published series from OJJDP, Juvenile Offenders and Victims.

Juvenile Crime Continues to Fall

Data from the Uniform Crime Reports show that overall juvenile crime increased steadily over the period from 1980 to 1994, but has declined sharply since that peak year. In fact, the juvenile arrest rate for violent crime in 2003 was at the lowest level recorded since 1980. The juvenile arrest rate for murder alone declined by 77% between 1993 and 2003. In contrast, the juvenile arrest rates for simple assault and drug-related offenses increased sharply from 1980 to 2003, and the arrest rate for weapons-related offenses showed no net change (Snyder, 2005). In terms of the raw number of arrests, the number of juveniles arrested in 2003 was 11% lower than in 1999. The number of juveniles arrested for murder and for rape was lower than in any year since 1980. A more accurate picture of juvenile offending is obtained by looking at juvenile arrest rates (number of arrests per 100,000 juveniles in the population). The juvenile arrest rate for violent index crimes (murder, rape, robbery, aggravated assault) declined from over 500 per 100,000 in 1994 to less than 300 per 100,000 in 2003. The juvenile arrest rate for property index crimes (burglary, larceny-theft, motor vehicle theft, and arson) fell from 2,500 to under 1,500 per 100,000 over the same period, reaching the lowest level recorded in 30 years (Snyder, 2005).

Despite the overall decline in property crime, arrest trends for individual property crimes varied. For example, the burglary arrest rate fell steadily and sharply from 1980 to 1994 while the larceny-
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thief arrest rate held steady before beginning a period of decline. The juvenile arrest rate for motor vehicle theft more than doubled between 1983 and 1991 before beginning a period of decline which saw it return to 1983 levels by 2003 (Snyder, 2005).

In 2003, females accounted for 29% of all juvenile arrests. Over the past decade, arrests of girls generally increased more or decreased less than arrests for boys. The starkest example of this trend is seen in arrests for simple assault, with the female arrest rate increasing by 36% from 1994 to 2003 while the male arrest rate increased by only 1%. For drug-related crimes, the female arrest rate increased by 56% compared to an increase of 13% among males.

Trends in Juvenile Victimization

According to the National Crime Victimization survey, the violent victimization rate (excluding murder) of youth ages 12 to 17 fell by half from 1993 to 2003. The number of juveniles murdered in 2003 was the lowest recorded since 1984, and was 46% lower than the number murdered in 1993. Based on the 2003 Uniform Crime Reports, 9% of all murder victims were under age 18. Two-thirds of all murders in 2003 were committed with a firearm, but less than half of juvenile murder victims were killed with a firearm (Snyder, 2005). However, three-quarters of murder victims ages 15 to 17 were killed with a firearm. Most juvenile murder victims under age six were killed by a parent, while juveniles in their teens were most often killed by an acquaintance. Historically, males are about twice as likely as females to be juvenile murder victims. The homicide rate for black juveniles was about four times the rate for white juveniles over the past decade (Snyder and Sickmund, 2006).

Based on an analysis of National Incident-Based Reporting System (NIBRS) data from 22 states, Snyder and Sickmund (2006) found that 26% of the victims of reported violent crime in 2000 and 2001 were juveniles (under 18). Juveniles were the victims in 70% of all sexual assaults, 17% of aggravated assaults, 11% of robberies, and 10% of murders reported to law enforcement. Females accounted for 59% of the violent crime victims, while males accounted for the majority of aggravated assault victims. By age, 17% of juvenile violent crime victims were under age 6, 20% were between 6 and 11, 27% were between 12 and 14, and 36% were ages 15 to 17. In 60% of the violent crimes against juveniles, the perpetrator was an adult. About two-thirds of violent crime involving juvenile victims occurred in a residence.

New Research Focuses on Juvenile Competency and Culpability

The MacArthur Juvenile Competence Study, a research project undertaken by the MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice, found that juveniles younger than 14 may not meet traditional legal standards of competency to stand trial, and therefore should not be subject to prosecution as adults (Lexcen, Grisso and Steinberg, 2004). These juveniles often display a lack of understanding of the basic workings of the criminal justice system, including the roles of the prosecution and defense counsel. Their immaturity can prevent them from effectively participating in their own defense, for example by deciding whether to accept a plea bargain or risk going to trial and receiving a stiffer sentence. The findings of the MacArthur study have implications for juveniles’ ability to waive their rights regarding interrogation and self-incrimination. When interrogated, juveniles often give the answers they perceive will satisfy their adult questioners, which can lead to coerced or even false confessions. In light of the study’s findings, juvenile courts should consider routinely conducting competency evaluations for a wider range of juvenile defendants. In terms of dispositions, the findings suggest that judges should be allowed to issue juvenile system sentences after waiver and conviction in adult court.

Other research on juveniles’ understanding of the legal system has reported findings which are consistent with the MacArthur project. A study based on a small sample of detained juveniles in Kentucky found that they have little knowledge or understanding of justice system. They did not fully understand the roles of the judge and prosecutor, and felt they could not trust public defenders to represent their interests (Rajack-Talley, Talley and Tewksbury, 2005).

Another study found that juveniles tried as adults were unaware of transfer laws designed to deter them from committing serious crimes. After Georgia enacted laws requiring automatic transfer to criminal court for certain offenses, efforts were made to publicize the changes to parents and teenagers. Redding and Fuller (2004) interviewed 37 youth who had been transferred to adult court in Georgia and found that these offenders generally were unaware of the transfer law and its consequences, and therefore could not have been deterred by the threat of adult court prosecution. In fact, only 30% of the offenders even knew that juveniles could be tried as adults before committing their crime, and only 40% considered the likelihood of getting caught before they committed the offense. Interestingly, the juveniles reported that awareness of the law might have deterred them from committing crimes.

Research Supports Use of Juvenile System Sentences, Even After Waiver and Conviction

The Miami-Dade County (Florida) Public Defender’s Office instituted the Juvenile Sentencing Advocacy Project (JSAP) in 1998. The project sought to educate system professionals such as police, prosecutors, and judges on issues related to the developmental status of juveniles charged with serious crimes, and thus encourage them to seek more individualized dispositions. The goal of the project was to promote more appropriate sentencing and reduce recidivism. A key feature of JSAP was encouraging the use of juvenile system dispositions, even for youths charged as adults. An evaluation of the JSAP found lower recidivism among these “sentenced-back” cases, as compared to transferred juveniles who were sentenced to either adult probation or boot camp. Less than 40% of the retained juveniles reoffended, as compared to about 90% of the transferred juveniles. After the introduction of JSAP, judges more than tripled their use of juvenile system sanctions for transferred offenders (Mason, Chapman, Chang, and Simpson, 2003).

References


The State of Research on Policing and Crime Prevention: Expanding Roles and Responses
by Mary Dodge, Ph.D.

A cursory examination of the state of the research in policing and crime prevention for 2005-2006 based on Criminal Justice Abstracts (CJA) reveals interesting and, in some cases, disquieting results. The primary topics and volume of empirical work suggest that the gap between policing in practice and academic endeavors remains large. A search in CJA using the term “police” resulted in a total of 179 unique peer-reviewed scholarly articles in the database, many of which originate from the United Kingdom and Australia. A focus on empirical research from the United States shows a wide variety of topics and small numbers within each category. The top categories for policing include articles that explored Domestic Violence (21), Community Policing or Problem Oriented Policing (12), Racial Issues (14), Privatization (6), Citizen Perceptions (9), and Use of Force (3). Other topics with three to five articles included research dealing with drug hotspots/crackdowns, training/recruitment, mental health issues, and crime mapping/burglaries.

Research on Domestic Violence Includes Focus on Coordinated Responses

The published research on police and domestic violence confirms much of what is already known and shows strong support for the continued emphasis on interagency coordinated responses to intimate partner abuse. Research endeavors included examinations of why victims remain reluctant to seek help through official channels, particularly in rural areas (Fugate, et al., 2005; Grossman, et al., 2005); the usefulness and development of screening tools for measuring conflict and preventing future incidents of violence (Berk, et al., 2005); and topics related police services (Bonomi, et al., 2005). Work that explicitly focused on police response was low in overall numbers, and the literature reveals a need for further evaluation of law enforcement training and more global perspectives that examine the factors that influence arrest decisions (e.g., Huisman, et al., 2005). The Journal of Family Violence devoted a special issue to the role of law enforcement that addressed key issues in intimate partner violence connected to officer responses, hostage situations, and police and victim assistance team approaches (Van Hasselt & Malcolm, 2005).

Many of the domestic violence and police studies merely replicate previous findings, though the emphasis is on evaluations of more comprehensive intervention through collaborative efforts. The Child Development Community Policing program, for example, connects police and mental health professionals to assist children exposed to intimate partner violence. Similarly, the Family Investigative Response Services Team in Vacaville, California provides a comprehensive response that entails the creation of partnerships with law enforcement, clinical experts, and prosecutors. Community policing partnerships for intervention in domestic violence stand at the forefront of ongoing research. The Police Executive Research Forum’s (PERF) evaluation of 350 agencies funded by Community Oriented Policing Services (COPS) is examining effective elements of partnerships arrangements between law enforcement and other agencies and will assist in developing strategies for overcoming many of the obstacles to intervention.

PERF’s website lists several active projects related to intimate partner violence. Dual arrests continue to shape research agendas based on heightened awareness that an increasing number of women are being identified as active participants in domestic violence. Evidence based research is still needed to determine the implications of dual arrests. Like other research during the past year, National Incident-Based Reporting System (NIBRS) data beginning in the year 2000 from more than 3,000 departments nationwide permit analysis of police reports specifically related to domestic violence (see e.g., Vazquez, et al., 2005). The Police Foundation also is heavily invested in the continued exploration of domestic violence. An ongoing project examines prosecutor screening policies and incidents of recidivism, stalking behavior, women’s satisfaction with the justice system, utilization of victim services, and allocation of prosecutor and court resources in two New York City boroughs. The research foundation has expanded an evaluation project that focuses on preventing repeat incidents of family violence and examining second responder programs that involve social workers who follow-up with victims.

Research Questions Effectiveness of Broken Windows Concept

The storm brewing over “broken windows” policing continues to shape perceptions and policies for many departments and provides fodder for research controversies. The concept, first introduced as a magazine article in 1982 by James Q. Wilson and George L. Kelling, popularized the idea that signs of neighborhood decay result in increased serious crime. The link between disorder and serious crime, however, appears to be weak at best. Harcourt’s 1998 critique of the broken windows approach stands in direct opposition to the touted success of the zero-tolerance approach for quality-of-life infractions implemented in New York City, Boston, and Denver. Consulting groups, however, continue to sell broken windows as the policing flavor of the month despite substantial evidence that undermines the approach and recognition by leading scholars that scarce resources can be put to better use. In fact, many major cities that have experienced a large decline in crime rates have rejected adopting what is often labeled a conservative model that embraces arrests, incapacitation, and harsh sentencing. Additionally, many rank and file police officers view broken windows as an aggressive model of policing that produces short-term results but wanes as patrol saturation is reduced or moved to other hot spots to address crime displacement effects. Experts and practitioners also have expressed concern that this aggressive approach will undermine the public’s trust and further erode the basic philosophy and practice of community policing.

Traditional Policing Roles Changing to Address Terrorism and Cyber-Crime; Role of Private Sector Policing Expanding

The proliferation of cyber-crime and the need for specialized knowledge for crime investigation is driving the trend toward increased use of private policing, which has experienced enormous growth in the United Kingdom and Australia. Research and general perspectives of private security, despite the shift in responsibilities, continue to place related efforts on the fringe and, in many cases, is not considered “real” policing — viewed as unworthy of
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Correctional Programs and Institutions
Evaluating an Experimental Intensive Juvenile Probation Program: Supervision and Official Outcomes, 7 CJR 47 (Jan/Feb 2006)
Examining the Effectiveness of Boot Camps: A Run-
academic attention. Sarre (2005) notes the expanding nature of the private sector of policing roles including “surveillance, investigation, crowd control, prison escorts, court security, guarding and patrolling, proactive crime prevention, risk management and insurance assessment, weapons training, crime scene examination, forensic evidence gathering.” A few studies have addressed some of these topics; however, the private realm of law enforcement is uncharted territory for researchers. A Police Foundation assessment of private security in malls, for example, examined whether or not private policing can protect the public from terrorist attacks.

**Police Role in Combating Terrorism Leads to Renewed Focus on Intelligence and Information Sharing**

Another important shift in law enforcement is the move toward agency and jurisdictional intelligence sharing. A February 2005 article in *The Police Chief* notes the importance of the National Criminal Intelligence Sharing Plan (NCISP) which espouses the need for intelligence-led policing, community policing, and collaboration. Under the auspices of the U.S. Department of Justice’s Office of Justice Programs and closely tied to Homeland Security, the underlying premise is information sharing through Fusion Centers that can integrate, analyze, and disseminate intelligence. An enormous investment of time and money is now being made to develop Fusion Centers, though the actual success of these centers is unknown. The center in Framingham, Massachusetts, for example, has received over $3 million in state and federal funding, excluding salaries for 23 intelligence officers and a director. In 2006, an expected $1.7 million in state funding and $10 million in federal funds will be invested in upgrading technology links to the center (Ebbert, 2005). Fusion centers are expected to be established in every state by 2007. Evaluations have been initiated to address policy and procedural development by the Fusion Center Intelligence Standards Focus Group and other consultants to overcome the difficulties of multi-jurisdictional intelligence sharing (or the lack thereof). Overall, research exploring efforts related to Homeland Security is scarce and access to data that promotes empirical work will likely remain problematic.

**Diminishing Focus on Crime Prevention Research**

The research on crime prevention efforts shows a great deal of topic diversity, but offers little insight into best standard practices. Published articles examined, for example, community efforts at crime reduction, public health model approaches, individual remedies (e.g., self-defense), restorative justice, domestic violence interventions, and drug treatment. The low number of published articles (about 175 for a general search of crime prevention) may reflect budgetary cutbacks or lack of interest by criminalists, who neglect this area because of the lack of innovative designs or the difficulties of publishing lackluster, specialized program evaluations.

In a few cases, statewide and local programs are undergoing evaluation to determine the efficacy and outcome of coordinated attempts to address crime and violence by juveniles, the mentally ill, and drug users. In Pennsylvania, the Communities That Care Project appears to be achieving its goal of assisting citizens in the identification, reduction, and prevention of risk factors, particularly among neighborhood youth, to reduce crime and delinquency (Myers & Arter, 2005). Salt Lake City’s Prostitution Diversion Project revealed that conflicts between Criminal Justice Services and the Harm Reduction Project stifled positive efforts (Wahab, 2005). In contrast, research from the United Kingdom is prolific in the area of crime prevention. Empirical articles have examined numerous efforts involving crime deterrence; including, for example, solid empirical work on the higher risk of burglaries in detached housing in deprived areas; the failure of Street Watch (similar to Neighborhood Watch) to reduce street prostitution; defensible space at automatic teller machines; prevention through environmental design; and evaluations of the Reducing Burglary Initiative and the Integrated Domestic Abuse Programs.

**The Importance of Basic and Applied Research Endeavors**

During the past year, policing and crime prevention research endeavors, though not entirely unfruitful, have, in many cases, failed to fully inform practitioners. The most rigorous and informative articles have been published in *Criminology & Public Policy*. The introduction, research articles, and reaction essays represent state-of-the-art academic ventures that expand, inform, and clarify issues related to policing and crime deterrence. Articles on problem-oriented policing, homicide reduction, and repeat offender prevention programs, for example, have helped establish high standards for the field. A top priority for everyone in the criminal justice field should be the merger of theoretical perspectives and practical viewpoints that expand our horizons beyond what is currently practiced. The publication of high-quality empirical research informs and shapes the future for collaborative and coordinated responses and remedies.

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Can Ex-Offenders Ever Become Productive Citizens? Barriers to and Policies Toward Reentry
by Barbara Morrell, Ph.D.

The U.S. Has the Highest Incarceration Rate in the World, Yet Recidivism Rates Remain High

The U.S. has the highest incarceration rate in the world at 500 inmates per 100,000 population as of the beginning of the 21st century. In contrast, western European nations tend to have rates of incarceration below 120 per 100,000 residents (Byrne, 2005, p. 80). Comparative empirical data from INTERPOL (2004) suggest that while the U.S. does have a higher rate of violent crime when compared to other industrial nations, this gap is quickly closing. The U.S. remains indistinguishable from other nations in terms of property crime rates. Where the U.S. markedly differs is in the length of sentences imposed and the average time served by offenders.

For example, while the average length of an imposed sentence for homicide in the U.S. is 244 months, it is 230 months in England, 128 months in France, and only 76 months in Sweden. Average sentences imposed in the U.S. for similar offenses are vastly higher. Robbery carries an average sentence of 89 months in the U.S., compared to less than half that amount (40 months) in England and Wales, and only 23 months in Sweden (Lynch, 2004 as cited in Byrne, 2005). This difference is largely the product of the “get tough on crime” sentencing policies initiated in the 1980s which raised the nation’s prison population from half a million in 1985 to over two million today. Yet, according to experts, more than 600,000 individuals will be released annually from state and federal prisons in the U.S. (Travis, 2005 as cited in Byrne, 2005). It is expected that approximately two thirds of this group will be rearrested and half will be sent back to prison within three years (Visher, 2003 as cited in Byrne, 2005). Most offenders have been incarcerated for a substantial period of time and sent back to society with inadequate supervision and support networks in place to facilitate their reintegration. This situation is a consequence of allocating resources toward maintaining order within prison walls at the expense of investing in institutional prerelease planning.

In fact, reintegration practices such as halfway houses, employment assistance, and counseling have not been in vogue for the last 30 years, given the dominance of the “just deserts” philosophy and reliance on more popular punitive practices. Parole, too, has shifted its strategy from assisting offenders to providing minimal supervision, again leaving former offenders with little support network. The ramifications are a “perpetual cycle of release, reoffending, and reincarceration, coupled with new offenders entering the system daily” (Byrne, 2005, p.85). A renewed effort is being directed toward helping offenders successfully reenter the community, not so much due to an ideological shift, but in order to keep the current system functioning. Policy makers, institutions and communities are searching for ways to reduce the cycle of recidivism. Yet offenders often reenter environments where their civil rights are constrained and their successful reintegration impeded.

Reentering Offenders Face Many Barriers to Successful Reintegration

When offenders are released to the community, they are expected to assume productive roles as breadwinner, parent, or sibling. Yet many situational barriers and institutional policies exist which tend to isolate offenders from conventional society (Taxman, 2005, p. 5). In addition, many offenders lack essential social and psychological skills to resolve the myriad of problems they face in becoming productive citizens. In fact, many of our current criminal justice policies and community practices undermine the reentry process. The criminal justice system has changed its transition model from reintegration to surveillance. A returning offender is more likely to face increased accountability than to receive job training. Accountability, however, often holds the ex-offender to standards which are unachievable even by law-abiding citizens. Many of these accountability standards imposed as external controls limit the offender’s liberties and freedoms, and in fact, increase the probability that the offender will be returned to prison on a technical violation. The punitive nature of supervision reinforces the returning offenders’ self-identity as an outcast (Taxman, 2006, p. 7).

In addition, the last two decades have seen the imposition of many barriers which prohibit offenders’ access to social institutions (such as housing, employment, and voter participation) and prevent them from becoming citizens again. In our quest to discourage criminal conduct, our sociopolitical climate serves to reinforce the position of offenders as less than full citizens. Key institutional changes are needed in several areas in order to break down these barriers and to assist returning offenders in achieving and identifying with the citizenship role:

- **Neighborhoods.** Most offenders leave prison only to return to disadvantaged communities which are home to a disproportionately number of ex-offenders. Few formal programs exist within these neighborhoods to reintegrate the offender. Such neighborhoods generally lack resources for members of the community, whether ex-offenders or not. A strategy is needed to address the deficits of social capital which exist in such communities and provide offenders with the means to “make good” (Taxman, 2005). A restorative justice model which focuses on accountability, restoration, and competency development would address these needs.

- **Police and Parole.** Another area requiring improvement is the interaction between ex-offenders and criminal justice authority figures. When offenders are skeptical of criminal justice agencies, they are less likely to successfully reintegrate. Currently the criminal justice system reminds offenders of their limits and restrictions rather than reinforcing their sense of being valued members of the community. The parole system places certain restrictions on the offender in terms of their movements and associations which may be perceived as unfair and which may actually interfere with their ability to fulfill obligations in the community.

- **Work.** One collateral consequence of community crime prevention over the last 20 years has been increasing prohibition against convicted felons residing in public (Section 8) housing, and restrictions on their employment. Few transitional employment programs exist which provide offenders with ready employment. Yet employment is a key constructive element
Concerns Persist About Effectiveness of Juvenile Defense Counsel

Finally, nearly four decades have passed since the U.S. Supreme Court established in *In re Gault*, 387 U.S. 1 (1967), that juveniles have a constitutional right to appointed legal counsel in juvenile delinquency proceedings. Since the late 1960s, Congress has expressed significant concern regarding the need to safeguard children’s rights, as seen in the Juvenile Justice and Delinquency Prevention Act of 1974 and the reauthorization of this Act in 1992 (Dodge, 1997; Puritz & Shang, 1998). Although not prominent features, hiring additional juvenile court-appointed defense attorneys and providing pretrial services (such as mental health screening and assessment) for juveniles were contained in both the 1998 JABG and the 2003 JABG program purpose areas (Andrews and Marble, 2003).

Unfortunately, studies continue to show great variation across jurisdictions nationwide regarding effective assistance of juvenile defense counsel (Jones, 2004). Heavy caseloads appear to be a continuing barrier to effective juvenile legal representation, and problems and issues remain with regard to limited access to counsel at various stages of the juvenile justice process; waiver of counsel; poor pay and working conditions for public defenders; and inadequate case preparation and coordination. On the other hand, there is also evidence of innovative and effective approaches to juvenile representation that have been able to overcome these historical deficiencies, and many of these defense programs have come about during the contemporary juvenile accountability movement (Jones, 2004; Puritz & Shang, 1998).

In sum, further research is needed to better establish the impact that the juvenile accountability movement has had on juvenile case processing and juvenile offending. For example, in addition to the areas of needed research mentioned above, scientifically rigorous studies are necessary to determine:

- Whether the current capacity of prosecutors and public defenders meets the demand for juvenile services.
- How juvenile caseload sizes currently compare between prosecutors and public defenders.
- If accountability-based initiatives have increased the efficiency and effectiveness of juvenile case processing.
- Whether increased funding has improved information sharing and the coordination of services between juvenile justice agencies and social service providers.
- If accountability-based programs have affected the time juvenile offenders spend in detention before disposition and the use of diversion options (e.g., restitution, community service).
- Whether the accountability movement has fostered additional training on topics related to juvenile court operations and adolescent development.

Empirical research that can provide answers to these questions will be useful in shedding light on the actual effectiveness of accountability in juvenile justice.

**References**


Majority of JAIBG Funds Used to Enhance Graduated Sanctions Throughout Juvenile Justice System

Next, JAIBG required jurisdictions to consider graduated sanctions policies and programs that held youthful offenders accountable each time they were adjudicated on a delinquent act, and the sanctions imposed were to increase in severity with each subsequent and more serious offense. At the outset of the program, 43 of 56 jurisdictions reported that their policies and practices conformed to Congressional expectations, and state and local governments used JAIBG funds to further expand the array of sanctions available. Overall, nearly 75% of 1998-2000 funds were awarded to support programs that enhanced graduated sanctions. A large majority of this money was devoted to new programs, while a smaller portion was used to fund existing programs.

The JAIBG program also required states to certify that no existing law prevented juvenile courts from holding parents, guardians, or custodians responsible for supervising their delinquent children and ensuring that they obey court orders. At the outset, all states reported that they conformed to this requirement, and no states passed non-conforming laws during the period of the study. One state (New Hampshire) did enact a law that affirmatively established parental responsibility in these matters.

JAIBG further encouraged states to establish drug testing policies for appropriate categories of juvenile offenders. States were given the discretion to determine which categories of offenders should be tested, when testing should occur, and for what purposes. Forty-three states had such policies at the program’s inception, and all states conformed to this expectation by the beginning of 1999. However, less than 2% of JAIBG funds were allocated to drug testing programs from 1998-2000.

Finally, JAIBG sought to encourage the development of juvenile record-keeping systems that paralleled those of adult criminal history systems. Only 10 of the 56 jurisdictions initially reported that their existing juvenile and adult records systems were comparable, or that their states had actively considered establishing such systems during the previous three years. Although the remaining states agreed to consider the matter, during the course of the evaluation, only two states reported enacting laws or policies that moved them toward achieving this goal. In spite of these unfavorable findings, close to 15% of JAIBG allocations were used to improve juvenile justice information systems from 1998-2000.

In addition to documenting how the program was implemented, the national evaluation of JAIBG also contained recommendations for improvement. First, sustaining and expanding local planning capacity was emphasized, through the use of regional coalitions and state juvenile management information systems. Second, it was recommended that existing restrictions be lifted on how state and local units of government allocate funds to projects in specific program purpose areas. Third, improving JAIBG monitoring procedures was advised, through better reporting instructions on the forms used to collect data on sub-grant awards. Last, to assist with evaluating program effectiveness, the researchers recommended utilization of a performance measurement system that could provide administrators and policymakers with evidence regarding program benchmarks and the ability to implement quality improvement techniques in response to the performance measures.

Changes to JAIBG Expanded Program Areas to Include Restorative Justice and Risk Assessment

At approximately the same time that the national evaluation of JAIBG was being completed, the federal initiative was renamed the Juvenile Accountability Block Grants (JABG) program, and several program elements were revised (Andrews and Marble, 2003). While accountability remained the centerpiece of the 2003 revised Act, changes focused on expanding the program purpose areas, adjusting funding levels, and refining processes for determining eligibility, funding allocations, and monitoring activities.

Under JABG, the number of authorized program purpose areas increased from 12 to 16. New areas included developing and implementing systems of graduated sanctions; establishing and maintaining juvenile records systems; programs for assessment of risk and needs; restorative justice programs; and hiring and training detention and corrections personnel. Several of the previous JAIBG purpose areas also were modified or combined. Other adjustments introduced under JABG included relatively minor changes to funding allocations and eligibility criteria, as well as greater monitoring through required annual reports to OJJDP summarizing grant activities and assessing their effectiveness.

Research on the Effectiveness of the Juvenile Accountability Movement Is Mixed

Although a fair amount has been written about the juvenile accountability movement, and various assertions have been made about the effectiveness of JAIBG (Beyer, 2003), relatively little rigorous scientific research exists that establishes the impact of the various programs and initiatives that have been implemented under JAIBG and JABG. For example, empirical evidence is limited on the topic of juvenile prosecution and the overall impact of hiring additional prosecutors and providing them with special training and resources. The assignment, qualifications, and responsibilities of prosecutors in juvenile courts appear uneven across the country, and a stay in juvenile court still may often be viewed as simply being part of the early prosecutorial training process (Sanborn & Salerno, 2005). Moreover, past research on expedited case management programs suggests that simply increasing the number of prosecutors does little to increase efficiency in case processing (Jaco-by, Ratledge, & Gramckow, 1992; Jacoby, 1994). Rather, in order to be effective, newly assigned prosecutors must be provided with specialized training and sufficient support staff, communications equipment, and information access.

A 1996 national survey of local prosecutors found that only about one-third of the respondents were connected with other criminal justice agencies through a computerized system (DeFrances and Steadman, 1998). While recent advances in computer system flexibility and affordability have no doubt increased the use of automated systems, issues with confidentiality and a lack of a uniform juvenile record-keeping system have contributed to less utilization of automated juvenile records compared to automated adult criminal record systems (Gramckow & Tompkins, 1999b). Establishing and maintaining better interagency information sharing systems is a key aspect of the modern accountability movement in juvenile justice, but the national evaluation of JABG revealed that roughly 80% of all states do not have comparable juvenile and adult record keeping systems. As states move to address this situation, evaluation studies will be needed to assess the implementation and impact of information-sharing networks on juvenile case processing (Slayton, 2000).

Some Support for Use of Targeted Interventions to Address Gun Crime and Gang Violence

The use of graduated sanctions for juvenile offenders has received increasing theoretical and empirical support during the past decade
Reducing the Risks of Recidivism: What Works

Research has shown the efficacy of the following:

- **Vocational and Work Programs.** Data from the National Longitudinal Survey of Youth, using a Life Course Model, confirms the negative long-term effect that adult incarceration has on subsequent prospects for employment and marriage. Yet employment at time of reentry can be a valuable turning point for returning offenders. The obligations and responsibilities of work, as well as involvement in other social institutions, increase offenders’ prospects for success as well as the social capital of the community (Heubner, 2005). Parole agencies in conjunction with community-based resources could have an enormous positive impact upon the employment rate of the persons they supervise by providing assistance with services such as: vocational assessment and career guidance, job readiness training and pre-employment instruction, assistance in securing needed documents such as birth certificates, fidelity bonding, post placement guidance and follow-up, and tracking employment rates (Rakis, 2005). Vocational and/or work release programs have been found to be effective in reducing recidivism rates as well as improving job readiness skills for ex-offenders (Seiter, 2005).

- **Housing and Life Skills Planning.** Research has documented the role of poverty as an important pathway to female criminality. Poverty places extreme stress on female-headed families. Yet research also confirms that the majority of poor women do not reoffend. The provision of affordable government housing and Life Skills Programming (assistance in identifying potential employers, filling out job applications, and developing interview skills), decreased the odds of recidivism by 83% (Holtfreter, 2004). Post-discharge aftercare services, government sponsored childcare, education, job training, and healthcare programs are needed to empower women returning to the community and to improve their quality of life.

- **Transitional Services to Address Trauma, Mental Health, and Parenting Skills.** Research has confirmed that many women in the correctional system have experienced high rates of lifetime trauma (childhood personal and sexual violence), have mental disorders, and have only limited parenting capabilities. Programs to improve parenting skills among women prisoners are critical for reducing the risks to their children. Interventions are needed to aid women in coping with their post-incarceration environment. Without concrete programs which assist them in their reentry into the community, the cycle of violence will continue (Green, 2005).

- **Addiction Treatment.** Addiction treatment in prison coupled with community-based aftercare has proven to be a cost effective policy tool. The Amity in-prison therapeutic community and Vista aftercare program for criminal offenders in Southern California found that offenders who received both therapeutic community and aftercare services experienced 291 fewer incarceration days on average over a five year follow-up period (McClosster, 2004). Other research has also confirmed that graduates of drug treatment programs were less likely than parolees and noncompleters to be arrested, commit a drug-related offense, continue drug use, or have a parole violation (Seiter, 2003). Research confirms the long lasting effects and cost savings associated with drug treatment. The correctional system possesses the unique opportunity and responsibility to provide drug treatment and continuing post-release services for offenders reentering the community.

- **Health Care.** Ex-offenders are a vulnerable population with extensive need for and low access to quality health care. Transitional health care for ex-offenders is ultimately a preventive measure. Societal benefits accrue from decreased acute and chronic illness in the ex-offender population, decreased disease transmission, decreased reliance on costly emergency treatment services, decreased recidivism related to mental health and substance abuse relapses, and ultimately increased public safety and public health (Flanagan, 2005).

What Can We Learn From Other Nations’ Approaches to Reentry?

Reentry is a primary focus of correctional systems around the globe. However, in the U.S., the focus appears to be much more geared to community control than to service provision. In contrast to other nations, the U.S. places a decreased emphasis on inmates’ success after the period of incarceration ends. The “get tough” philosophy in the U.S. has reduced the commitment to prepare inmates for release after incarceration. Resources have been reallocated to maintaining order within the prison walls, rather than enhancing institutional prerelease programming. The result has been overcapacity, a more violent inmate population, and reliance on mandatory rather than discretionary parole. The function of parole also has shifted from assisting offenders in the community to providing minimal supervision with little support structure.

Other nations have redoubled their efforts to reduce recidivism and have developed successful strategies within their correctional systems. One component that unites the correctional philosophies of many nations is a holistic approach to offender treatment and rehabilitation that begins at the point of contact with the criminal justice system and continues throughout sanctioning and release (Byrne, 2005, p. 80). The total system assumes responsibility for returning the offender back into society reformed and rehabilitated. The approach incorporates both accountability and treatment.

For example, England has instituted a Drug Intervention Program based on “throughcare” and “aftercare” (Fox as cited in Byrne, 2005, p. 80). Drug offenders have access to a range of services and oversight beginning at arrest and continuing through pretrial custody, court hearings, sentencing, and finally, reentry. After the offender is resettled into the community (following the expiration of the formal term of supervision), “aftercare” becomes a package of support services available to the drug user. In the final stage of the reentry process, the formal records of former offenders are closed, generally after a seven to ten year period following release from prison.

In Denmark, lawmakers place an overriding emphasis on the role of societal conditions and the relatively low socioeconomic status of disposed young males as causes of law violation (Brydenshold as cited in Byrne, 2005). In contrast to the U.S., Denmark chose a “depenalization” approach to the reentry process over two decades ago in response to concerns about over-reliance on incarceration. Danish police, magistrates, and correctional officers proposed that offenses such as drugs and prostitution should receive community-based sanctions, reserving prison space for the violent and repeat offenders (Selkes as cited in Byrne, 2005, p. 82). Danish justice officials rationalized that even with a short-term expansion in community correc-
tions alternatives, a long-term savings would be realized from a reduction in the incarcerated population. At the same time, the community would be subject to little or no increased risk of victimization.

In France, correctional authorities house as many offenders as possible at detention centers instead of prisons, retaining prisons for the most violent and troublesome inmates. Offenders in detention centers have a high rate of interaction with staff, freedom and individual responsibility, and numerous services available to prevent re-offending (Terrill as cited in Byrne, 2005).

Japan employs a very humanitarian rehabilitative model of offender reentry. While Japan has experienced a rate of criminality similar to other modern urban industrialized nations, its view on offenders and prisoners has been consistently one of rehabilitation. Criminal offenders are pitied, and the societal perspective is that punitive sentences should be short, then followed by rehabilitation. In Japan, a National Offender Rehabilitation Commission oversees the rehabilitation of offenders and plays a central role in parole decisions as well as treatment services following release. The role of parole officers is to “offer aid and guidance” to parolees and assist them in their transition back to the community (Terrill as cited in Byrne, 2005).

U.S. Would Benefit from Adopting a More Comprehensive Approach to Offender Reintegration

The overriding message from examining other nations’ models of correctional practice is that successful rehabilitation of offenders is the responsibility of the entire justice system as well as agencies and networks outside the system. In many cases, parole agencies work with police, courts, substance abuse counselors, and medical providers to design individualized aftercare programs for former offenders, with the goal of modifying past behavior and preventing a return to prison. Components of an new integrated model of offender reintegration in the U.S. would require:

• **A Reentry Partnership Initiative (RPI).** The vision of RPI holds that “we must act as a system to improve public safety in our communities” (Byrne, 2005, p. 84). Key criminal justice players (police, courts, corrections, and community) must shift their perspective from what each individualized agency can do toward successful reentry to a coordinated partnership of reentry efforts system wide. A fundamental redirection of roles and responsibilities would be required of line staff in numerous agencies. All key reentry decisions would be made by a partnership of agency decision makers who would embrace reentry as their mission.

• **Adopting a Systems Perspective.** Reentry failures would be recognized as the product of criminal justice failures. System input (money, staff, and support), system activities (police, courts, corrections, and mental health), and system outputs (crime rates, arrests, convictions, sentence length, recidivism) are linked (Byrne, 2005, p. 87).

• **Changing the Role of the Police.** The role of the police would be fundamentally changed, with police taking on a more proactive role in reentry efforts. This would necessitate police officers visiting offenders while in prison to discuss the police department’s role in the reentry program, as well as working with community boards to review institutional treatment and release plans. A problem-solving approach would be at the core of police-offender interactions.

• **Changing the Goal of Prisons.** Problems and needs of offenders would be identified and addressed with quality treatment programs and a comprehensive prerelease plan developed while in prison. Under the RPI Model, classification, treatment, and reentry decisions would be shared among partnership members (police, victim, community corrections, treatment providers, and the community at large). In addition, the institution would provide police with a list of returning offenders so that police could prepare for them. With the goal of providing a “seamless strategy” from institutional to community-based treatment, the goal of the institution would shift from control and safety to offender treatment. Both institutional and community corrections staff would address the treatment needs (employment, housing, family, substance abuse, mental health, and health) of offenders.

• **Changing the Role of Treatment Providers.** Continuity of care is essential under the RPI Model. Offender treatment plans upon release would be designed as a continuation of the treatment begun in the institution. A reintegration plan would be developed by institutional pre-release staff, community correction staff, local police, and community agencies.

• **Changing the Role of Community Corrections Staff.** Community corrections staff would become more actively involved in institutional treatment decisions and discharge planning by meeting earlier with institutional staff regarding the offenders they will supervise upon release. Community supervision officers also would work closely with neighborhood police officers regarding surveillance strategies.

• **Changing the Role of the Victim.** For many victims of crimes that lead to incarceration, both offenders and victims live and work in the same neighborhood. Victims would be kept informed of offender processing issues (arrest status, conviction, sentence length, and release dates) and would participate in reentry decision making. Victims would have an expanded role, often exchanging information with those who are working with released offenders.

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Assessing the Accountability Movement in Juvenile Justice
by David L. Myers, Ph.D.

Since the mid-1960s, juvenile courts have gone through periods of criticism and reform, resulting in various changes to the juvenile justice system’s philosophy, structure, and procedures. Areas of concern have included insufficient enforcement of due process rights, inadequate treatment and rehabilitation services, abuse of the juvenile court’s power, lenient punishment of youthful offenders, and a general lack of direction in dealing with juvenile crime. From the mid-1980s until the mid-1990s, these issues interacted with dramatic increases in violent juvenile crime arrest rates to produce nationwide concern about youth violence and the juvenile justice system’s ability to effectively respond.

In the wake of the youth violence epidemic, significant public and political attention was directed to juvenile court reform. In contrast to the traditional juvenile court’s emphasis on “child-saving” and serving the “best interests” of children, revised juvenile codes reflected the popular “get tough” approach to dealing with crime and emphasized “accountability” in programs and services provided. Resulting reforms included open court proceedings for many juvenile felony defendants, fingerprinting and photographing of adjudicated delinquents, greater access to juvenile records for school officials and police officers, and the exclusion of certain serious and violent offenses from juvenile court jurisdiction. Increasing public protection and offender accountability became the prominent goals of this revised approach.

Juvenile Accountability Incentive Block Grants (JAIBG) Act Provisions for States to Modify Their Juvenile Justice Systems

This contemporary approach to protecting citizens and holding delinquent youth accountable for their actions was demonstrated at the federal level with the passage of the Juvenile Accountability Incentive Block Grants (JAIBG) Act in 1997 (Albert, 1998). The overall purpose of JAIBG was to encourage states and localities to strengthen the prosecution and sanctioning of juvenile offenders, particularly those committing serious and violent crimes. Funding began in 1998, through block grants to state and local units of government that were seeking to increase accountability within their juvenile justice systems. In general, Congress intended to encourage accountability by funding efforts directed at five major policy goals: (1) subjecting serious and violent juvenile offenders to adult court prosecution; (2) expanding the graduated sanctions available to juvenile courts; (3) holding parents responsible for their child’s actions; (4) establishing appropriate drug testing policies and procedures; and (5) improving juvenile record-keeping systems to parallel those for adult offenders.

From 1998 through 2000, $685 million was made available to state and local governments under the JAIBG program (Parent & Barnett, 2003, 2005), which was administered by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). As discussed below, funding was to be provided in 12 specific program purpose areas, and all 56 eligible states and territories received funding. Further, this essay will examine the findings of a national evaluation of the implementation of JAIBG, discuss revisions that were made to the program in 2003, and consider the need to assess the impact of the modern juvenile accountability movement.

JAIBG Funds Available for Strengthening Prosecution and Building Detention and Correctional Facilities

Of the 12 total purpose areas, three focused on improving the efficiency of juvenile offender prosecution (Albert, 1998). Specifically, funds were made available for hiring additional prosecutors; providing technology, equipment, and training for prosecutors; and establishing prosecutor-led drug, gang, and violence reduction programs. Funds for hiring additional juvenile judges, probation officers, and defense attorneys and providing pretrial services for juveniles constituted a fourth area of the 1998 JAIBG program. The remaining eight purpose areas covered the construction of juvenile detention and correctional facilities and training of facility personnel; the creation or enhancement of accountability-based programs and sanctions, probation programs, gun courts, drug courts, and information sharing systems; and drug testing for youth in the juvenile justice system.

The JAIBG program purpose areas encompassed virtually all phases of juvenile justice, and jurisdictions that accepted funds were required to form a Juvenile Crime Enforcement Coalition (representing law enforcement, prosecution, courts, corrections, and human service agencies) that would prepare a Coordinated Enforcement Plan governing how their JAIBG funds would be used (Parent & Barnett, 2003, 2005). It was expected that states would pass-through 75% of their allocations to local units of government, unless a waiver was obtained for this provision (21 states did receive this waiver). Overall, in 1998, states made 58% of their JAIBG allocations available to local entities, a figure that increased to 68% in 1999 and declined slightly to 66% in 2000.

National Evaluation Found Many States Receiving JAIBG Funds Already Conformed to Act’s Policy Goals

In 2003, Abt Associates, Inc. completed a national assessment of the implementation of JAIBG during its first 3 years (Parent & Barnett, 2003, 2005). This study was not intended to gauge the program’s impact on juvenile crime, but rather was designed to evaluate how block grant funds were spent and how states and localities conformed to the policy objectives envisioned by Congress. The researchers analyzed funding data from 1998-2000; conducted a survey of a sample of 1998 programs; interviewed state and local program planners, administrators, and staff from 1999-2002; and completed two site visits to each of six states in 2001 and 2003. The study generally concluded that states substantially conformed to four of the five major policy goals that Congress originally had identified for JAIBG, and did so within tight time limits.

At the outset of the JAIBG program, 39 of the 56 jurisdictions reported their policies and practices conformed to the Act’s provisions with respect to prosecuting serious and violent juvenile offenders over the age of 15 as adults. This finding reflected a previous 1990s trend toward enhancing juvenile transfer laws nationwide. By 2001, three additional states had enacted laws or adopted policies that further strengthened their transfer provisions. States allocated roughly 11% of their JAIBG funds from 1998-2000 to strengthening the prosecution of serious and violent juvenile offenders.