

# Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System

Elizabeth Seigle, Grantee Technical Assistance Manager, Juvenile Justice, Council of State Governments Justice Center

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**MacArthur  
Foundation**

**OJJDP** Office of Juvenile Justice  
and Delinquency Prevention  
Office of Justice Programs ♦ U.S. Department of Justice

 **BJA**  
Bureau of Justice Assistance  
U.S. Department of Justice

# The Council of State Governments Justice Center

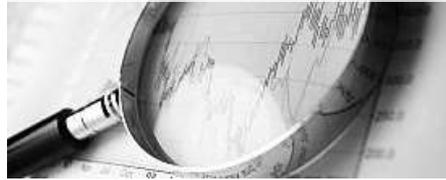
Corrections



Courts



Justice Reinvestment



Law Enforcement



Mental Health



Reentry



Substance Abuse



Youth



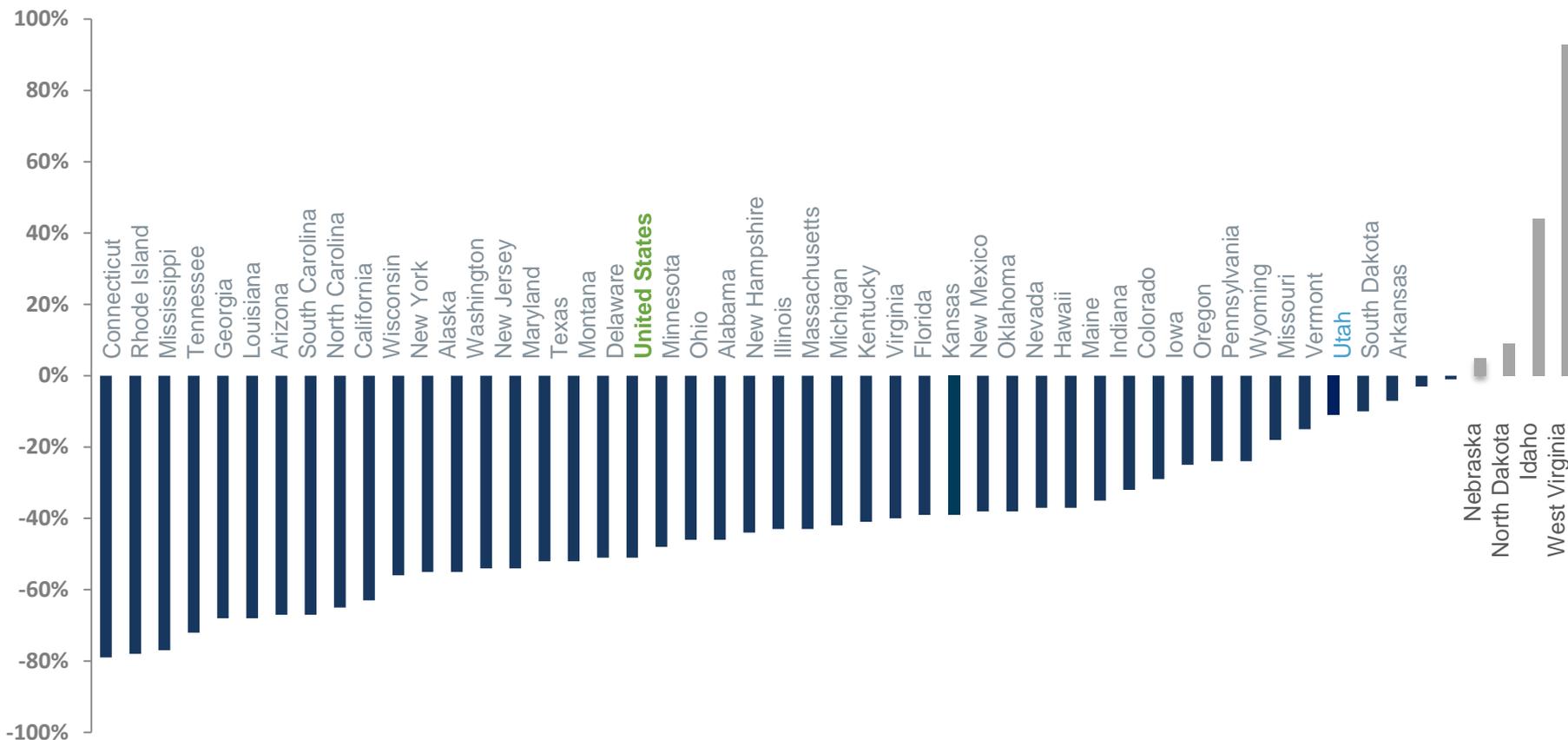
**National nonprofit, nonpartisan** membership association of state government officials

**Represents all three branches** of state government

Provides **practical advice** informed by the best available evidence

# Significant Progress in Reducing State Juvenile Confinement Rates

PERCENT CHANGE IN STATE JUVENILE CONFINEMENT RATES (1997-2011)



\*Office of Juvenile Justice and Delinquency Prevention, Easy Access to the Census of Juveniles in Residential Placement. Available at [ojjdp.gov/ojstatbb/ezacjrp](http://ojjdp.gov/ojstatbb/ezacjrp)

# Policymakers Want to Know the Outcomes for Youth in Contact With the Juvenile Justice System

When youth are under local or state supervision, what are their rearrest, reconviction, and reincarceration rates?

How do youth under system supervision fare in terms of academic, employment, and other important outcomes?



Do youth transition successfully off of system supervision to a crime-free and productive adulthood?

What if any supervision and service programs and practices are making a positive difference?

# Identified “What Works” to Improve Youth Outcomes



July 2014

## WHITEPAPER PUBLISHED

Identifies core principles demonstrated by research to reduce recidivism and improve other youth outcomes



August 2014

## PILOTS LAUNCHED IN FIVE STATES

Piloting checklists to help government officials assess whether policies and practices align with the core principles

# Core Principles for Improving Youth Outcomes

## Principle 1

Base supervision, service, and resource allocation decisions on the results of **validated risk and needs assessments**

## Principle 2

Adopt and effectively implement **programs and services demonstrated to reduce recidivism** and improve other youth outcomes, and use data to **evaluate the results** and direct system improvements

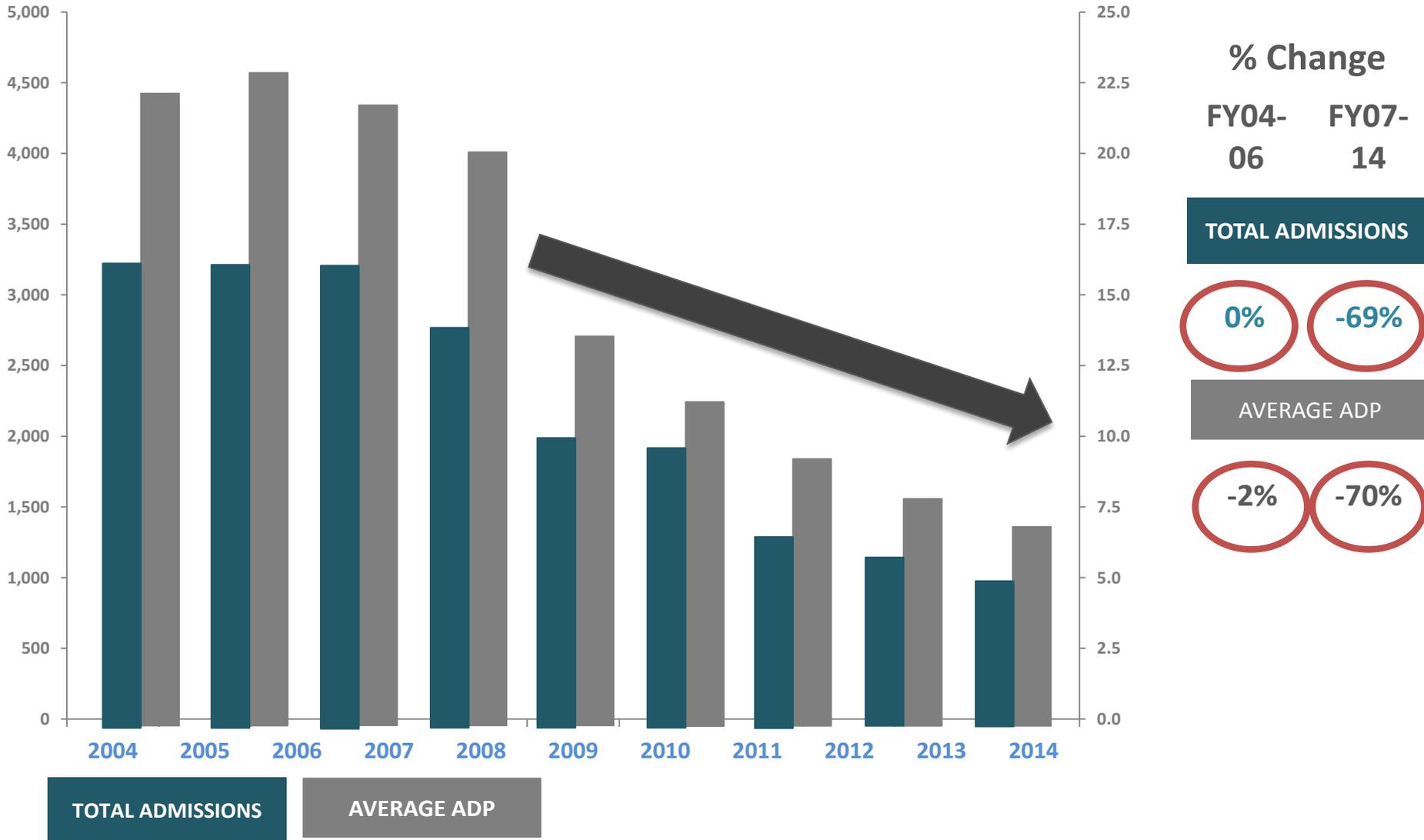
## Principle 3

Employ a **coordinated approach** across service systems to address youth's needs

## Principle 4

Tailor system policies, programs, and supervision to reflect the **distinct developmental needs of adolescents**

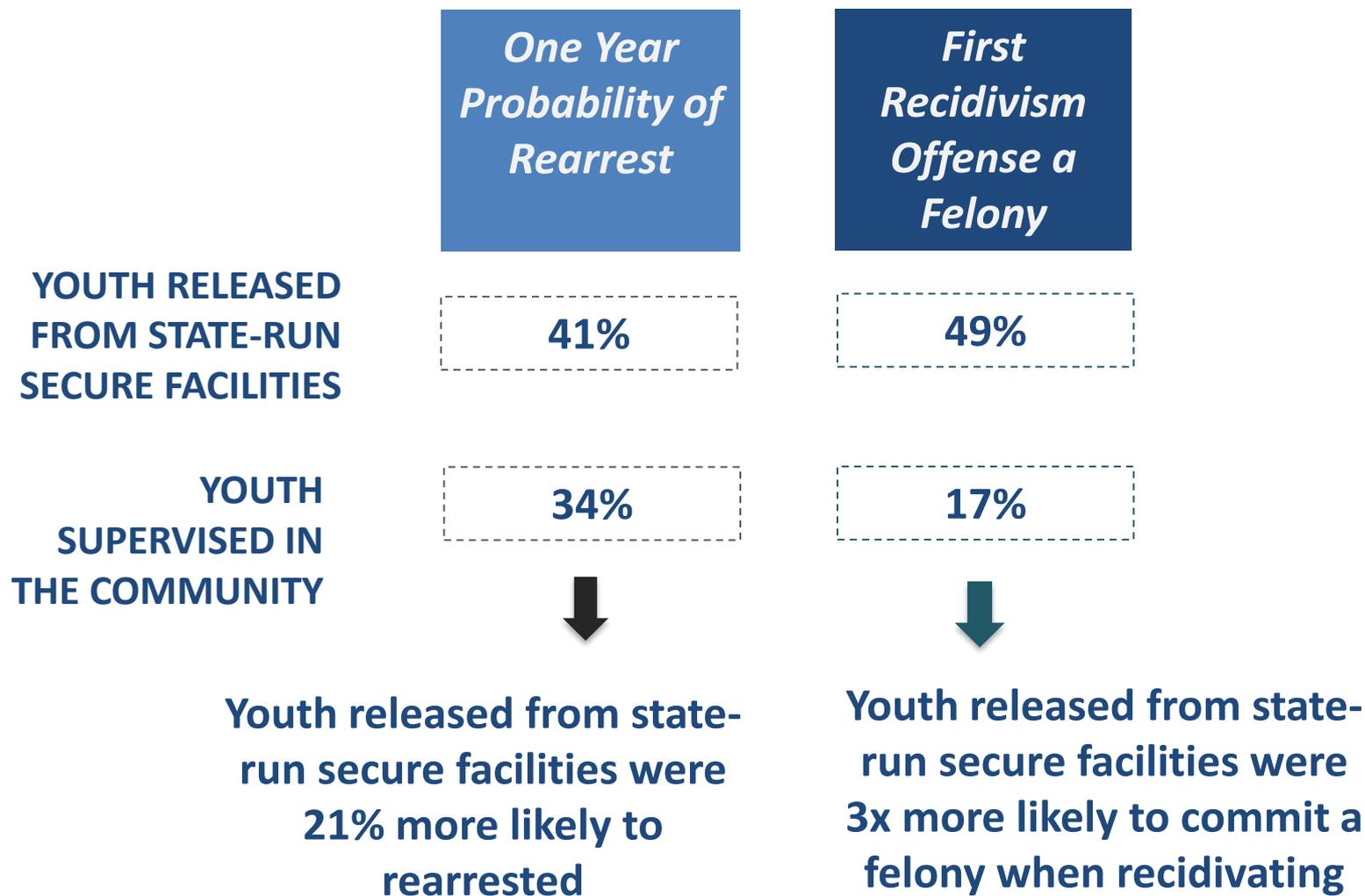
# Commitments to State-Run Secure Facilities and Population Plummeted After 2007 Reforms in Texas



# Per Capita Funding for Juvenile Probation Increased Significantly After Reform

	FY2005	FY2012	% Change
Per capita expenditures for local juvenile probation departments	\$3,555	\$7,023	98%
Expenditures adjusted for inflation – to 2014 dollars	\$4,337	\$7,304	68%
Percent of local juvenile probation department expenditures contributed by county	77%	71%	-8%

# Youth on Probation Less Likely to be Rearrested than Similar Youth Released from State Secure Facilities



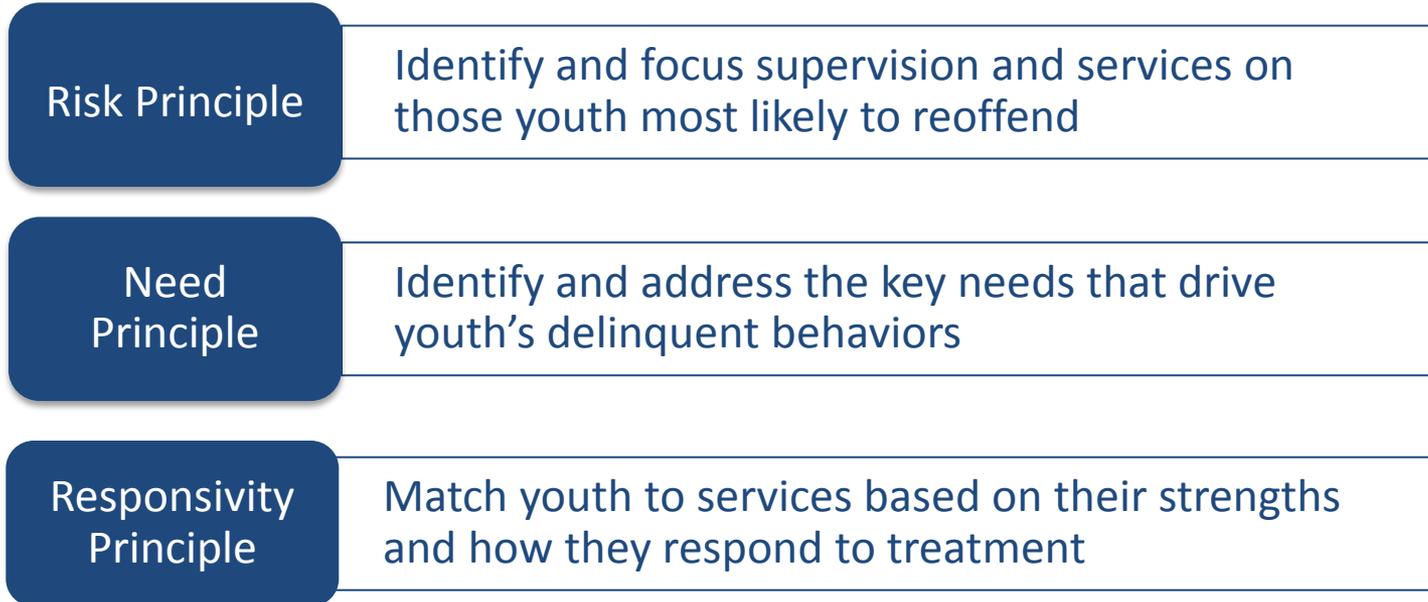
# Rearrest Rates were Comparable Regardless of the Intervention and Did Not Improve After Reform

	<b>PRE-REFORM STUDY GROUP</b> <i>One Year Probability of Rearrest</i>	<b>POST-REFORM STUDY GROUP</b> <i>One Year Probability of Rearrest</i>
State Incarceration	41%	41%
Skill-Based Program	29%	27%
Treatment Program	28%	30%
Surveillance Program	31%	29%
Secure County Placement	33%	34%
Non-Secure County Placement	35%	35%
No Intervention	33%	32%

# CORE PRINCIPLE 1

Base Supervision, Service, and Resource-Allocation  
Decisions on the Results of Validated Risk and Needs  
Assessments

# The Principles of Risk, Need, and Responsivity Can Help Systems Improve Outcomes and Use Resources More Efficiently



## Validated Risk Assessment

A **risk assessment** is an evaluation of both dynamic and static factors that predict risk of recidivism. A risk assessment is considered **validated** if it has statically proven through multiple research studies to demonstrate a high probability of predicting whether youth will reoffend.

# Use Validated Assessments to Match Youth With the Appropriate Level Of Supervision and Identify and Address Youth's Key Needs

**STEP 1:** Assess risk to reoffend using validated tool

Low Risk

Medium Risk

High Risk

**STEP 2:** Make supervision decision

Diversion  
OR  
Probation

Probation

Probation  
OR  
Residential Placement

**STEP 3:** Assess needs, develop case plans, and match youth to services

Referrals to behavioral health system if needed

Identify dynamic risk factors that drive offending behavior

Develop case plans to address these risk factors

## Dynamic Risk Factors

Dynamic risk factors are those that can be changed through development or system interventions. The most prevalent factors for young people include: family/parenting problems; negative beliefs and attitudes; negative peers; poor school performance; substance use; and a lack of social attachments

# Implement and Standardize the Use of Assessment Results through Structured Decision Making Tools



## Florida Department of Juvenile Justice Disposition Recommendation Matrix

(Staff must always begin with the least restrictive setting within a particular disposition category. See Structured Decision-Making guidelines.)

Most Serious Presenting Offense	PACT Risk Level to Reoffend			
	Low-Risk to Reoffend	Moderate-Risk to Reoffend	Moderate- to High-Risk to Reoffend	High-Risk to Reoffend
1st TIME MISDEMEANOR <sup>1</sup>	Level 1	Level 1	N/A	N/A
Minor <sup>2</sup>	Level 2 or 3a	Level 2 or 3a	Level 2 or 3a-c	Level 3a-c or 4
Serious <sup>3</sup>	Level 2 or 3a	Level 2 or 3a-b	Level 3a-c or 4	Level 3a-c or 4
Violent <sup>4</sup>	Level 2 or 3a-b	Level 2, 3a-c or 4	Level 3a-c, 4 or 5	Level 3a-c, 4 or 5

<sup>1</sup> - First time misdemeanor offenders with no history of participation in alternatives to arrest. Under § 985.12.F.S., all first-time misdemeanants are eligible for civil citation. Youth deemed ineligible for civil citation (based on community standards) should be reviewed under the "Misdemeanor" category, based upon the PACT Risk Level to Reoffend.

<sup>2</sup> - All misdemeanor offenses.

<sup>3</sup> - Felony offenses that do not include violence.

<sup>4</sup> - Violent felony offenses (do not include misdemeanor assault and battery, which is captured under "minor").

**Level 1 - Alternatives to Arrest**

**Level 3 - Community Supervision**

(3a) - Probation supervision

(3b) - Probation enhancement services (ART, Lifeskills, etc.)

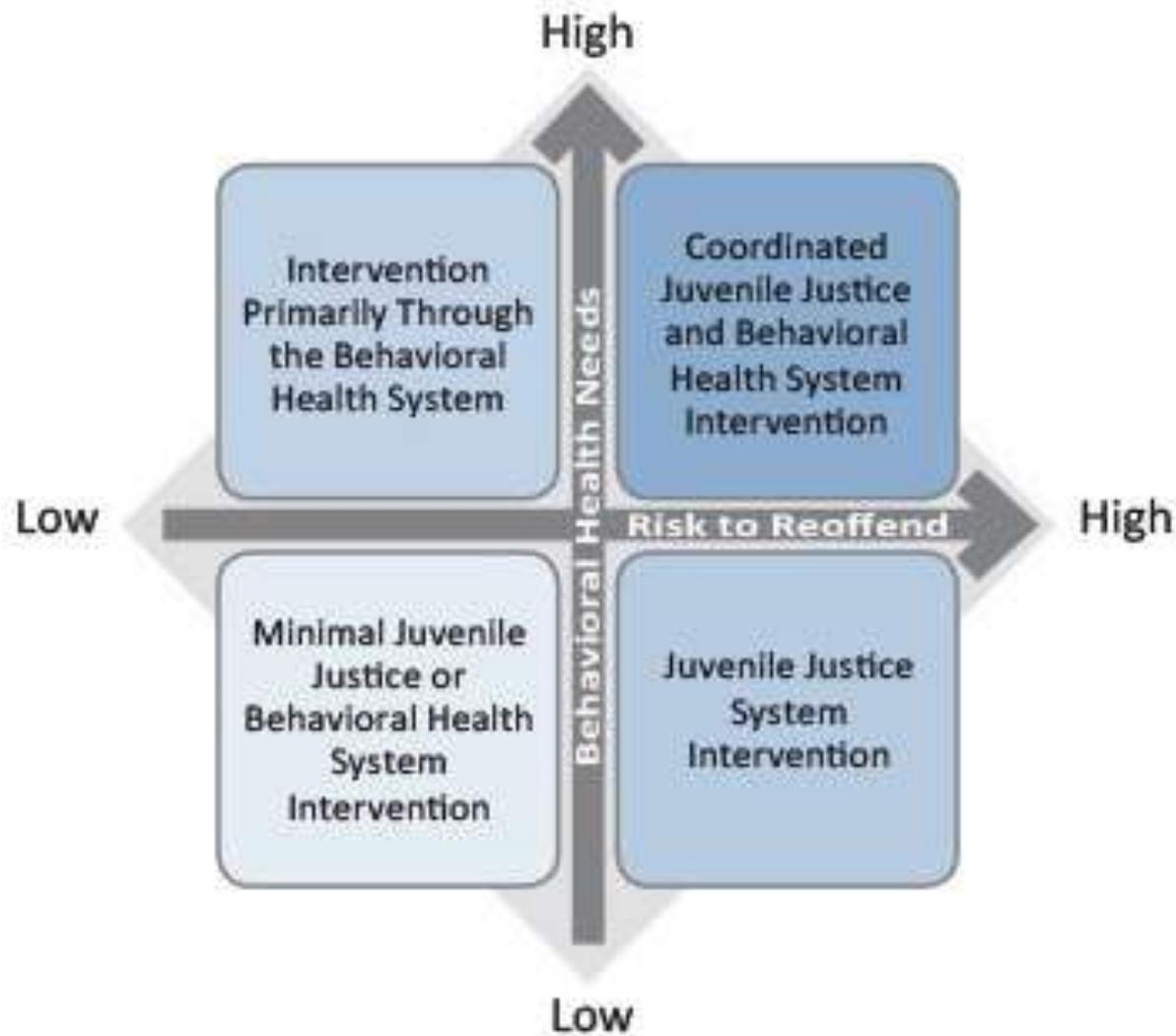
(3c) - Day Treatment, MST, FFT, Minimum Risk Commitment

**Level 2 - Diversion & Non-DJJ Probation**

**Level 4 - Non Secure Residential Commitment (Low- & Moderate-Risk Programs)**

**Level 5 - Secure Residential Commitment (High- & Maximum-Risk Programs)**

# Assess Youth's Mental Health and Substance Use Treatment Needs and Use the Results to Inform Disposition, Placement, and Service Decisions



# CORE PRINCIPLE 2

Adopt and Effectively Implement Programs and Services Demonstrated to Reduce Recidivism and Improve Other Youth Outcomes, and Use Data to Evaluate the Results and Direct System Improvements

# Eliminate the Use of Programs and Practices that Do Not Reduce Recidivism or Improve Other Youth Outcomes

## Commonly Used, but Generally Ineffective Programs and Practices

Large, overcrowded, custodial juvenile correctional facilities

Restrictive out-of-home placements for mental health treatment

Boot camps, curfew laws, and other disciplinary and surveillance focused programs

Scared Straight and other “shock therapy” programs

Self-help or self-esteem building programs

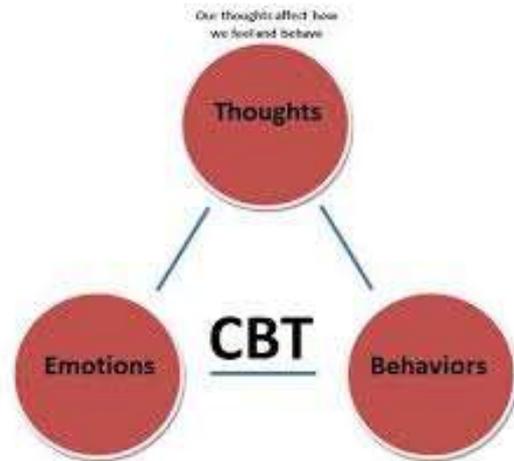
Services that youth don’t need or that don’t address the primary causes of their delinquent behavior



# Promote Service Approaches Shown to Reduce Recidivism and Improve Other Youth Outcomes

Traditional forms of supervision, by themselves, do not generally produce long term positive impacts, and confinement in particular can even have negative effects

Services that promote youth's positive development can reduce recidivism by 40%



Cognitive Behavioral Therapy



Family-Community-Centric Approaches

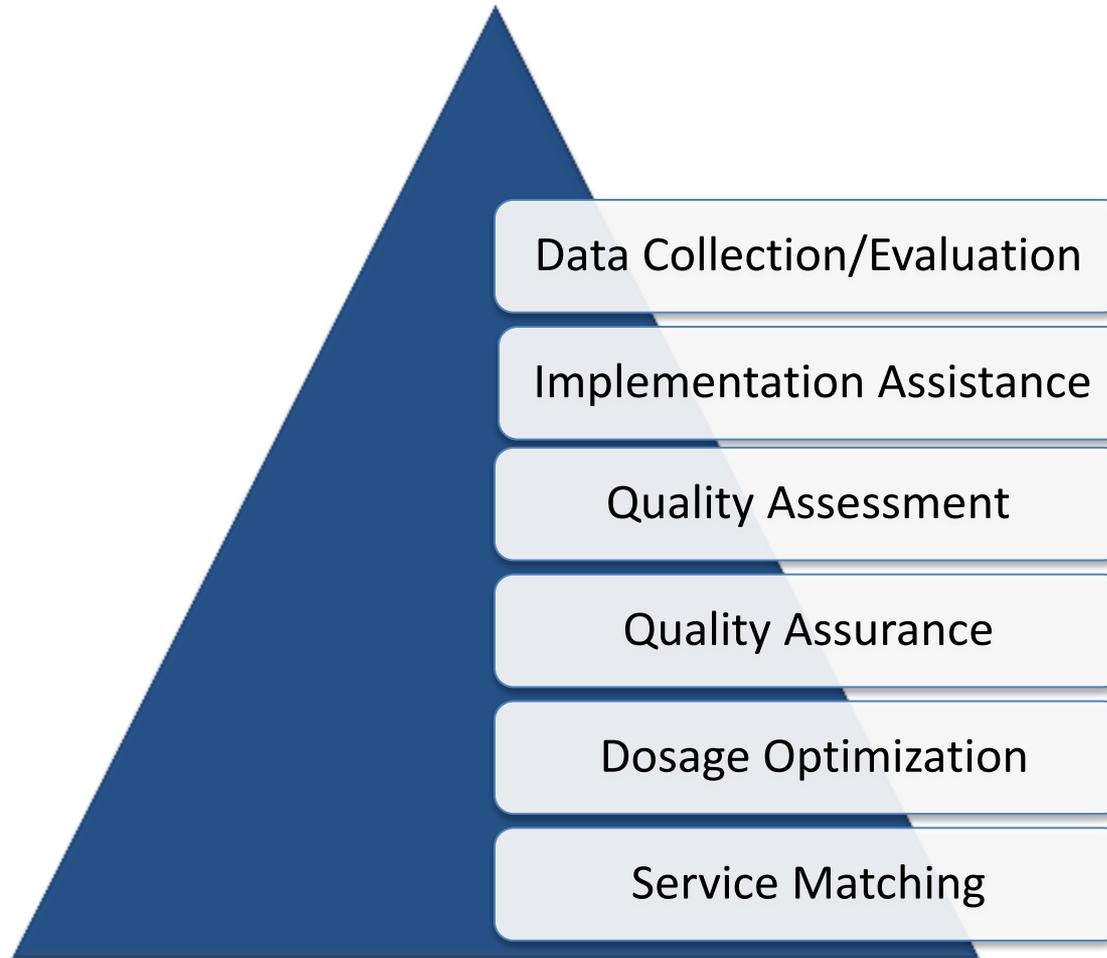
# Invest in Evidence Based Programs that Can Improve Outcomes for Youth Cost Effectively



**35 states implement the “big 3” EBPs (MST, FFT, MTFC) at some scale statewide**

Juvenile Justice Benefit Costs Ratio: [http://www.wsipp.wa.gov/BenefitCost/ProgramsByTopicPdf/1/Wsipp\\_BenefitCost\\_ProgramDetails\\_Juvenile-Justice](http://www.wsipp.wa.gov/BenefitCost/ProgramsByTopicPdf/1/Wsipp_BenefitCost_ProgramDetails_Juvenile-Justice)

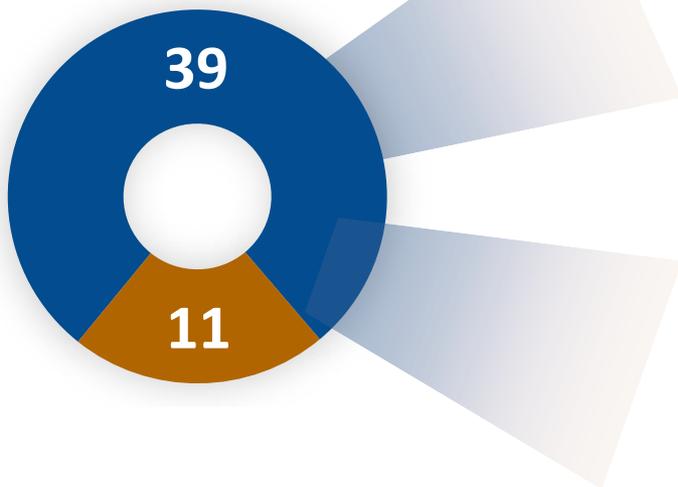
# Establish Formal Policies and Processes for Ensuring Evidence-Based Programs are Implemented with Fidelity



# Most States Are Not Sufficiently Tracking Recidivism Data for Youth Under State Juvenile Correctional Agency Custody

Does your state track recidivism for youth in state custody?

■ Yes ■ No



Of the 39 states, how many track recidivism in more than one form of contact with the justice system?

- 31 Into adult criminal justice system
- 29 Technical violations of parole
- 24 Re-arrests

Of the 39 states, how many analyze recidivism according to?

- 23 Offense
- 23 Locale
- 21 Risk level
- 12 Needs
- 12 Length of stay
- 11 Program

# Key Recommendations for Measuring Recidivism and Other Youth Outcomes

## Objective 1

**Measure** recidivism and other outcomes for youth involved with the juvenile justice system, considering the multiple ways they may have subsequent contact with the justice system

## Objective 2

**Analyze** recidivism and other youth outcomes to account for youth's risk levels, as well as other key youth characteristics and variables

## Objective 3

Develop and maintain the **data infrastructure** necessary to collect, analyze, and report recidivism and youth outcome data

## Objective 4

Make recidivism and other outcome **data available to key constituents** and the general public

## Objective 5

Use recidivism and youth outcome data to **inform juvenile justice policy, practice, and resource allocation**

# CORE PRINCIPLE 3

Employ a Coordinated Approach Across Service Systems to Address Youth's Needs

# Establish Formal Processes/Policies for Service System Coordination on Assessments, Case Planning, and Services

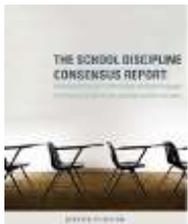
60 to 70 percent of youth in confinement have a **mental disorder**



25 to 50 percent of youth in confinement have significant **substance use disorders**, often co-occurring with mental disorders at rates of 60 percent or more



65 percent of the youth in the juvenile justice system may have past or current involvement in the **child welfare system**



Youth in the juvenile justice system are significantly more likely than their non-delinquent peers to **struggle in school**, including receiving suspensions or expulsions, have academic skills well below their grade level, possess a learning disability, and to drop out of school

# Coordination Across Service Systems In Practice



## Mental Health

- Use validated assessments to identify treatment needs
- Ensure sufficient service capacity, with an emphasis on community-based, family based, and cognitive behavioral interventions
- Provide for continuity of care from facilities to the community



## Substance Use

- Use validated assessments to identify treatment needs
- Ensure sufficient service capacity, with an emphasis on community-based, family based, and cognitive behavioral interventions
- Enable ongoing support for relapse prevention



## Child Welfare

- Share information on cross-systems involvement and risks and needs
- Promote a coordinated approach to dispositions, case planning, and services
- Involve families in all major decisions and systems' processes



## Education

- Keep youth in school by employing appropriate school discipline practices
- Establish and implement high standards for correctional education
- Designate system liaisons to support timely school reenrollment

# Examples of Coordination Across Service Systems



For over ten years, the juvenile justice and other service systems in King County, WA have met monthly as part of the Uniting for Youth Initiative to improving youth outcomes. Key accomplishments, include:

- Information Sharing Resource Guide
- Interagency protocols and designated system liaisons
- Quarterly multi-agency training for hundreds of staff
- County Ordinance devotes one-tenth of one percent of County sales tax to fund mental health services
- PathNet

Wraparound Milwaukee



Wraparound Milwaukee serves youth at risk of placement in a residential facility. An evaluation found that of the 1369 youth included in the study, only 21 percent had new offenses after their Wraparound enrollment. Key components include:

- Care Coordinators
- Mobile Urgent Treatment Team
- 80 different mental health/support services offered through a network of 200 agencies
- Over \$45 million in funds leveraged across service systems and Medicaid

# CSGJC and CJCA Conducted First-of-its-Kind National Survey

- Survey disseminated to all 50 states
- Asked 3 main questions:
  - **What services are provided?**
  - **What outcomes are collected?**
  - **What supports are provided for transitions?**
- Findings, recommendations, and examples

November 2015

## LOCKED OUT: Improving Educational and Vocational Outcomes for Incarcerated Youth

### INTRODUCTION

**P**olicymakers across the political spectrum agree: all young people should have access to a high-quality public education. Within the past two decades, particular emphasis has been placed on ensuring that students receive instruction that prepares them for college and careers, and that schools are held accountable for realizing these goals.<sup>1</sup>

There is perhaps no subset of young people whose need for a quality education is more acute—and whose situation makes them especially challenging to serve—than incarcerated youth. Of the more than 60,000 youth who are incarcerated on any given day in the United States, nearly 36,000 are committed to state custody,<sup>2</sup> two-thirds of whom are youth of color. The majority of these youth are over-age and under-credited,<sup>3</sup> several grade levels behind their peers,<sup>4</sup> more likely to have a disability than their peers,<sup>5</sup> and have been suspended multiple times and/or expelled from their local schools.<sup>6</sup>

In 1997, the majority of incarcerated youth were housed in state-run facilities; as of 2013, almost two-thirds of incarcerated youth were held in privately or locally run facilities. (See Figure 1) In most states, an array of state and local agencies and nonprofit and private organizations are responsible for overseeing and delivering educational and vocational services to incarcerated youth. As the proportion of youth incarcerated in privately or locally run facilities has grown, this has evolved into an increasingly complicated patchwork of government and nongovernment agencies. This shift means that any combination of state, local, nonprofit, and private entities now manage educational and vocational services for incarcerated youth. (See Figure 2)

### Who are Incarcerated Youth?

Of the more than 60,000 youth incarcerated on a given day:

- Approximately 36,000 youth are committed to the custody of the state juvenile correctional agency as part of a court disposition<sup>7</sup> and are typically incarcerated for 3 to 12 months. These youth can be placed in a facility run by the state, a range of nonprofit and for-profit organizations, or a local juvenile justice agency. These facilities include secure facilities as well as a range of non-secure facilities, such as residential treatment centers or group homes.
- Approximately 18,000 youth are incarcerated in primarily locally run detention facilities,<sup>8</sup> typically for fewer than 60 days, and most often because they are awaiting a court disposition.
- Nearly 6,000 youth are incarcerated in adult prisons and jails.<sup>9</sup>

### Education Data on Incarcerated Youth

National educational data on incarcerated youth is limited. Studies that have been conducted show:<sup>10</sup>

- At least one in three incarcerated youth is identified as needing or already receiving special education services—a rate nearly four times higher than youth attending school in the community.
- More than half of incarcerated youth have reading and math skills significantly below their grade level and approximately 60 percent have repeated a grade.
- The majority of incarcerated youth were suspended and/or expelled from school, and many had dropped out of school all together before being incarcerated.<sup>11</sup>

<sup>1</sup> See “Easy Access to the Census of Juveniles in Residential Placement,” <http://www.fbi.gov/databases>.

<sup>2</sup> An “over-age and under-credited” student is defined as one who is over the traditional school age for his or her grade level and lacks adequate credit hours for his or her grade level.

<sup>3</sup> Disposition is a phase of a delinquency proceeding similar to the “sentencing” phase of an adult trial.

<sup>4</sup> Detention facilities include short-term, temporary care in a physically restrictive environment for youth who are in custody pending court disposition, as well as for youth who have

# Key Findings from Survey



- 1. Most states do not collect, track, and report student outcome data for incarcerated youth in all facility schools.**
- 2. Most states do not collect, track, and report student outcome data for incarcerated youth in all facility schools.**
- 3. Policies and practices employed in states make it especially challenging for youth released from incarceration to make an effective transition to community-based educational or vocational services.**

# How does Virginia compare?

# State Policy and Practice Recommendations

1.

Require all facility schools to provide incarcerated youth with **access to the same educational and vocational services** that are available in the community.

2.

**Hold all facility schools accountable** for student performance and meeting **college- and career-readiness standards** that are aligned with state requirements for traditional public schools.

3.

**Track data on a minimum set of key student outcome indicators** for incarcerated youth, and develop the infrastructure needed to collect and analyze these data.

4.

Establish formal processes for reviewing student outcome data for incarcerated youth and **use these data to evaluate and improve school performance.**

5.

**Designate a single agency responsible for ensuring youths' successful transition** to a community-based educational or vocational setting after release from incarceration.

6.

Require juvenile justice and education agencies to **track and report on a minimum set of student outcome for youth post-release.**

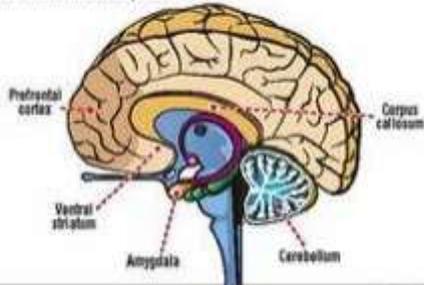
# CORE PRINCIPLE 4

Tailor System Policies, Programs, and Supervision to Reflect the Distinct Developmental Needs of Adolescents

# Tailor Supervision, Programs, and Policies to Reflect the Distinct Developmental Needs of Adolescents

## THE ADOLESCENT BRAIN

The prefrontal cortex often is called the 'executive brain.' But it is not at peak performance until young adulthood. In the meantime, the ventral striatum region makes teenagers extra sensitive to rewards, while the less-active amygdala region leaves them less sensitive to punishment and emotional consequence.



## Youth Are Developmentally Different than Adults

- Their families, peers, schools, and communities have a significant influence on their beliefs and actions
- They engage in risky behaviors and fail to account for the long-term consequences of their decisions
- They are relatively insensitive to degrees of punishment
- They struggle to regulate their impulses and emotions.

## Reforming Juvenile Justice

A DEVELOPMENTAL APPROACH



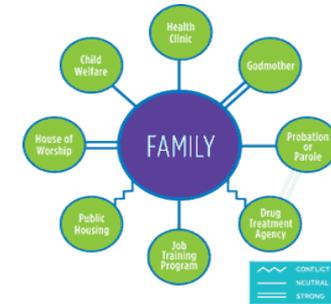
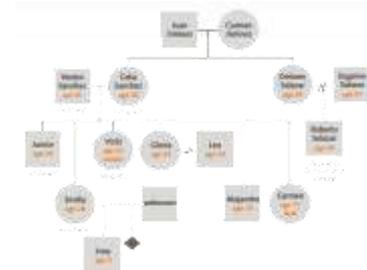
After reviewing decades of research, the National Academy of Sciences concluded that a developmentally-appropriate approach offers significant promise for improved outcomes for youth in the juvenile justice system

# Engage Families and Other Supportive Adults in Major System Decisions and Processes

Support the identification of appropriate caregivers and members of youth's support network

Require family involvement in system decisions, case planning processes, and interventions

Support mentoring programs that use evidence-based implementation practices



The Ohio Department of Youth Services uses the Juvenile Relational Inquiry Tool (JRIT) <http://www.vera.org/centers/family-justice-program/tools-and-methods-used-family-justice-program>), which is a series of questions designed by the Vera Institute of Justice, to help facility staff to build rapport with youth and identify family and other supports that can facilitate youth's successful community reentry

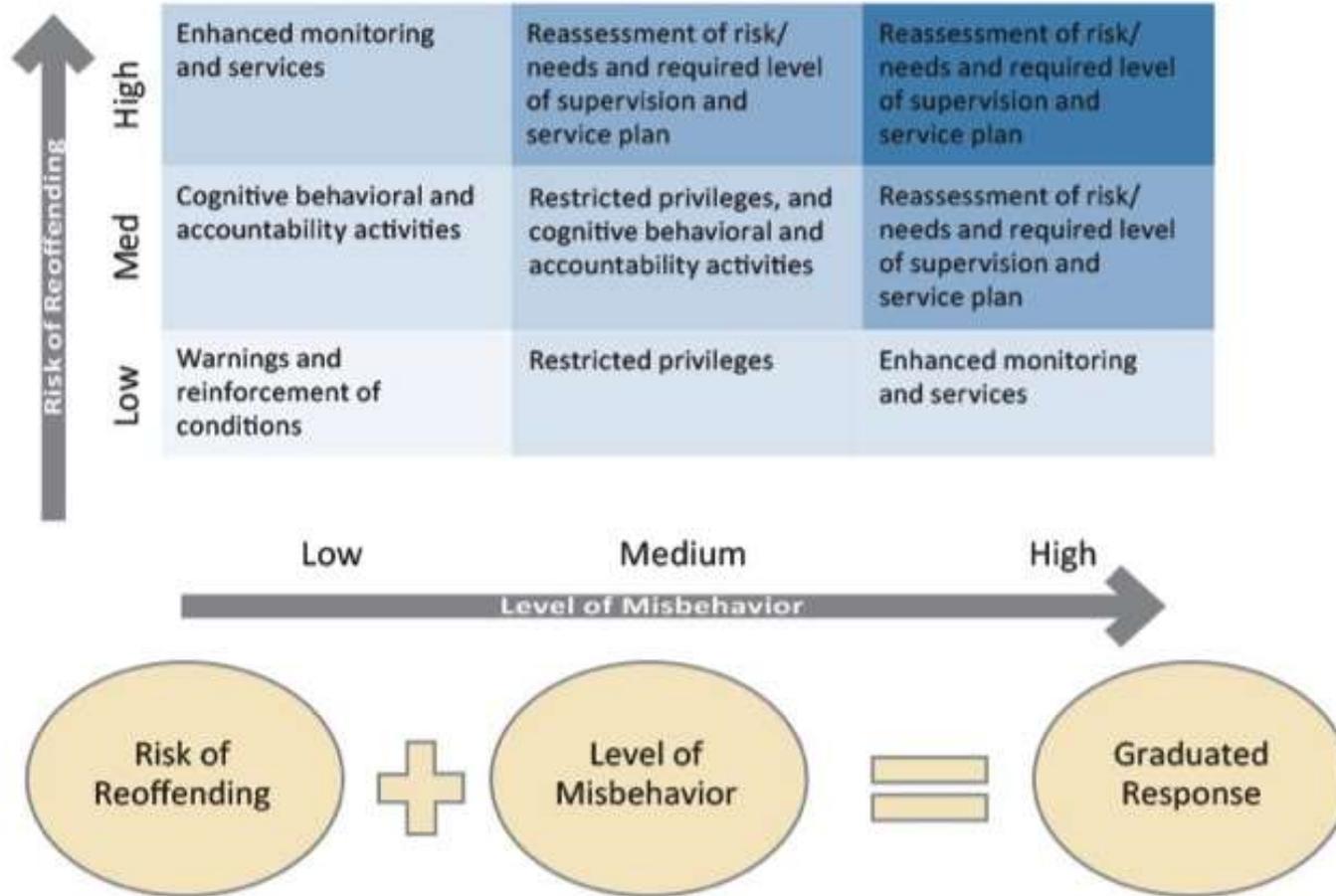
# Focus Supervision on Promoting Positive Youth Behavior Change Rather than Surveillance

Focus on Surveillance	Focus on Positive Behavior Change
Laundry list of supervision conditions	Developmentally appropriate conditions
Fixed and uniform case contact requirements	Contact requirements based on youth's assessed risk level
No collateral contact requirements	Required family and school collateral contacts
Large caseloads, "check-in" visits	Small caseloads with sessions focused on behavior change and skill development
Minimal training	Training in evidence-based engagement and cognitive behavioral techniques
Minimal use of incentives/rewards	Frequent use of incentives/rewards



Ohio, Indiana, Oregon, and California's juvenile justice systems are partnering with the University of Cincinnati to implement a comprehensive supervision framework known as Effective Practice in Communication Supervision that combines many of these strategies.

# Employ a Graduated Response to Youth's Violations of the Conditions of Supervision



For guidance on developing graduated responses for youth on community supervision please visit: <http://www.cclp.org/documents/Graduated%20Responses%20Toolkit.pdf>

# Hold Youth Accountable in Ways That Address the Harm Caused to Victims and Communities and that Supports Positive Behavior Change

Punishment



Accountability

Growing evidence suggests that **restorative justice accountability practices** can improve youth behavior, increase youth's and victim's satisfaction with the legal system, and reduce victims' post-traumatic stress symptoms and related costs.



- Community service
- Monetary or preferably other forms of restitution
- Family-conferencing
- Victim conferences and mediation



In Pennsylvania, balanced and restorative justice (BARJ) is instituted in statute as the foundation of the juvenile justice system. This approach has resulted in the use of specific accountability practices statewide for youth such as restitution, community service, and victim mediation conferences.

# Give Youth Meaningful Opportunities to Shape Key Decisions and Establish Formal Policies and Supports to Promote System Equity



## Advance Procedural Justice and System Equity

- Involve youth in case planning and treatment
- Collect and analyze data on system equity at all decision points and set goals for improvement
- Employ structured decision-making tools, and train staff on cultural competence to support their appropriate use
- Establish culturally-competent services/supports.



Multnomah County, Oregon undertook a series of reforms to improve system equity including the development of a culturally-sensitive risk assessment instrument to guide detention admissions decisions; implementation of a recruiting and hiring initiative to increase the cultural diversity of juvenile justice staff; and training for all staff on disproportionality and disparate treatment.

# Thank You

Join our distribution list to receive CSG Justice Center project updates!

[www.csgjusticecenter.org/subscribe](http://www.csgjusticecenter.org/subscribe)

## Additional Resources:

**Core Principles:** <http://csgjusticecenter.org/youth/publications/juvenile-justice-white-paper/>

**Measuring Juvenile Recidivism:**

<http://csgjusticecenter.org/youth/publications/measuring-juvenile-recidivism/>

**Juvenile Reentry and Resources:** <http://csgjusticecenter.org/youth/juvenile-reentry/>

**Improving College and Career Readiness for Youth and Young Adults in the Justice System:** <https://csgjusticecenter.org/youth/Improving-College-and-Career-Readiness-for-Youth-and-Young-Adults-in-the-Justice-System/>

For more information, contact Elizabeth Seigle ([eseigle@csg.org](mailto:eseigle@csg.org))