CHAPTER 9

Juvenile Justice Policies and Programs

William H. Barton

The knowledge, events, and values specific to any given point in time exert a profound influence on juvenile justice policy and practices. After decades of “getting tough” with young offenders and flirting with the treatment model du jour, the juvenile justice system now finds itself at a policy and programmatic crossroad. Recent advances in theory, research, and practice based on principles of risk, protection, and resilience hold promise for a more rational, comprehensive set of juvenile justice policies and practices. Nevertheless, such optimism must be tempered by the inevitable role played by societal values, politics, and public perceptions and by limitations in the knowledge base itself.

This chapter provides an outline of this conceptual advance in juvenile justice policy, places it in a historical context, and suggests ways it can be used to improve current and future policies and practices. The first section presents an overview of the goals and stakeholders involved in juvenile justice policy. The second section reviews current patterns of delinquency prevalence and incidence. The third section outlines the risk and protective factors associated with delinquent behavior. The fourth section traces the history of juvenile justice policies, noting the extent to which presumed risk and protective factors have exerted an influence. The final section applies what we have learned about risk, protection, and resilience to juvenile justice policies and practices and concludes that this knowledge base can provide a foundation for more effective and efficient ways to address delinquency through the promotion of positive youth development.

PURPOSE AND OVERVIEW OF JUVENILE JUSTICE POLICY

Prior to the 20th century, the United States did not have a juvenile justice policy per se. Although age was considered a factor in mitigating punishment, the adult court had jurisdiction over children who committed crimes. The first juvenile court was established in Chicago in 1899, and by 1925, all but two states had followed suit (Bernard &
Kurlychek, 2010). The juvenile court was the expression of the first formal juvenile justice policy, which held that juveniles were distinct from adults and that the system should act in the best interests of the child. Specialized juvenile probation services emerged to monitor juveniles who were under the jurisdiction of the court (National Center for Juvenile Justice, 1991).

This two-tiered court system created a tension between the goals of rehabilitation and punishment that continues to this day. As described later in this chapter, the parade of policy reforms since the founding of the juvenile court has reflected alternating emphases on these two primary goals. Historically, relatively lenient policies favoring treatment have alternated with “get tough” policies mandating punishment. Table 9.1 summarizes events that have shaped juvenile justice policy since the founding of the first juvenile court.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Comments</th>
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<tbody>
<tr>
<td>&lt;1899</td>
<td>Children treated the same as adults under the law</td>
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<tr>
<td>1899</td>
<td>First juvenile court established in Cook County, Illinois</td>
<td><em>Parents patriae</em> philosophy—juvenile court was to act in the best interests of the child</td>
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<tr>
<td>1900–1950</td>
<td>All states establish juvenile courts</td>
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<tr>
<td>1960s–1980s</td>
<td>Interest in delinquency prevention, diversion, and deinstitutionalization programs</td>
<td>Community organization approaches (e.g., Mobilization for Youth), diversion, and deinstitutionalization are implemented (see 1974 JJDPA below)</td>
</tr>
<tr>
<td>1966</td>
<td><em>Kent v. United States</em></td>
<td>Courts must provide the “essentials of due process” in transferring juveniles to the adult system</td>
</tr>
<tr>
<td>1967</td>
<td><em>In re Gault</em></td>
<td>In hearings that could result in commitment to an institution, juveniles have four basic constitutional rights (notice, counsel, questioning witnesses, protection against self-incrimination)</td>
</tr>
<tr>
<td>1968</td>
<td>Juvenile Delinquency Prevention and Control Act</td>
<td>Children charged with status offenses were to be handled outside the court system</td>
</tr>
<tr>
<td>1970</td>
<td><em>In re Winship</em></td>
<td>In delinquency matters, the state must prove its case beyond a reasonable doubt</td>
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<tr>
<td>1971</td>
<td><em>McKeiver v. Pennsylvania</em></td>
<td>Jury trials are not constitutionally required in juvenile court hearings</td>
</tr>
<tr>
<td>1974</td>
<td>Juvenile Justice and Delinquency Prevention Act (JJDPA)</td>
<td>Deinstitutionalization of status offenders; separation of juvenile and adult offenders</td>
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Table 9.1 (Continued)

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<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Comments</th>
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<tbody>
<tr>
<td>1975</td>
<td>Lipton, Martinson, &amp; Wilks report</td>
<td>Results misinterpreted by most as indicating that “nothing works” in juvenile corrections</td>
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<td>1975</td>
<td><em>Breed v. Jones</em></td>
<td>Waiver to criminal court following adjudication in juvenile court constitutes double jeopardy</td>
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<tr>
<td>1980</td>
<td>Amendment to the JJDP</td>
<td>Juveniles removed from adult jails and lockups</td>
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<tr>
<td>1982</td>
<td><em>Eddings v. Oklahoma</em></td>
<td>Reversed the death sentence of a 16-year-old tried in adult court; ruled that a defendant’s young age should be considered a mitigating factor</td>
</tr>
<tr>
<td>1984</td>
<td><em>Schall v. Martin</em></td>
<td>Preventive “pretrial” detention of juveniles is allowable under certain circumstances</td>
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<tr>
<td>1988</td>
<td>Maloney, Romig, &amp; Armstrong introduce the “balanced approach”</td>
<td>Some juvenile justice jurisdictions adopt the three goals of public safety protection, accountability, and competency development</td>
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<td>1988</td>
<td><em>Thompson v. Oklahoma</em></td>
<td>Ruled that the Eighth Amendment prohibits the death penalty for persons younger than 16 years old</td>
</tr>
<tr>
<td>1989</td>
<td><em>Stanford v. Kentucky</em></td>
<td>Ruled that the Eighth Amendment does not prohibit the death penalty for persons who committed capital crimes when 16 or 17 years old</td>
</tr>
<tr>
<td>1980s–1990s</td>
<td>Several highly publicized violent acts by juveniles; states “toughen” juvenile codes</td>
<td>More juveniles are transferred to the adult system; many states adopt mandatory sentences; juvenile court confidentiality provisions are weakened; special programs target serious juvenile offenders; “Scared-Straight” and boot camp programs proliferate</td>
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<tr>
<td>1990s</td>
<td>Many states adopt blended sentencing policies</td>
<td>Extends sanctions beyond upper age of juvenile court jurisdiction; creates a middle ground between juvenile and adult sanctions</td>
</tr>
<tr>
<td>1990s</td>
<td>Many schools adopt “zero-tolerance” policies</td>
<td>More youths excluded from school; often end up in the juvenile justice system</td>
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<td>1993</td>
<td>Office of Juvenile Justice and Delinquency Prevention (OJJDP) introduces its “comprehensive strategy”</td>
<td>Approach favors prevention, risk assessment and classification, and adoption of evidence-based treatment programs; adopted by several states</td>
</tr>
<tr>
<td>1995</td>
<td>OJJDP launches “balanced &amp; restorative justice” project</td>
<td>Restorative justice philosophy begins to appear in some jurisdictions (e.g., victim–offender mediation, family group conferences, teen courts)</td>
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<tr>
<td>Date</td>
<td>Event</td>
<td>Comments</td>
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<tr>
<td>1995–2010</td>
<td>The rate of juvenile crime declines; Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative spreads; “What Works” initiative is marketed to jurisdictions to encourage use of evidence-based interventions; major federal re-entry initiatives launched (Serious and Violent Offender Re-entry Initiative)</td>
<td>Despite juvenile crime reductions, formal court processing continues to increase and “get tough” policies remain; use of secure detention and post-adjudication incarceration decrease slightly; some jurisdictions adopt evidence-based interventions</td>
</tr>
<tr>
<td>2005</td>
<td><em>Roper v. Simmons</em></td>
<td>U.S. Supreme Court ruled that the Eighth Amendment prohibits imposing the death penalty on all juveniles under the age of 18</td>
</tr>
<tr>
<td>2010–2012</td>
<td><em>Graham v. Florida; Miller v. Alabama; Jackson v. Hobbs</em></td>
<td>U.S. Supreme Court ruled that the Eighth Amendment does not allow a juvenile offender to be sentenced to life in prison without parole for a non-homicide offense</td>
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<tr>
<td>2011–2014</td>
<td>The rate of juvenile crime remains low. The National Research Council of the National Academy of Sciences issues a major report calling for a developmental approach to juvenile justice. The National Campaign to Reform State Juvenile Justice Systems releases a report titled <em>The Fourth Wave.</em></td>
<td>These reports represent the culmination of the incorporation of concepts of risk, resilience, and developmental science into juvenile justice. While vestiges of the “get tough” policies remain, many jurisdictions are changing their approaches as a result of these conceptual advances and in response to shrinking resources.</td>
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</tbody>
</table>

*Sources*: Bazemore and Umbreit (1995); Bernard and Kurlychek (2010); Latessa (2004); Lattimore et al. (2004); McNeese (1998); National Research Council (2013); Skiba et al. (2003); Snyder and Sickmund (1999, 2006); Stanfield (1999); Weiss (2013); Wilson and Howell (1993).

To whom do juvenile justice policies apply? The juvenile court has jurisdiction over young people who meet the definition of a juvenile in a given state and against whom a petition is filed alleging a delinquent act (behavior that would be a crime if committed by an adult) or a status offense (behavior that would not be considered criminal if committed by an adult, e.g., school truancy or running away from home). Once a petition is filed, the juvenile probation department prepares a predisposition report summarizing the facts and context of the case and containing recommendations to the judge for corrective action. Should the judge *adjudicate* the child as delinquent, which is analogous to a determination of guilt in adult criminal court, dispositional options might include probation supervision, placement in a nonresidential program, or residential placements of varying restrictiveness.

The definition of a juvenile, that is, one who comes under the jurisdiction of the juvenile court, varies from state to state. In most states, the upper age limit of juvenile court jurisdiction is 17 years, but in New York and North Carolina, that limit is 15 years; in 10
other states, including Georgia, Massachusetts, Michigan, and Texas, it is 16 years; and in Connecticut, the age limit was raised from 15 to 17 years in 2012 (Office of Juvenile Justice and Delinquency Prevention [OJJDP], 2013a). Further complicating the definition of a juvenile, policies in some states extend juvenile court jurisdiction to age 20 years for status offenses, and most states (32) allow extended juvenile court supervision of placements of delinquents through age 20 (or even older in a few states, including through age 24 in California, Montana, Oregon, and Wisconsin) (OJJDP, 2013b).

States have long been able to use judicial waiver to transfer young offenders to adult court jurisdiction under certain conditions. In the 1990s, many states modified their juvenile codes to redefine young people who commit certain crimes as adults, even though their age would otherwise define them as juveniles. For example, in many states, 14- or 15-year-olds charged with murder or certain other serious crimes can be processed automatically in adult court. In addition, most states have other mechanisms of transferring jurisdiction from juvenile to adult court by judicial waiver, prosecutorial discretion, or both.

Juvenile justice policies affect many other stakeholders, including the family members of young offenders, the neighborhoods in which they live, the broader community, and the public and private service providers who administer juvenile justice programs. Thus, as juvenile justice policies shift emphases among the system’s goals, there are ongoing implications for family stability, neighborhood social capital, and the economy. Taxpayers pay for the majority of juvenile justice services. In recent years, the cost of such services has been rapidly increasing, led by treatments that are more intensive, settings that are more restrictive (i.e., requiring greater security measures), and services that are of greater duration.

**DELINQUENCY AND DELINQUENTS: PREVALENCE AND TRENDS**

As noted earlier, the term delinquency technically refers to acts committed by juveniles that would be crimes if committed by adults. However, delinquency often colloquially refers to the full range of problem behaviors exhibited by young people that could result in their appearance in juvenile court. A complication emerges when we realize that delinquency is a concept defined through a combination of behavioral indicators and societal definitions and responses, and these definitions and responses tend to change over time. Indeed, some behaviors that are currently not considered as delinquency may have once fit the definition, whereas some contemporary constructions of delinquent behavior might not have been labeled as problematic in other times. For example, in earlier eras, delinquency included simply being seen near an unsavory establishment or being poor and congregating in public with other poor children (Bernard & Kurlychek, 2010). More recently, some altercations among youth that previously would have been ignored or handled informally by parents, neighbors, or schools now lead to formal charges. The dynamic nature of the concept of delinquency poses some problems for a discussion of risk and protective factors because there is at least an implicit assumption that the outcome being “predicted” is at the individual level.

Despite the preceding caveat, describing the current prevalence and distribution of delinquency provides a sense of its scope. There are two ways to approach this task. First,
given the focus of this chapter on juvenile justice policies and how they apply to those who become involved with the juvenile justice system, we summarize recent data on juvenile arrests and court processing. Then, because not all delinquent behavior is detected or formally processed but is, at least in large part, presumably related to the same etiological factors, we summarize what is known from self-report delinquency studies.

In 2011, the most recent year for which data are available, 1.47 million people younger than 18 years of age were arrested in the United States, accounting for 20% of all arrests for property crimes and 13% of arrests for violent crimes (Puzzanchera, 2013). Most U.S. crimes are committed by people between the ages of 10 and 49 years old, 20% of whom are between 10 and 17 years old, according to the 2010 Census (Howden & Meyer, 2013). Thus, juveniles are overrepresented in arrests for such crimes as arson (42%), vandalism (29%), robbery (22%), burglary (21%), and motor vehicle theft (21%) but are underrepresented in arrests for such crimes as murder (8%), aggravated assault (10%), drug abuse violations (10%), and forcible rape (14%) (Puzzanchera, 2013). In 2011, females were involved in about one third (29%) of juvenile arrests (Puzzanchera, 2013). Although African Americans make up just 17% of the U.S. population between the ages of 10 and 17 years old, African American youth accounted for much higher percentages of juvenile arrests for nearly all offense categories (e.g., violent crimes, 51%; property crimes, 35%; drug abuse violations, 23%) (Puzzanchera, 2013). Similar arrest data are not available for Hispanic youth. However, there is evidence that Hispanic youth are slightly overrepresented at other points in the juvenile justice system. In 2011, about 21% of the U.S. population between 10 and 17 years old was Hispanic (author calculation, based on data tables in U.S. Census Bureau, 2013); in a 1-day census in 2011, Hispanic youth accounted for 25% of those detained and 22% of those in residential juvenile correctional placement (Sickmund, Sladky, Kang, & Puzzanchera, 2013).

Another way to look at juvenile offense patterns is to consider the proportion of juvenile arrests accounted for by various crimes. Of the 1.47 million juvenile arrests in 2011, 4.6% were for violent index offenses (e.g., murder, non-negligent manslaughter, forcible rape, robbery, aggravated assault); 23% were for property crime index offenses (e.g., burglary, larceny-theft, motor vehicle theft, arson); 13% were for other assaults; 10% were for drug offenses; 9% were for disorderly conduct; 7% were for alcohol offenses; 5% were for vandalism; and the remaining 28% were for other nonindex offenses (based on Puzzanchera, 2013). Juvenile arrest rates for nearly all crimes have decreased noticeably since a high point in the mid-1990s, with an overall decline of 31% from 2002 to 2011, and are at their lowest levels since 1980 (Puzzanchera, 2013). The decline has been even more pronounced for African American youth than for White youth, excluding a brief uptick between 2004 and 2008 (Puzzanchera, 2013).

Of course, police do not refer all arrested youth to juvenile courts. In 2011, police referred 68% of arrested youth to juvenile courts and 7% directly to adult courts, while releasing 22%, with the remaining 3% referred to some other service (Puzzanchera, 2013). In 2010, juvenile courts processed about 1.4 million delinquency cases (Puzzanchera & Robson, 2014). In contrast to juvenile arrest trends, juvenile court delinquency caseloads increased 17% from 1985 to 2010, although they declined 19% from 2001 to 2010 (Puzzanchera & Robson, 2014). Of the delinquency cases brought before juvenile courts in
2010, more than half (54%) resulted in formal petitions, about one-third (31%) were adjudicated delinquent, and about 8% were placed out of the home (Puzzanchera & Robson, 2014). The large majority of all cases (about 67%), whether formally petitioned or not, received some form of consequence (or service), including probation, placement, or some other sanction (Puzzanchera & Robson, 2014).

The official record data described above reflect the volume of delinquency brought to the attention of law enforcement and the courts. However, juvenile arrest and court data do not give a good estimate of the overall incidence or prevalence of delinquent behavior. Much delinquent activity goes undetected or unprocessed by the system. Moreover, arrests are case-specific rather than person-specific or crime-specific. That is, the same juvenile may account for several arrests, a single arrest may result from several crimes committed by an individual, and a single crime may result in the arrest of multiple individuals (Puzzanchera, 2013). Therefore, studies of self-reported delinquency can be a useful supplement to official data.

Self-report delinquency studies have a long history in criminology research, with the consensus being that youths’ self-reports of delinquent activity are reasonably reliable and valid when collected under appropriate conditions of anonymity or confidentiality (Elliott & Ageton, 1980; Farrington, Loeber, Stouthamer-Loeber, Van Kammen, & Schmidt, 1996; Hindelang, Hirschi, & Weis, 1981; O’Malley, Bachman, & Johnston, 1983). Studies based on samples of general school populations have consistently shown that about 80% of adolescents report having engaged in behavior that could have gotten them in trouble with the law if detected. A relatively high number of adolescents report use of alcohol and illegal substances, truancy, and minor fights (Elliott, Huizinga, & Ageton, 1985; Farrington et al., 1996). A smaller number of adolescents report involvement in serious offenses against people or property. Relatively few adolescents report frequently committing such offenses, and most do not go on to commit crimes as adults (Elliott et al., 1985; Farrington et al., 1996; Moffitt & Caspi, 2001). Thus, although a large majority of youth engages in some misconduct, relatively few—only 6% to 8%—are the chronic, serious juvenile offenders who account for most of the serious juvenile crime (Hamparian, 1978; Wolfgang, Figlio, & Sellin, 1972; Wolfgang, Thornberry, & Figlio, 1987). Risk and protective factors for delinquent conduct are described next.

**Risk and Protective Factors for Delinquency**

The risk and protection framework for understanding delinquency has evolved from separate lines of research and theory. Some researchers have adopted an epidemiological approach to the study of youth problem behaviors, such as psychopathology, substance abuse (Hawkins, Catalano, & Miller, 1992), delinquency (Dryfoos, 1990; Elliott, 1994; Thornberry, Huizinga, & Loeber, 1995; Tremblay & Craig, 1995), school dropout (Wehlage, Rutter, Smith, Lesko, & Fernandez, 1989), and teenage pregnancy (Dryfoos, 1990; Franklin, Grant, Corcoran, O’Dell, & Bultman, 1995). From a different perspective, other researchers have attempted to understand why some individuals achieve positive developmental outcomes despite resembling those at highest risk for failure (Anthony, 1987; Rutter, 1985; Werner & Smith, 2001). In recent decades, these streams of research and
theory have converged to identify a common set of risk and protective factors associated with various developmental outcomes.

Risk factors have been defined by Fraser, Kirby, and Smokowski (2004) as “any influences that increase the chances for harm or, more specifically, influences that increase the probability of onset, digression to a more serious state, or maintenance of a problem condition” (p. 14). Regarding protective factors, some scholars make a distinction between direct protective factors that predict low involvement in problem behaviors with or without the presence of risk and indirect or buffering factors that operate in the presence of risk to mediate or buffer the effect of risk, thus enhancing positive adaptation (Garmezy, 1985; Lösel & Farrington, 2012; Masten, 1994; Rutter, 1985). Others suggest using the term promotive factors for those influences associated with positive developmental outcomes for all people, reserving the term protective factors for those that operate only or more strongly in the presence of risk (Fraser et al., 2004; Fraser & Terzian, 2005; Sameroff, 1999). Risk, promotive, and protective factors each may operate in either domain-specific (i.e., related to specific developmental outcomes) or general ways.

Most research on risk, promotive, and protective factors usually focuses on linking variation in these potentially predictive factors with variation in outcomes such as delinquency, other youth problems, and/or positive developmental trajectories. Also important to an understanding of risk, resilience, and juvenile justice is the growing understanding of what may be considered a universal risk of adolescence as a developmental stage. Studies of adolescent brain development since the late 1990s have produced a growing consensus that “adolescence” is defined less by chronological age than by a combination of biological markers and social roles, brain development does not proceed at the same pace for everyone and may not be complete until one’s mid-20s, the frontal lobe (responsible for decision-making) develops last, and significant hormonal changes occur that are linked to emotionality and aggression (Dahl, 2004; Weinberger, Elvevag, & Giedd, 2005). Accordingly, impulsive behavior is essentially normal for adolescents, some of this impulsivity may lead to engagement in delinquent behavior, and, in turn, such behavior may lead to encounters with law enforcement and the juvenile justice system (Coalition for Juvenile Justice, 2006). Of course, how these developmental patterns play out for individual youth depends upon a complex interplay of the variable ecological influences discussed below.

Several recent reviews summarized the research regarding risk factors, protective factors, and resilience in general (Durlak, 1998; Fraser et al., 2004; Werner & Smith, 2001) and for delinquency and violence in particular (Hawkins et al., 2000; Howell, 2003; Lipsey & Derzon, 1998; Lösel & Farrington, 2012; Office of the Surgeon General, 2001; Stouthamer-Loeber, Loeber, Wei, Farrington, & Wikström, 2002; Williams, Ayers, Van Dorn, & Arthur, 2004). Table 9.2 lists risk, protective, and promotive factors identified at various ecological levels in those reviews.

### Individual Level

Some risk and protective factors are biological or genetic in origin. For example, males are at higher risk than females for antisocial behavior (e.g., Patterson, Reid, & Dishion, 1992). Recent work suggests that the absence of the genetically controlled monoamine
<table>
<thead>
<tr>
<th>Level</th>
<th>Risk Factors</th>
<th>Protective/Promotive Factors</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Individual: Biological and Genetic</strong></td>
<td>Gender (male)$^{abcd}$</td>
<td>Gender (female)$^e$</td>
</tr>
<tr>
<td></td>
<td>Absence of MAOA gene$^f$</td>
<td>High heart rate$^f$</td>
</tr>
<tr>
<td></td>
<td>Neuropsychological defects$^c$</td>
<td>High IQ$^{adefh}$</td>
</tr>
<tr>
<td></td>
<td>Cognitive defects—low IQ$^{bdefh}$</td>
<td>Easy temperament$^{aeh}$</td>
</tr>
<tr>
<td></td>
<td>Difficult temperament$^c$</td>
<td></td>
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<tr>
<td></td>
<td>Hyperactivity/ADHD$^{lidef}$</td>
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<tr>
<td></td>
<td>Perinatal trauma$^{th}$</td>
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<tr>
<td></td>
<td>Neurotoxins$^e$</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maternal alcohol or drug use in pregnancy$^f$</td>
<td></td>
</tr>
<tr>
<td><strong>Individual: Psychological and Behavioral</strong></td>
<td>Aggression$^{bcd}$</td>
<td>Assertiveness$^c$</td>
</tr>
<tr>
<td></td>
<td>Beliefs favorable to deviance$^{cd}$</td>
<td>Prosocial attitudes/beliefs$^{defg}$</td>
</tr>
<tr>
<td></td>
<td>Alienation$^{cd}$</td>
<td>Social problem-solving skills$^{hi}$</td>
</tr>
<tr>
<td></td>
<td>Rebelliousness$^e$</td>
<td>Self-efficacy$^{dh}$</td>
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<tr>
<td></td>
<td>Impulsiveness$^f$</td>
<td>Self-esteem$^h$</td>
</tr>
<tr>
<td></td>
<td>Risk-taking$^c$</td>
<td>Internal locus of control$^{lth}$</td>
</tr>
<tr>
<td>Family</td>
<td>Family management problems$^{bde}$</td>
<td>Positive discipline techniques$^c$</td>
</tr>
<tr>
<td></td>
<td>Family conflict$^{abcd}$</td>
<td>Supportive relationships$^{sefghi}$</td>
</tr>
<tr>
<td></td>
<td>Lack of parental involvement$^{bde}$</td>
<td>Monitoring and supervision$^{ed}$</td>
</tr>
<tr>
<td></td>
<td>Low level of parental education$^h$</td>
<td>Parent with high school education or more$^h$</td>
</tr>
<tr>
<td></td>
<td>Low family SES$^f$</td>
<td>Low parental stress$^f$</td>
</tr>
<tr>
<td></td>
<td>Child maltreatment$^{bdeh}$</td>
<td>Above average family SES$^f$</td>
</tr>
<tr>
<td></td>
<td>Family history of crime$^{bcdde}$</td>
<td>Good communication$^g$</td>
</tr>
<tr>
<td></td>
<td>Parental antisocial personality$^a$</td>
<td>Family advocacy$^e$</td>
</tr>
<tr>
<td></td>
<td>Parental psychopathology$^{ah}$</td>
<td>Achievement orientation$^{ef}$</td>
</tr>
<tr>
<td></td>
<td>Parental attitudes favoring deviance$^d$</td>
<td>Strong spiritual values$^e$</td>
</tr>
<tr>
<td></td>
<td>Parent–child separation$^{bcdh}$</td>
<td>Racial pride$^e$</td>
</tr>
<tr>
<td></td>
<td>Divorce$^{cdeh}$</td>
<td>Extended family bonds$^e$</td>
</tr>
<tr>
<td></td>
<td>Large family size$^c$</td>
<td>Fewer siblings$^g$</td>
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<tr>
<td><strong>Other Adults</strong></td>
<td>Presence of caring adult$^{ah}$</td>
<td></td>
</tr>
<tr>
<td>Peers</td>
<td>Antisocial peers$^{bcddef}$</td>
<td>Prosocial peer group$^{efghi}$</td>
</tr>
<tr>
<td></td>
<td>Delinquent siblings$^b$</td>
<td>Social isolation$^f$</td>
</tr>
<tr>
<td>School</td>
<td>Early academic failure$^{bcdeh}$</td>
<td>Academic success$^{sefgh}$</td>
</tr>
<tr>
<td></td>
<td>Low school commitment$^{bcd}$</td>
<td>Positive bonding to school$^{defgh}$</td>
</tr>
<tr>
<td></td>
<td>Aggressive behavior in school$^e$</td>
<td>Positive school climate$^f$</td>
</tr>
<tr>
<td></td>
<td>Poor-quality schools$^c$</td>
<td>High-quality schools$^i$</td>
</tr>
<tr>
<td></td>
<td>Truancy$^{hc}$</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Frequent school transitions$^b$</td>
<td></td>
</tr>
</tbody>
</table>
oxidase (MAOA) enzyme is associated with aggressive behavior (Rowe, 2001) and that its presence can buffer the risks associated with early child maltreatment (Kim-Cohen et al., 2006). Several researchers have identified the role of temperament in resilience, finding that, from an early age, children with an “easy” temperament fare better than those with a “difficult” temperament (Moffitt & Caspi, 2001; Werner & Smith, 2001). Presumably, the child’s natural temperament elicits responses in kind from parents and others. Hyperactivity in young children is associated with later behavioral problems and delinquency (Loeber, Farrington, & Petechuk, 2003). Intelligence, as measured with IQ tests, can be seen as a protective factor when high (Masten, 1994) and a risk factor when low (Loeber, Farrington, Stouthamer-Loeber, & van Kammen, 1998). Hawkins, Catalano, and Miller (1992) reported a relationship between a mother's alcohol and drug use during pregnancy and a child's later delinquency.

Other factors at the individual level are psychological or behavioral. Risk factors include early aggressive behavior (Farrington, 1991; Hawkins et al., 2000), rebelliousness, and alienation (Williams et al., 2004). Attitudes and beliefs favorable to deviance are a risk factor (Hawkins et al., 2000), whereas prosocial attitudes act as a protective factor (Lösel & Farrington, 2012; Office of the Surgeon General, 2001; Williams et al., 2004). Other

<table>
<thead>
<tr>
<th>Neighborhood</th>
<th>High population density&lt;sup&gt;a&lt;/sup&gt;</th>
<th>High population mobility&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Physical deterioration&lt;sup&gt;ae&lt;/sup&gt;</th>
<th>High crime rates&lt;sup&gt;bd&lt;/sup&gt;</th>
<th>Availability of drugs/weapons&lt;sup&gt;ae&lt;/sup&gt;</th>
<th>Lack of social cohesion&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Low resident attachment&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Collective efficacy&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Non-disadvantaged neighborhood&lt;sup&gt;fg&lt;/sup&gt;</th>
<th>Low neighborhood crime/low violence&lt;sup&gt;fg&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Society/Community</td>
<td>Antisocial community norms/laws&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Exposure to violence&lt;sup&gt;b&lt;/sup&gt;</td>
<td>Racial prejudice and discrimination&lt;sup&gt;ab&lt;/sup&gt;</td>
<td>Few education/employment opportunities&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Poverty&lt;sup&gt;abcdeh&lt;/sup&gt;</td>
<td>Prosocial community norms/laws&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Support&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Empowerment&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Many education/employment opportunities&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Boundaries and expectations&lt;sup&gt;e&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

- e. Williams et al. (2004).
- g. Stouthamer-Loeber et al. (2002).
- h. Werner and Smith (2001).
protective or promotive factors include high levels of internal locus of control and assertiveness (Werner & Smith, 2001), social problem-solving skills (Durlak, 1998; Werner & Smith, 2001; Williams et al., 2004), self-efficacy, self-esteem (Fraser et al., 2004), and having a religious or spiritual orientation (Lösel & Farrington, 2012).

Family Level

The family represents the most salient social context for children; therefore, it is not surprising that the literature identifies a number of important risk and protective or promotive factors within the family. A relatively consistent picture emerges. Through attachment and modeling, the family exerts a profound effect on children's behavior. Nearly all authors of systematic reviews have noted inconsistent or harsh discipline practices, parental criminality, child maltreatment, lack of parental involvement, and divorce as risk factors and concurrently mentioned warm relationships with prosocial parents who are involved in their children's lives and who provide consistent monitoring and discipline as perhaps the strongest protective or promotive factor (Durlak, 1998; Fraser et al., 2004; Hawkins et al., 2000; Lipsey & Derzon, 1998; Lösel & Farrington, 2012; Office of the Surgeon General, 2001; Stouthamer-Loeber et al., 2002; Werner & Smith, 2001; Williams et al., 2004). Werner and Smith (2001) noted the role of parental education in preventing antisocial conduct and found that parents with a high school education represented the line tipping the scale from a risk factor to a protective factor. However, a more recent study by Theokas and Lerner (2006) suggested that the strongest family factor protecting against adolescent risk behaviors is not parental education but rather “collective activity,” such as eating dinner together. Williams et al. (2004) mentioned several protective factors that appear to apply specifically to African American families, including a strong achievement orientation, presence of strong spiritual values, racial pride, and bonds to extended family members.

From a meta-analysis of 119 studies that examined relationships between various family characteristics and concurrent or later problem behaviors, Derzon (2010) concluded that family factors (including family SES, discord, stability, warmth and relationship, and child-rearing skills, among others) may play a more complex role. As an example, Derzon (2010) notes,

...the lack of care-giver warmth may, on its own, modestly increase the likelihood of youth antisocial behavior. However, in the presence of other risk factors (e.g., gang membership, drug use, low impulse control), warm relationships between care-giver and child likely reduces the influence of these factors while the lack of warmth may significantly amplify the impact of those risk factors in generating antisocial behavior. (p. 290)

Peers

Association with delinquent peers is a frequently cited and relatively strong correlate of delinquency, which appears to apply more to adolescents than to younger children (Hawkins et al., 2000; Moffitt, 1993; Office of the Surgeon General, 2001). It would seem logical that delinquent peers can both model and reinforce antisocial behavior, although it
may also be the case that delinquent youth select delinquent friends. Lösel and Farrington (2012), however, cautioned that delinquent peers may be a marker rather than a cause of delinquency. Interestingly, in a multisite study, Henry, Tolan, Gorman-Smith, and Schoeny (2012) found that peer deviance was a significant risk only for White youth and not for African American or Latino youth. On the other hand, Haggerty, Skinner, McGlynn-Wright, Catalano, and Crutchfield (2013) found no race differences in predictors of teen violence. There appears to be a consensus that association with prosocial peers functions as a protective or promotive factor regardless of race (Durlak, 1998; Lösel & Farrington, 2012; Stouthamer-Loeber et al., 2002; Werner & Smith, 2001).

**Other Adults**

A relationship with a caring adult outside of the immediate family is an important protective factor or asset (Eccles & Gootman, 2002; Fraser et al., 2004; Scales & Leffert, 1999; Werner & Smith, 2001). Such a relationship may emerge naturally with an extended family member, a neighbor, or teacher. Alternatively, this relationship may be arranged in formal mentoring programs, such as the Big Brothers and Big Sisters program. This program has been successful in reducing recidivism among young offenders (Tierney, Grossman, & Resch, 1995).

**Schools**

Next to the family, schools are the most important social arena for children and adolescents. The literature consistently indicates that school commitment and academic performance are linked to developmental outcomes. Low commitment and poor performance are consistently identified as risk factors, and strong commitment and good performance are identified as protective factors (Fraser et al., 2004; Hawkins et al., 2000; Henry et al., 2012; Lipsey & Derzon, 1998; Lösel & Farrington, 2012; Mann & Reynolds, 2006; Office of the Surgeon General, 2001; Richart, Brooks, & Soler, 2003; Stouthamer-Loeber et al., 2002; Werner & Smith, 2001; Williams et al., 2004). Moreover, there is evidence that the quality of the school environment plays an important role in the onset and prevention of delinquency (Durlak, 1998; Gottfredson, 2000; Lipsey & Derzon, 1998).

**Neighborhood and Community**

Poverty is one of the most frequently cited correlates of delinquency (Fraser et al., 2004; Hawkins, Catalano, & Miller, 1992; Hawkins et al., 2000; Lipsey & Derzon, 1998; Office of the Surgeon General, 2001; Werner & Smith, 2001). The availability of drugs and weapons, exposure to violence, and neighborhood disorganization in general (e.g., high population mobility, physical deterioration, high crime rates, and lack of social cohesion) are risk factors for delinquency (Aisenberg & Herrenkohl, 2008; Hawkins et al., 2000; Nash & Bowen, 1999; Sampson, Raudenbush, & Earls, 1997; Williams et al., 2004). On the other hand, communities and neighborhoods with high collective efficacy are presumed to exert informal social control that helps protect against delinquency (Fraser et al., 2004; Lösel & Farrington, 2012; Nash & Bowen, 1999; Sampson et al., 1997).
Community norms broadly affect delinquency through formal laws and policies as well as informal means (Durlak, 1998; Hawkins, Catalano, & Miller, 1992; Williams et al., 2004). For example, a community that vigorously pursues enforcement of age limits for the purchase of alcohol might be expected to have lower delinquency rates. Fraser et al. (2004) noted that limited opportunities for education and employment and the presence of racial discrimination are risk factors for delinquency, whereas the presence of opportunities for education and employment provides protection from delinquency.

**Race and Ethnicity**

When considering risk and resilience, it is challenging to disentangle race and ethnicity from socioeconomic status. It is clear that African American and Latino youth in particular show higher rates of involvement in youth problem behaviors generally (Cauce, Cruz, Corona, & Conger, 2011) and in delinquency in particular, as described previously in this chapter. African American and Latino youth are much more likely than White youth to reside in high-poverty neighborhoods, which in turn exposes them to much higher levels of the community-level risk factors listed above (e.g., low social cohesion, exposure to violence, availability of drugs and weapons, etc.) and places families at higher levels of stress. In addition to facing the neighborhood conditions just mentioned, many African American and Latino families are headed by single parents, many parents struggle to find work (or, if working, struggle to find adequate time to supervise children), and many families lack other childcare resources, all of which may negatively affect parenting practices (Cauce et al., 2011). While research in general indicates that parental warmth, engagement, and support provide strong protection regardless of race or ethnicity (Fraser et al., 2004; Li, Nussbaum, & Richards, 2007; Williams et al., 2004) and that authoritarian parenting styles are less effective, there is evidence that strong discipline may be effective in buffering many of the low-income neighborhood risks in African American and Latino households (Cauce et al., 2011). Finally, as will be argued below, the juvenile justice system itself may be viewed as a risk factor, and youth of color are clearly overrepresented throughout the system (a review of the extensive literature on Disproportionate Minority Contact is beyond the scope of this chapter; for a quick summary, see Bell & Ridolfi, 2008; National Council on Crime and Delinquency, 2007).

**Gender Differences**

A recent meta-analysis of predictors of delinquency among girls documented important gender differences in risk and needs profiles (Hubbard & Pratt, 2002). The results indicated that even though many of the strong predictors were the same as those for boys (e.g., history of antisocial behavior, antisocial peers, antisocial attitudes, and antisocial personality), the role of other predictors was more pronounced among girls. These gender-dependent factors included IQ, family dysfunction, trauma and sexual abuse, mental health and substance abuse problems, high-risk sexual behaviors, and school problems (Hubbard & Pratt, 2002). These findings were consistent with those of a recent study of 672 girls in detention, which determined that most of the girls had experienced trauma (84%), met criteria for mental health problems (78%), reported having a parent or close friend with criminal justice system involvement (61%), and had been sexually active (76%) (Lederman, Dakof,
Larrea, & Li, 2004). In another study, detained girls were significantly more likely than were detained boys to exhibit risks and needs related to family and parenting, mental health, traumatic events, physical health, psychopathy, accountability, and peer relationships (Gavazzi, Yarcheck, & Chesney-Lind, 2006).

Although these differences suggest the need for gender-specific programming, the evidence supporting the effectiveness of gender-specific programming is not yet compelling. Zahn and colleagues, in a recent systematic review of evaluations of gender-specific and gender-neutral programs, concluded that (a) there were very few strong studies available, (b) there was no evidence that gender-specific programs were more effective than other programs in reducing recidivism, and (c) there was evidence that programs with a strong history of success with boys also worked well for girls (Zahn, Day, Mihalic, & Tichavsky, 2009). However, the investigators noted that gender-specific programs showed positive results on measures related to empowerment and quality of life, including education, employment, relationships, self-esteem, and self-efficacy (Zahn et al., 2009).

Summary

In addition to illustrating the ecological nature of risk and protection, several key themes emerge from this review:

- Many risk, promotive, and protective factors are malleable (e.g., the presence of social support, the development of social skills, parenting skills); others are not subject to change (e.g., IQ, temperament, gender).
- The effect of risk factors is not necessarily linear; that is, the presence of multiple risk factors can increase the probability of undesirable outcomes exponentially (Lösel & Farrington, 2012; Pollard, Hawkins, & Arthur, 1999; Rutter, 2001).
- There is both overlap—among the risk, protective, and promotive factors—and co-occurrence—among adolescent problem behaviors—with a set of common risk and protective factors associated with a range of problems (Dryfoos, 1990; Hawkins, Catalano, & Miller, 1992; Huizinga, Loeber, Thornberry, & Cothern, 2000).
- The effect of some risk and protective factors is developmentally specific (Hawkins et al., 2000; Office of the Surgeon General, 2001).
- Risk and protective factors generally appear to operate similarly across cultural and ethnic groups (Elliott, Huizinga, & Menard, 1989; Haggerty et al., 2013; Hawkins, Laub, & Lauritsen, 1998; Williams, Ayers, Abbott, Hawkins, & Catalano, 1999), with some exceptions (Cauce et al., 2011; Henry et al., 2012); however, there are gender differences as noted above.
- Risk factors can combine either simultaneously or cumulatively over time and, in either case, increase the probability of undesirable outcomes.
- In general, risk factors and protective factors are inversely distributed across social strata; that is, those at highest risk generally have fewer natural protections than those at lower risk (Cauce et al., 2011; Pollard et al., 1999).
A useful theoretical framework for summarizing knowledge of risk, protection, resilience, and developmental outcomes comes from the social development model (Catalano & Hawkins, 1996), which is a synthesis of social control theory, social learning theory, and differential association theory. Although developed as an explanation for antisocial behavior, the social developmental model is more broadly applicable to developmental outcomes. Catalano and Hawkins (1996) outlined the four purported socialization processes affecting children that constitute the heart of the model:

(1) perceived opportunities for involvement in activities and interactions with others, (2) the degree of involvement and interaction, (3) the skills to participate in these involvements and interactions, and (4) the reinforcement they perceive as forthcoming from performance in activities and interactions. (p. 156)

Through these processes, the child develops a social bond with the socializing unit, with its strength dependent on the consistency of the socializing processes. Bonding, which consists of attachment, commitment, and beliefs, then influences the child’s subsequent behavior as he or she seeks to maintain the connection. Antisocial behavior results from (a) a weakening of the bond with prosocial socialization agents; (b) a situation in which, even in the presence of a prosocial bond, the situational inducements to deviance are sufficiently compelling; or (c) a situation in which the child develops a strong bond to antisocial socialization agents, including parents or peers. Finally, the social developmental model contains developmentally specific submodels that reflect changes in the child’s salient socialization agents at different ages (e.g., the progression from family to school). From this model, it can be seen that behavior emerges from the ecological interplay of individual characteristics, social interactions, and environmental supports/constraints; the direction of the developmental trajectory (prosocial or antisocial) is dependent on the array of risk, protective, and promotive factors.

Notwithstanding the substantial advances in research and theory regarding risk and resilience, no one should assume that knowledge of risk and protective profiles can predict long-term developmental outcomes with pinpoint accuracy. For example, attempts to quantify the effect sizes of various risk factors have shown that the predictive power of even the most powerful risk factors is modest (Hawkins et al., 2000; Office of the Surgeon General, 2001). Evidence from longitudinal studies suggests that turning points, such as military service and, especially, marriage, can have a profound effect on positively redirecting developmental trajectories (Laub & Sampson, 2003; Werner & Smith, 2001). The error variance in predictive models may be due to incomplete specification of the predictors, or it may indicate that chance, personal agency, and individuals’ interpretation of the immediate context play major roles in eliciting behavior. As Lösel and Bender (2003) noted, “errors in prediction of antisociality in childhood and adolescence should not just be viewed as a technical deficit. They are also indicators of the general phenomena of multifinality and equifinality in development” (p. 131). In sum, although the growing knowledge base of the risk and resilience framework may have great relevance for policies and practices, that knowledge must be applied cautiously and with recognition of its limits.
RISK, PROTECTION, AND RESILIENCE IN JUVENILE JUSTICE POLICY

Until recently, knowledge of risk, protection, and resilience had not influenced juvenile justice policies and programs in profound ways. This lack of influence in itself is not surprising because this knowledge base has emerged only within the last few decades. Instead, policies and practices appear to have primarily reflected concepts such as deterrence, incapacitation, and retribution, with an occasional dose of developmental psychology. Juvenile justice policies and programs have sought to protect the community and to reform offenders by teaching offenders that delinquency leads to unpleasant consequences. This lesson has been implemented by either closely supervising offenders’ behavior or placing offenders in restrictive settings, keeping them off the streets for some time.

In the century since the founding of the juvenile court, juvenile justice policies have evolved amid the dialectic between the goals of punishment and rehabilitation of young offenders. Bernard and Kurlychek (2010) have captured this fluctuating history well, describing the “cycle of juvenile justice” as beginning with the observation that delinquency is a serious and escalating problem, blaming the problem on the current tenor of policies (either “get tough” or lenient), advocating reforms moving to the other pole, discovering that the problem remains unsolved, blaming the then-current tenor of policies, switching to the other pole again, and so on.

Juvenile courts were meant to function in the best interests of the child, and early juvenile correctional programs were supposed to be treatment programs rather than prisons. However, when high rates of delinquency and recidivism continued, the juvenile court and juvenile correctional practices became tougher. Specifically, the court’s discretionary powers, which were intended to reduce the punitiveness of the adult courts, became suspect because juveniles lacked many due process protections. A series of U.S. Supreme Court challenges gradually brought many of those due process protections into the juvenile court by the latter part of the 20th century (Bernard & Kurlychek, 2010; Snyder & Sickmund, 1999). However, the increasing formality of the juvenile court system has rendered it more like the adult system and perhaps paved the way for policies such as “three strikes,” mandatory sentences for some offenses, and the increasing use of transfer to the adult system via judicial waiver, prosecutorial direct file, or statutory exclusion.

JUVENILE JUSTICE SYSTEM INVOLVEMENT AND INCARCERATION AS RISK FACTORS

Throughout its checkered history, the juvenile justice system has continually relied on secure, residential placements, both before adjudication (detention) and after adjudication (training schools and private secure residential facilities). In recent years, a number of studies have documented major problems with the use of such facilities (for a recent vivid qualitative examination, see Bernstein, 2014). Specifically:
1. Secure facilities are overused; many youths in secure residential facilities are not serious or chronic offenders and could be placed in less restrictive settings (Snyder & Sickmund, 1999, 2006).

2. Many secure residential facilities house youths in poor conditions characterized by overcrowding (Livesy, Sickmund, & Sladky, 2009), sexual abuse (Beck, Harrison, & Guerino, 2010), or otherwise unsafe environments (Lerner, 1986; Parent et al., 1994).

3. Secure residential facilities are relatively ineffective; that is, gains made during incarceration, if any, tend to dissipate when youths return to the community, and recidivism outcomes are often no better—or even worse—than would be found in less restrictive, community-based settings (Gatti, Tremblay, & Vitaro, 2009; Holman & Ziedenberg, 2006; Lipsey, 1992; Loeber & Farrington, 1998; Loughran et al., 2009).

Treatment programming in juvenile corrections has used behavioral contingencies and, more recently, cognitive-behavioral approaches to modify behavior and thinking patterns that are presumed to lead to offending behavior. Within the field, there has been some recognition of the importance of peer influences on adolescents, as expressed in treatment models such as *guided group interaction* (McCorkle, Elias, & Bixby, 1958) and *positive peer culture* (Vorath & Brendtro, 1974). However, whatever the treatment modality, recidivism has remained high, with studies finding that between 50% and 90% of youths are reincarcerated in juvenile or adult facilities within 1 to 3 years of their release from juvenile correctional facilities (Howell, 2003; Minor, Wells, & Angel, 2008; Trulson, Marquart, Mullings, & Caeti, 2005).

Considerable evidence has accumulated to suggest that juvenile justice system involvement is itself a risk factor for poor developmental outcomes. The iatrogenic effects (i.e., unintentional detrimental or harmful effects) of involvement with the juvenile justice system include, but are not limited to, future offending. For example, even after controlling for offense-related and demographic factors, both the use of secure detention and the decision to formally process a case have been linked to more restrictive dispositions and higher levels of recidivism (Feld, 1991; Frazier & Bishop, 1985; Frazier & Cochran, 1986). Similarly, the research cited above about the iatrogenic effects of incarceration is compelling (Gatti et al., 2009; Holman & Ziedenberg, 2006; Lipsey, 1992; Loeber & Farrington, 1998; Loughran et al., 2009). Social learning theory (Akers, 1985) provides one theoretical explanation for these relationships: exposure to other delinquent peers occurs in most juvenile justice interventions, especially incarceration, and it results in peer-deviancy training (Dishion, McCord, & Poulin, 1999; Dishion, Spracklen, & Patterson, 1996; Dodge, Dishion, & Lansford, 2006). Alternatively, labeling theory (Becker, 1963; Bernburg, Krohn, & Rivera, 2006; Lemert, 1951) suggests that others respond to the label of *delinquent* by expecting the youth to behave accordingly, and youth who are labeled as delinquent might also internalize that label. In addition to being a risk factor for recidivism, juvenile justice system involvement during adolescence is associated with limited educational, employment, and financial outcomes as well as adult mental health disorders and substance abuse (Fagan & Freeman, 1999; Moffitt, Caspi, Harrington, & Milne, 2002). For a recent review of the evidence regarding the deleterious social, developmental, and fiscal consequences of incarcerating juveniles, see a recent report from the Justice Policy Institute (Petteruti, Walsh, & Velázquez, 2009).
RISK, RESILIENCE, AND RECENT REFORM EFFORTS

Despite the “get tough” climate of juvenile justice policies initiated since the latter part of the 20th century, some policy officials have recognized the ineffectiveness and expense of relying on incarceration to reform offenders. Therefore, some policymakers have advocated for greater use of community-based programs at all stages of the juvenile justice system. In many instances, community-based responses have served to divert youths from formal processing through the system. In other instances, community-based resources have served as integral parts of the formal system (e.g., probation) or as complementary components (e.g., community-based treatment programs). For a review of community-based programs in juvenile justice, see Barton (2002).

In an attempt to move beyond the punishment–rehabilitation dialectic, Maloney, Romig, and Armstrong (1988) provided a major advance in conceptualizing juvenile justice goals by articulating the “balanced approach” to probation. According to this approach, juvenile justice policymakers must consciously balance concern for three system goals: (1) public safety protection, (2) accountability (of the juvenile and the system), and (3) competency development. In other words, every decision point in the system must consider and account for these three goals. Several states subsequently adopted the balanced approach in their juvenile codes or agency mission statements.

More recently, advocates of restorative justice (e.g., Bazemore & Terry, 1997; Bazemore & Umbreit, 1995) have sought to replace the traditional retributive paradigm of juvenile justice, which views crimes as offenses committed against society, with a new paradigm that views crimes as upsetting the balance of rights and obligations, with victims and offenders seeking a mediated restoration of that balance. Although the restorative justice paradigm has not been adopted fully in most places, elements of restorative justice have increasingly appeared, usually targeting minor or first-time offenders, including such practices as family-group conferences (McGarrell, Olivares, Crawford, & Kroovand, 2000) and teen courts (Butts, Buck, & Coggeshall, 2002). In many ways, the restorative justice approach is consistent with the principles of risk, protection, and resilience.

Since the mid-1990s, knowledge about risk and protective factors has found its way into mainstream juvenile justice policy discussions and has been heavily promoted by the Office of Juvenile Justice and Delinquency Prevention in its comprehensive strategy (Howell, 1995; Wilson & Howell, 1993). This strategy combines an emphasis on prevention strategies, which attempt to reduce community risk factors and enhance protective factors, with the application of community-based interventions (and less use of incarceration) and evidence-based treatment models in the juvenile justice system. Although not limited to jurisdictions adopting the comprehensive strategy, an increasingly common application of risk principles (albeit not resilience) to juvenile justice has been the use of structured risk-assessment instruments (Howell, 2003; Wiebush, Baird, Krisberg, & Onek, 1995). Many jurisdictions now use such instruments at various points in the juvenile justice system to guide decisions regarding placement in secure detention, probation supervision levels, dispositional placement restrictiveness, and aftercare planning (Wiebush et al., 1995).

Risk, protection, and resilience are explicitly ecological concepts; however, the tendency is to apply them primarily at the individual level. Thus, we see the contemporary extension
of the typological enterprise, with an emphasis on developing risk and need profiles of individual youths and making juvenile justice system decisions (e.g., detention placements, treatment plans) at least partly based on these assessments. This approach may or may not be much of an improvement. The evidence suggests that although risk and protective factors have some explanatory power at the aggregate level, these factors do not do a very good job of predicting outcomes at the individual level (Laub & Sampson, 2003; Office of the Surgeon General, 2001; White, Moffitt, Earls, Robins, & Silva, 1990). The use of risk profiles represents an improvement over pure chance predictions, but the rate of false-positive and false-negative predictions is high. False-positive predictions are characterized by individuals with high-risk profiles who do not go on to commit more offenses. Conversely, false-negative predictions involve youths with low-risk profiles who do go on to commit crimes. In some sense, the advances in risk and protective factor research may have provided juvenile justice policymakers and practitioners with an exaggerated sense of confidence that their decisions are evidence-based decisions.

**RISK, RESILIENCE, AND EVIDENCE-BASED PROGRAMS**

A burgeoning literature on “what works” in juvenile justice has emerged in recent decades as a counter to the now infamously misinterpreted “nothing works” mantra of the 1970s (Lipton, Martinson, & Wilks, 1975). Major reviews and meta-analyses of juvenile correctional treatment programs have indicated that many approaches, if implemented correctly and targeted toward the appropriate youths, can reduce recidivism (Andrews et al., 1990; Lipsey, 1992; Lipsey & Wilson, 1998). Several websites list prevention and intervention programs with research-based evidence of effectiveness. For example, The Blueprints for Violence Prevention (Center for the Study and Prevention of Violence [CSPV], 2014) considers model programs to be those that meet the following criteria: evidence of a deterrent effect with a strong research design, sustained effect, and multiple site replications. Promising programs meet only the first criterion. As of this writing, the Blueprints website lists nine model programs and 23 promising programs addressing youth risk or protective factors related to delinquency.

The financial burden of programs is also an important consideration. The Washington State Institute for Public Policy (WSIPP) has applied a sophisticated cost–benefit analysis based on meta-analyses of a wide range of crime-prevention and intervention programs for juveniles and adults (Drake, Aos, & Miller, 2009). The WSIPP analysis found that many prevention and intervention programs are cost-effective, whereas others are not. Table 9.3 presents a listing of several juvenile programs and indicates whether they are Blueprint model programs and whether the program has been determined as cost-effective by the WSIPP.

In the WSIPP model, benefits are estimated per participant and reflect the combined savings to taxpayers from reduced criminal justice processing costs (if any) and the value of crime victim benefits based on the program’s estimated effect on preventing future crimes, net of program costs (Drake et al., 2009). Programs with poor economic returns include “Scared Straight” programs, wilderness challenge programs, intensive probation or parole programs, and boot camps, none of which is even remotely informed by the
### Table 9.3 Model and/or Cost-Effective Prevention/Intervention Programs

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<tr>
<th>Program</th>
<th>Model Program&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Cost-Effective&lt;sup&gt;b&lt;/sup&gt;</th>
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<tr>
<td>Functional Family Therapy (FFT)</td>
<td>Yes</td>
<td>Yes</td>
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<td>Life Skills Training (LST)</td>
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<td>Yes</td>
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<tr>
<td>Multisystemic Therapy (MST)</td>
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<td>Yes</td>
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<td>Nurse-Family Partnership</td>
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<td>Yes</td>
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<tr>
<td>Multidimensional Treatment Foster Care (MTFC)</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>New Beginnings (Intervention for Children of Divorce)</td>
<td>Yes</td>
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<tr>
<td>Positive Action (&lt;i&gt;School-based program&lt;/i&gt;)</td>
<td>Yes</td>
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<td>Promoting Alternative Thinking Strategies (PATHS)</td>
<td>Yes</td>
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<tr>
<td>Project Towards No Drug Abuse</td>
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<tr>
<td>Aggression Replacement Therapy</td>
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<tr>
<td>Multidimensional Family Therapy (MDTF) for substance abusers</td>
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<td>Restorative justice for low-risk offenders</td>
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<td>Teen courts</td>
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<td>Drug court</td>
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<td>Family integrated transitions</td>
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<td>Adolescent diversion project</td>
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<td>Interagency coordination programs</td>
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<tr>
<td>Early childhood education for low-income 3- and 4-year-olds</td>
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<sup>a</sup> Center for the Study and Prevention of Violence (2014).

<sup>b</sup> Aos and Drake (2013); Drake, Aos, and Miller (2009).

Risk and resilience framework. In contrast, prevention programs that strengthen families, provide mentoring, and foster school success and social skills, along with intervention programs that are either explicitly ecological or target key risk factors, were found to be highly cost effective (Drake et al., 2009). Examples of highly cost-effective programs included Multisystemic Therapy, Functional Family Therapy, and coordinated services (i.e., comprehensive, coordinated services also called <i>wraparound</i> services). Drake and colleagues (2009), with a partial, more recent update (Aos & Drake, 2013), reported that these programs offered combined benefits per participant, ranging from about $15,000 to as much as $88,000 (see above for how benefits were calculated). It is no accident that these cost-effective approaches are either informed by or consistent with the risk and resilience framework.
Although much of the research base on risk and protection uses the presence or absence of delinquency as the primary dependent variable, merely preventing delinquent or antisocial behavior may not be the only positive goal of risk- and resilience-based interventions. The resilience literature and positive youth development literature remind us that being “problem-free isn’t fully prepared” (Pittman & Irby, 1996, p. 3). The juvenile justice system is primarily concerned with preventing the recurrence of delinquency. However, that system might be more successful if it were to embrace the universal goals of positive youth development, which focus on promoting competence, character, connections, confidence, and contribution (Hamilton, Hamilton, & Pittman, 2004). In this way, communities would have the opportunity not only to prevent youth problem behaviors but also to promote long-term, healthy development.

Clearly, formal juvenile justice system involvement, particularly incarceration, interrupts the normal course of adolescent development. It disrupts adolescents’ ability to complete developmental tasks by removing them from the supports and opportunities available in the community to their nondelinquent peers (Altschuler, 2005; Chung, Little, & Steinberg, 2005). Although the risk and resilience framework has increasingly informed juvenile justice policies and programs, its full potential has yet to be realized. It can provide a foundation for more fundamental changes in juvenile justice policies and practices. These changes would incorporate the truly ecological nature of risk and resilience, broaden the system goals from merely controlling delinquent behavior to promoting positive youth development, and rely on and further promote coordination among the various service systems that affect the lives of adolescents, as advocated by Jenson and Fraser (2006). The next section explores what some of those changes might look like and highlights some efforts that are currently underway.

USING KNOWLEDGE OF RISK, PROTECTION, AND RESILIENCE TO ENHANCE JUVENILE JUSTICE POLICY AND PRACTICES

Based on the risk and resilience framework, Fraser and Terzian (2005) outlined three basic practice principles: (1) strengthen protection and reduce risk (both must be addressed); (2) understand the effect of the social and developmental context on protection and risk; and (3) identify and disrupt risk mechanisms, that is, the “sequencing of events that elevate risk” (p. 20). The Blueprint model programs and the cost-effective programs identified by WSIPP, along with the following discussion of additional ways to incorporate the risk and resilience framework into juvenile justice, are congruent with these practice principles.

Changing the Culture of Juvenile Justice

Thorough application of the risk and resilience framework would require a change in the prevailing juvenile justice culture, and that traditional culture is deeply entrenched. It is difficult for justice system actors to transcend long-standing beliefs in the effectiveness of deterrence and punishment, despite evidence to the contrary. It is also difficult for those working in the current juvenile justice system to take an ecological view when confronted
with a steady stream of individuals. The culture of many juvenile justice agencies is “passive-defensive,” with routinized procedures, resistance to innovation, and “climates characterized by depersonalization, emotional exhaustion, role overload, and role conflict” (Hemmelgarn, Glisson, & James, 2006, pp. 76–77). The effects of this culture and climate include low morale, high rates of staff turnover, and cookie-cutter approaches to case planning and interventions. The poor outcomes have been documented previously in this chapter.

In the last few years, interest in incorporating positive youth development principles into juvenile justice has grown, albeit not without recognition of the challenges facing such a transformation (Barton, 2004; Butts, Bazemore, & Meroe, 2010; Butts, Mayer, & Ruth, 2005; Frabutt, Di Luca, & Graves, 2008; Schwartz, 2001; Torbet & Thomas, 2006). There are some juvenile justice settings in which the positive youth development perspective has taken root, and although strong evidence of effectiveness is not yet available, these settings tend to produce more positive climates, less staff turnover, and much lower rates of recidivism (Barton & Butts, 2008; Barton & Mackin, 2012; Barton, Mackin, & Fields, 2008; Kurtz & Linnemann, 2006). The comments of an administrator who shepherded such a transformation are provided in Box 1.

Several factors appear to promote the successful transformation of an agency’s culture:

- A hospitable community culture—the values in relatively progressive communities are more likely to be congruent with positive youth development principles;
- The commitment of leadership—establishing and championing a vision, facilitating and empowering staff to adopt innovation, and staying the course;
- Adopting the strengths perspective as the practice model;
- Encouraging early adopters to serve as role models and peer trainers;
- Thorough training, followed by periodic “booster” trainings;
- Intentional hiring—bringing on staff already familiar with positive youth development principles and/or strength-based practice, or at least those who do not have to “unlearn” the traditional approaches;
- Integration into bureaucratic processing—make the paperwork reflect the goals and practice principles (more details on this point appear below);
- Consistent reinforcement through regular staff supervision;
- Collaboration with other agencies in the community—organizational permeability helps to prevent a return to the isolated correctional culture;
- Using feedback from data on youth outcomes for continuous quality improvement and to help “sell” the new approach. (Barton & Butts, 2008, pp. 43–45)

The integration of positive youth development principles and the strengths perspective into the bureaucratic processing of juvenile justice agencies is especially critical. This integration can be, and should be, completed at two levels: individual practice and
program accountability. Integration at the level of individual practice requires the adoption of a structured strengths assessment. Some of the risk assessment instruments mentioned previously include some coverage of strengths but typically address strengths as an afterthought, and seldom do the strengths inform case planning in any meaningful way. There are instruments that staff can use to assess strengths, including the Behavioral and Emotional Rating Scale (Epstein & Sharma, 1998), Child and Adolescent Needs and Strengths (Lyons, Griffin, Fazio, & Lyons, 1999), and the Youth Competency Assessment (Mackin, Weller, Tarte, & Nissen, 2005; Nissen, Mackin, Weller, & Tarte, 2005). These instruments encourage staff to create truly individualized intervention plans, and the process of administering the assessment also enables staff to develop stronger relationships with the youths; such relationships are at the heart of producing positive change (Barton & Butts, 2008).

To promote program accountability congruent with the risk and resilience and positive youth development frameworks, program design and evaluation should be based on explicit program theory, which highlights the role of the positive youth development principles as both intermediate and longer term outcomes. An evaluation of an out-of-school-time program provides an example of the application of such a logic model (Anthony, Alter, & Jenson, 2009). This model begins with the identification of risks at multiple ecological levels and then designs interventions to provide protections intended to build resilience and produce intermediate outcomes related to positive youth development (competence, confidence, character, and connection), which, in turn, are expected to produce long-term outcomes including not only reduced antisocial behavior but milestones of positive development (educational achievement and economic self-sufficiency; Anthony et al., 2009, p. 49). Making explicit the linkages between risk, resilience, positive youth development, and long-term promotion of positive developmental outcomes (and reduction of the probability of negative developmental outcomes), models such as this one encourage program stakeholders to focus rationally on strategies that risk and resilience theory and research suggest will be most effective.

**Comments of a County Juvenile Probation Administrator About Changing the Culture**

I would say that... commonly in our field, there are two different mindsets. One is that these kids are doing things that are harmful to other people, to society, and that’s true. And so people who have that view of these kids—harmful to society—they often have a lot of compassion for victims, and they take a point of view that the only way to approach that is to control that, to contain that, and that might mean removing kids from the community or restricting [kids]; this whole restrictive-punitive notion of how you deal with that. And then there are the other people who [think that] these are kids who you need to support, develop, and help. And I think that the most significant realization that we can come to is that they are not mutually exclusive, incompatible approaches, and that there is another way—which acknowledges that the kids have hurt society and have created
JUVENILE JUSTICE INTERVENTIONS

As noted previously, efforts within the core of the juvenile justice system to incorporate knowledge of risk, protection, and resilience in policy and practice have been limited. Nevertheless, there are some promising ways that the risk and resilience perspective can inform juvenile justice policies and practices. Chief among these is the use of truly individualized, collaborative case coordination in system of care (SOC) (Duchnowski, Kutash, & Friedman, 2002; Stroul & Friedman, 1986) or wraparound service models (Burchard, Bruns, & Burchard, 2002; Goldman, 1999; VanDenBerg & Grealish, 1996). The wraparound approach explicitly values culturally competent, strengths-based assessment and practice (Saleebey, 2013); involves youths, parents, informal sources of support, and professionals as partners in service planning; and operates through a formal collaboration among provider agencies that span traditional service arenas and use blended funding streams (Goldman, 1999). A growing body of evidence supports the promise of wraparound services (Burchard et al., 2002) and indicates that this approach is cost-effective (Aos, Phipps, Barnoski, & Lieb, 2001).

Models of individualized wraparound service can be applied to juvenile justice (Kendziora & Osher, 2004). Wraparound programs such as Wraparound Milwaukee (Kamradt, 2000;
Wraparound Milwaukee, n.d.) and the Dawn Project in Indianapolis (Choices, 2010) serve youth with mental health or substance abuse needs who enter the juvenile justice system. These programs have reported promising results in terms of reduced residential placements and lowered recidivism (Kamradt, 2000; Wisconsin Council on Children and Families, 2010; Wright & Anderson, 2005). Most, if not all, cases currently entering the juvenile justice system or transitioning from residential placements could benefit from wraparound services. The intensity of services could vary based on the assessed needs and strengths of the individuals, their families, and contexts. Not all would require lengthy and expensive services, and the use of and length of stay in costly residential placements would likely decrease.

The Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative (JDAI) is another vehicle that has triggered culture shifts in several jurisdictions. Using a detailed blueprint to guide detention reform, JDAI encourages stakeholders to adopt values consistent with the risk and resilience framework to reshape their understanding of detention and, by extension, the broader juvenile justice system. Formally launched in five sites in 1993, JDAI had expanded to more than 250 sites in 39 states by 2013, covering about one-third of the nation’s youths (Mendel, 2014). Although the initiative has not been successful or sustained in all sites, a recent evaluation documented dramatic reductions in the use of secure detention (50% or more) in many sites, with no concomitant increases in juvenile crime or failures to appear for court hearings (Mendel, 2014). Moreover, the JDAI approach has been credited with other system improvements beyond reductions in secure detention use, including reduced disproportionate minority contact, fewer commitments to state juvenile correctional institutions, enhancements to community-based intervention alternatives, and greater collaboration among system stakeholders (Mendel, 2014). From personal experience with several JDAI sites, I have been struck by changes in the way JDAI site stakeholders view and talk about youth, including greater recognition of the applicability of a strengths-based, positive youth development lens that focuses as much on enhancing protective factors as on controlling risk factors.

In the last few years, the cumulative research on risk and resilience, coupled with advances in developmental science, appears to have reached a broader audience of policymakers and practitioners, fueling some promising, holistic proposals for transforming the juvenile justice system. For example, the National Research Council (2013) and the National Campaign to Reform State Juvenile Justice Systems (Weiss, 2013) have offered comprehensive strategies and pointed to several exemplary programs and jurisdictions. Not only do these approaches rest on convincing evidence of effectiveness, but they promise to be less costly. Perhaps some of the impetus for embracing these approaches comes from jurisdictions’ recent fiscal constraints, but perhaps it also reflects the eventual translation of research into practice. It remains to be seen whether these perspectives, what Weiss (2013) has termed the “Fourth Wave” of juvenile justice reforms, will take root, promote the culture change in juvenile justice described in the previous section, and be sustained, or turn out simply to be another pendulum swing in the cycle of juvenile justice (Bernard & Kurlychek, 2010).

A more radical way of embracing the risk and resilience framework might be to divorce the juvenile justice system from treatment programming altogether. Others have advocated splitting the legal and social welfare programming aspects of the court (e.g., Feld, 1999),
but for slightly different reasons. Recall the three goals of juvenile justice articulated in the balanced approach as described earlier (Maloney et al., 1988). Perhaps the juvenile justice system should concentrate on what it could do best—public safety protection and accountability enforcement from a *just deserts* framework, transferring responsibility for competency development to community service providers more aligned with the risk and resilience framework. That is, there would still be juvenile court proceedings, probation oversight, and enforcement of the terms of accountability. However, probation would work in partnership with community service providers and other community stakeholders, who would both participate in the development of dispositional recommendations to the court and provide the individualized case management services.

**Prevention**

Knowledge of risk, protection, and resilience may be most useful for juvenile justice at the periphery of the system, where the corrosive influence of the traditional juvenile justice culture is either absent or minimal. The best example is prevention, where this knowledge can inform efforts to lower the risks and increase the protection in entire communities or focus efforts on targeting risks and strengthening protection in the more specific contexts of schools or families. The *Communities That Care* (CTC) approach of Hawkins, Catalano, and Associates (1992) is an example of community-wide prevention that is developed in considerable detail. CTC components include a framework for community mobilization, local assessment of risk and protective factors, and a menu of evidence-based programs that can be tailored to meet specific communities’ needs. An evaluation of CTC in several Pennsylvania communities showed CTC counties with modestly reduced delinquency rates even though implementation was inconsistent (Greenberg & Feinberg, 2002). More recently, a CTC evaluation that used a randomized, county-level design in several states showed promising early results in terms of reductions in targeted risk factors and delayed onset of delinquent behavior among youth in CTC sites (Hawkins et al., 2008) and CTC appears on the most recent WSIPP list of evidence-based, general prevention programs (WSIPP, 2014).

There is evidence that school-based prevention programs targeting risk factors can be effective (CSPV, 2014; Hawkins & Herrenkohl, 2003). These programs address the major school-based risks, including early aggressive behavior, academic failure, and low commitment to school. The promising approaches that Hawkins and Herrenkohl reviewed included attempts to improve organizational climate and classroom management, to engage families in supporting academic achievement, to increase opportunities for school bonding, to teach emotional skills for self-control and social interaction, and to promote prosocial norms.

Similarly, Tremblay and Japel (2003) reviewed a number of programs that appeared effective in preventing delinquency by improving parents’ skills and supports, addressing children’s cognitive skills, and reducing early disruptive behavior among children. Tremblay and Japel’s review showed that several perinatal and preschool programs effectively changed parenting behavior in at-risk families (e.g., communication, attitudes, discipline techniques) in ways that would appear to reduce risks and strengthen protection. Another group of studies included in Tremblay and Japel’s review supported the notion that very early interventions with at-risk families, including parent training, environmental stimulation, and parent
support could improve children’s cognitive functioning and reduce early disruptive behaviors. Tremblay and Japel (2003) concluded, “The general impression from the review of the twenty-eight prevention experiments is that early childhood interventions can have a positive impact on the three most important risk factors for juvenile delinquency: disruptive behavior, cognitive skills, and parenting” (p. 237).

More recently, Hall, Simon, Lee, and Mercy (2012) identified several promising youth violence prevention approaches that emphasize community collaborations targeting locally specified risk and protective factors. In addition, the Office of Justice Programs and Centers for Disease Control and Prevention published a comprehensive approach to gang prevention (Simon, Ritter, & Mahendra, 2013) that builds upon the ecological risk and resilience and positive youth development frameworks discussed in this chapter.

Aftercare

Another key opportunity for incorporating the risk and resilience framework at the periphery of juvenile justice is aftercare, as best exemplified by the Intensive Aftercare Program model (IAP) developed by Altschuler and Armstrong (1991, 1998). IAP includes the following key components:

- case management services;
- a collaborative network of community services;
- services that are “backed in” to the residential facility (i.e., the case manager meets with the youth, conducts an assessment, develops a release plan, and arranges for relevant community-based service providers to visit the youth in the facility prior to release);
- a “step-down” process, in which youths move first into a transition phase, gradually experiencing more community interaction during the last weeks of incarceration, and then go on to closely supervised release, and finally to decreased supervision; and
- a system of graduated sanctions to help control behavior during aftercare.

(Altschuler & Armstrong, 1998)

The Boys & Girls Clubs of America has recently attempted to blend IAP and strengths-based principles in juvenile aftercare programs in several sites (Barton, 2006). A case example illustrating ways to incorporate strengths into aftercare programming is discussed in Box 2.

Evidence for the effectiveness of juvenile aftercare programs is mixed. The National Council on Crime and Delinquency (NCCD) evaluated three IAP pilot sites over a 5-year period, using an experimental design that included random assignment to IAP and a control group in each site (Wiebush, Wagner, McNulty, Wang, & Le, 2005). The study concluded that recidivism rates were high for both the IAP and control groups. These disappointing results were tempered somewhat by cautions related to small sample sizes and by the observation that many youths in the control groups may have received enhanced parole
services as well. Finally, there was some evidence that among the IAP participants, those who received higher levels of services both prerelease and postrelease showed lower rates of recidivism (Wiebush et al., 2005). A more recent evaluation of the Boys & Girls Clubs of America’s juvenile reentry programs, which are also based on the IAP model, produced findings similar to those of the NCCD study (Barton, Jarjoura, & Rosay, 2014). The authors attributed the lack of strong evidence for effectiveness to many daunting implementation challenges faced by the sites. However, Aos (2004) found promising results in a quasi-experimental evaluation of Washington State’s Family Integrated Transitions (FIT) program. Although not identical to the IAP model, the FIT program shares many important elements, including family involvement, a collaborative team approach to case management, and continuity between prerelease and postrelease phases.

Incorporating Strengths in Juvenile Aftercare

When Raymond was a 12-year-old, he was committed for possession of a firearm on school property. He was sent to one of two maximum security facilities for boys in the state. He struggled with the program at the facility and spent 2 years at the facility before he was released on 6 months parole and allowed to live with his mother. Just after he completed his parole, while staying with his father in a nearby county, he was arrested on a battery charge. He was placed back with his mother and ordered to serve home detention for 3 months. The day after he was released from home detention, he left the house without permission. He used drugs he stole from his aunt, who also lived in the house, and his mother reported him to the police. He resisted arrest and was committed back to the state, being sent to a second maximum security facility as a 15-year-old.

This time, he completed the treatment program at the state facility with few problems. Although he could have been released after 10 months, there were concerns about him living with either parent. The mother lived in a trailer with four children and a husband. The father owned a strip club and was at work every night for the entire night. Consequently, Raymond would have been without supervision in his father’s home. Raymond preferred to live with his father; his mother resented this and acted to prevent it. Their relationship was very strained as a result, and they broke off all contact. Raymond no longer knows how to get in touch with his mother. Finally, arrangements were made for Raymond to be released to a group home. He spent 7 days at the group home before he was arrested for shoplifting. He was recommitted to the secure care facility. He is now 17 years old and expects to be released this fall.

He currently has access to an aftercare program that began working with him in the secure care facility. In addition to many risk factors (early involvement with the system, aggression, broken home, strained relationship with his mother, negative peer involvement), his aftercare worker has identified several strengths in Raymond. He is strong academically; is a skilled athlete; is competent in using assertiveness to avoid peer pressure; is eager to please adults and people in authority; is developing

(Continued)
SUMMARY

Juvenile justice policies and practices are society’s way of confronting and dealing with behavior beyond the social norms, that is, juvenile delinquency. The United States historically has vacillated between an emphasis on punishment and treatment of juvenile delinquents, with neither approach proving very effective. The juvenile court was established in 1899 to formally recognize that children were distinct from adults. However, since then, the vacillation between punishment and treatment emphases has intensified. To illustrate, the juvenile court has taken on more of the trappings of the adult system, and the end of the 20th century produced a wave of “get tough” policies such as zero tolerance and the increased use of transfers to the adult court, despite a decline in juvenile crime rates since the late 1990s.

An examination of juvenile justice policy and practice trends reveals little explicit connection to the research and theory that has grown from the risk and resilience perspective until very recently. Its impact may finally be growing, as evidenced by several major policy initiatives. The risk and resilience framework evolved from two initially separate streams of research: developmental psychopathology, using epidemiological methods to identify the causes of youth problem behaviors, and longitudinal studies of resilience seeking to understand why some people attain positive developmental outcomes in the face of high risk or adversity. A reasonable consensus has emerged regarding an array of risk and protective or promotive factors at various ecological levels. Raymond and his father have a good relationship, and each cares about the other. His father is planning to remarry soon. A placement with his father may be possible this time, if the father’s new wife is willing and able to help with evening supervision. Raymond expects to complete his GED while in the facility and wants to go to college. His aftercare worker will help him apply to the local technical college. Other components of his reentry plan include providing Raymond with an opportunity to participate in Youth as Resources service projects with other prosocial youth and perhaps to work at a Boys & Girls Club, where he can combine his athletic interests with his leadership skills. He will be referred for counseling to help him deal with his feelings about his relationship with his mother. An important aspect of this aftercare program is the continuity of the mentoring relationship with the aftercare worker begun in the facility and continuing into the community.

Source: Adapted from Dr. Roger Jarjoura, director, Aftercare for Indiana Through Mentoring, personal communication, June 10, 2004. Used with permission.
levels—the individual, family, peers, school, neighborhood, community, and society—that influence the probability of delinquency and other youth problems.

It is logical to assume that this knowledge can help the juvenile justice system develop policies and practices that, by reducing risk and enhancing protection, prevent delinquency or its recurrence. At present, the most common application of this framework has been the proliferation of risk-assessment instruments to guide placement or treatment decisions at various points in the juvenile justice process. This chapter has argued that despite the impressive aggregate claims of the risk and resilience research, this risk-assessment approach, although perhaps an improvement over purely discretionary, clinical judgment, has limitations because it primarily presumes a degree of predictive accuracy at the individual level that does not exist.

This chapter has presented several promising strategies for incorporating risk and resilience into the juvenile justice system, including community-wide prevention initiatives, targeted prevention in schools or with families, and interventions such as individualized wraparound services and aftercare programs that aim to work across system boundaries. Truly meaningful change in juvenile justice policies and practices requires a culture shift in the way system actors view youth and the goals of the system. This shift should be based on the ecological risk and resilience framework, pursue positive youth development goals in addition to the prevention and control of delinquency, and incorporate a strengths-based, collaborative approach to practice. This chapter highlighted some recent attempts to transform the juvenile justice culture, including the explicit adoption of a strength-based, positive youth development approach in some jurisdictions; the Annie E. Casey Foundation’s JDAI; and recent national proposals to reform juvenile justice using concepts of risk, resilience, and developmental science. All of these strategies include making the boundaries of the juvenile justice system more permeable through formal collaborations with other community entities. In this way, the partnering agencies and stakeholders can reinforce the application of the risk and resilience framework, thereby enhancing the juvenile justice system’s ability to achieve all three of its goals: public safety protection, accountability, and competency development.

QUESTIONS FOR DISCUSSION

1. What are the main obstacles to incorporating the principles of risk, protection, and resilience into juvenile justice policies and practices?

2. In what ways is the strengths perspective compatible with the principles of risk, protection, and resilience?

3. What are the major factors leading to reforms or modifications of juvenile justice policies and practices? Which, if any, are most apt to lead to sustained changes? Why?

4. How do risk and protective factors for juvenile delinquency compare with those identified for other youth problems, such as substance abuse or poor school adjustment?

5. Do you think the “Fourth Wave” of juvenile justice reforms emerging in recent years will spread? Why or why not? If such reforms do become widely adopted, do you think they will be sustained or be overtaken by a subsequent round of “get tough” policies and practices?
REFERENCES


ADDITIONAL READING


WEB-BASED RESOURCES

Building Blocks for Youth, http://www.buildingblocksforyouth.org/
Center for the Study and Prevention of Violence (Blueprints), http://www.blueprintprograms.com/
Office of Juvenile Justice and Delinquency Prevention (OJJDP), http://www.ojjdp.gov/

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