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Criminal Justice Research Division, SANDAG



EXECUTIVE SUMMARY - Seeking Alternatives: Understanding the Pathways to Incarceration of High-Risk Juvenile Offenders February 2015

Funded by The California Wellness Foundation in partnership
with:

San Diego County Probation Department
The Children's Initiative

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EXECUTIVE SUMMARY

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PROJECT BACKGROUND

In 2003, San Diego County's juvenile justice system formed a committee to address the issue of Disproportionate Minority Contact of youth, now referred to as Reducing Racial and Ethnic Disparity (RED). This committee, which is comprised of key juvenile justice decision makers¹ in San Diego County has spent years conducting research and internal reviews to identify and reduce disparities throughout the juvenile justice system. As part of this process, the committee sought to learn more about those youth most deeply entrenched in the system. Research has shown that the

Project Goal:

Learn more about serious and chronic juvenile offenders to determine if opportunities for earlier intervention were missed that could have prevented escalation in the system in order to inform the California juvenile justice system.

trajectory for most (e.g., 90%) juvenile offenders is away from offending and delinquent behaviors. However, for chronic offenders, their adolescent years are spent in and out of school, custody, and under the scrutiny of the court and the rules of probation. Recent research in the field has shown that long-term incarceration of youth does not reduce recidivism and in some cases, for lower-level offenders, it can actually increase criminal recidivism.

This information, combined with the overrepresentation of youth of color in parts of the system, and the belief that more could be done to redirect these entrenched youth, provided the impetus for the RED committee to seek out the support of The California Wellness Foundation (CWF) to learn more

about this population. RED members approached CWF to fund a study designed to examine factors contributing to youth becoming deeply entrenched in the juvenile justice system with the purpose to inform California juvenile justice systems. Of particular interest was capturing the youths' perspective on their experiences prior to and during their involvement in the justice system.

In partnership with San Diego County Probation and The Children's Initiative, SANDAG's Applied Research Division designed and conducted a qualitative study of 40 high-risk youth either sentenced to the Youthful Offender Unit (YOU) or to the Community Transition Unit (CTU) to learn more about their paths deeper into the system and what interventions could have altered that course, and when those interventions could have been implemented to the greatest advantage. YOU is a graduated sanctions program in which youth are in custody locally for up to 9 months and supervised in their communities for the remaining 3 months, for a total of 12 months. CTU is a

¹ Representatives from San Diego County Probation Department, San Diego County District Attorneys' Office, Presiding Judge of Juvenile Court, County of San Diego Office of Public Defender, The Children's Initiative, community-based agencies, County of San Diego Office of Education, and SANDAG.

community-based supervision program for youth who are returning to their communities after completing a sentence in a Department of Juvenile Justice (DJJ) facility. A mixed-model design was used with data gathered from a structured interview with the youth, validated assessments, and official Probation records. The goal of the research was to capture information on all the systems the youth had come in contact with, including education and Child Welfare Services (CWS).

PROJECT RESULTS

Data collection for this project included a structured interview, archival data gathered from San Diego County Probation Case Management System, service data provided by Probation, and formal assessments (i.e., San Diego Risk and Resiliency Checklist (SDRRC), Adverse Childhood Experience (ACE), Dual-Role Relationships Inventory (DRI-R)). The sample of convenience was comprised of all youth in YOU and CTU who were 18 years or older and available for inclusion in the study. Comparison analysis to the total population of YOU and CTU showed that the sample was representative of those two populations.

Results of the analyses of the information gathered was consistent with much of the current research about the challenges these high-risk offenders face in their lives but also illuminated some key system gaps. Specifically, the warning signs of future delinquency became apparent several years before the youth touched the justice system, reinforcing the need for earlier intervention and stronger cross-system coordination. Youth both reported and had official documentation of contact with CWS, indicating disruption in their family life at an early age. They also noted having behavior problems in school starting around middle school, which was around the first time many of the youth received their first referral to Probation (age 13.95; $SD=1.43$). The implication of this progression is that prior to entering the juvenile justice system, both CWS and the school professionals became aware of some of the issues in these youths' lives.

This descriptive information is in sync with the research on youthful offenders. However, what is also consistent is what the youth themselves said about

SUMMARY OF CHALLENGES AND RISKS OF THE SAMPLE POPULATION

Trauma and Mental Health Factors

- × 76% to 97% had witnessed violence in their lives
- × 32% had seen someone killed
- × 30% had a score of 4 or more on the Adverse Childhood Experience assessment
- × 43% had a family member who had been to prison
- × 84% had at least one referral to CWS
- × 20% had been removed from their home by CWS

School Factors

- × 95% had been suspended
- × 65% had been expelled
- × 67% had regularly not gone to school
- × 25% had dropped out of school
- × 58% reported having difficulty learning

Substance Use and Abuse Factors

- × Early use of alcohol or drugs, around 13 years old at first use
- × 98% reported alcohol use and 100% other drug use
- × 53% felt drugs were a problem for them
- × 75% reported regularly using alcohol or drugs before or during school

Delinquency Factors

- × Youth were 14 years old on average when received first referral to probation
- × Youth had spent 31% of their adolescence in custody
- × 85% of youth reported gang involvement
- × 87% of youth reported ever carrying a weapon

their paths, their opinion of the systems, and when and what intervention could have been helpful. While each youth's story is unique, some common themes arose from the interviews that could be helpful for policy makers. Some of these insights included:

- × That community and family are important and there is a need to receive more support in the community before being removed from their home and incarcerated;
- × A request to be more lenient when youth make mistakes because risk taking is part of adolescence;
- × A realization that school was important and that staying in their own school would have been helpful;
- × A need for help with their substance abuse;
- × The challenge of negative peers (including gangs) and the influence they had in the youth's poor decision making;
- × The value of a caring staff (Probation or school) in the healing process;
- × The helpfulness of learning basic life skills, including what it means to be held accountable (not to be confused with punishment).

PROJECT RECOMMENDATIONS

Finding #1: Youths' self-report, assessments and official Probation records indicate that the youth were exposed to multiple episodes of trauma at an early age and that problem behaviors first came to the attention of professionals around the age of middle school.

Recommendation: Institute standardized trauma screening, provide indicated family-based treatment, and develop an interconnecting treatment and service delivery system that spans the child welfare system, schools, law enforcement, the behavioral health system, and the juvenile justice system, and community-based services to reduce involvement in the justice system.

Finding #2: All of the youth had a history with alcohol and other drug use (AOD) starting on average around age 13. Over half reported that their drug use was a problem but less than one-quarter had reported participation in any AOD treatment.

Recommendation: Increase the availability of evidence-based alcohol and drug intervention in the schools and the community. Identify and implement early warning systems of AOD use within schools to be able to respond quickly with effective and developmentally appropriate interventions.

Finding #3: The majority of youth had been suspended (95%) or expelled (65%) at least once. Youth also spent around one-third of their adolescence in custody and were disconnected from their home school.

"I wish I would have received help with alcohol and substance abuse. If I had counseling I would have talked about my problems, instead I drank alcohol and used drugs. I should have gotten a job to stay off the streets and kept me busy".

Recommendation: Systems need to exhaust every effort to maintain a connection and enrollment to the youth's home school. These actions should include revision of school policies to reduce reliance on suspensions and expulsions for non-zero tolerance offenses, and once removed from school (through placement in detention facilities or court schools), prioritize efforts to reintroduce youth to their home schools.

"Instead of being sent to YDC, I would have liked to go back to regular school to experience school dances, football games, but instead I was placed with the same high-risk demographic."

Finding #4: Complete data were not available on the type, intensity, and participation outcome of interventions and treatments that the youth received across systems. This lack of information limits assessment of the quality and quantity of interventions that youth receive.

Recommendation: Improve continuity of care by improving integrated data collection and data sharing across systems to allow for comprehensive documentation of services received, including type, dosage, and outcome. Create a cross system of treatment standards and quality assurance processes in order to ensure fidelity to evidence-based treatment models and maximize treatment outcomes.

Finding #5: Youth spent nearly one-third of their adolescence incarcerated. Youth spoke about how disruptive this separation from their family and community was for them and expressed a desire to stay in their community. Youth also felt that the juvenile justice system was quick to re-incarcerate them for perceived minor infractions.

Don't keep these kids under longer sentences and give kids chances. The juvenile justice system shouldn't raise children nor mistreat them.

Recommendation: Increase community-based alternatives to detention and confinement. Research has shown the value of providing services in the community and the lack of effectiveness incarceration has on

recidivism. Adoption of policies that increase fiscal resources for effective alternatives to detention and confinement for those youth who do not pose a threat to public safety is in alignment with promising practice and/or evidence-based practices. Increase the use of a system of graduated incentives and sanctions thereby utilizing proven behavioral modification techniques that can reduce reliance on detention for minor infractions.

Finding #6: The results showed a lack of consistent individualized case planning, treatment options, and matching of assessed needs with interventions.

Recommendation: Improve individualized service plans for youth that address their specific alcohol and drug issues, trauma, mental health, and educational challenges. Provide youth with individualized and monitored promising practice and/or evidence-based treatment while detained and in the community, maintaining continuity of care whenever possible.

Finding #7: The youths' path towards delinquency often started early with CWS involvement and/or poor school attendance and behavior problems. As such, professionals in the CWS and educational system were the first to become aware of issues in these youths' lives.

Recommendation: Interventions need to start early and cross systems. Develop policies that support non-discretionary spending across multiple systems and require shared outcomes for systems' accountability.