

# Lecture 11: Prevention and Introduction to Juvenile Justice

11/12/2017

Chris Uggen – Soc 4141

1

---

---

---

---

---

---

---

---

## Part III. Delinquent Careers in the Juvenile Justice System

- What were parts I and II? Revisit course objectives
- Introduction: Three Stages
  - Prevention (MTO, individual treatment, SS, DARE)
  - Preadjudication (Diversion)
  - Postadjudication (Probation, community, institutionalization, sometimes SS)
- What are the goals and functions of juvenile justice?

11/12/2017

Chris Uggen – Soc 4141

2

---

---

---

---

---

---

---

---

## JJS: basic stages

1. Intake Decision: Release, refer, detain, waive, file petition
2. Adjudication: delinquent, not delinquent, dismiss (Minn. Provisions for waiver and statutory exclusion)
3. Disposition: Minn. Options: counsel, probation, transfer custody, order restitution, fine, order treatment, cancel driver's license (Predisposition investigation/PSI)
4. Aftercare (like "Parole")

11/12/2017

Chris Uggen – Soc 4141

3

---

---

---

---

---

---

---

---

## name game

	Juvenile	Adult
Person		Criminal/Offender
Act		Crime
Intake/Pre-Adjudication		Arrest Indictment Plead guilty Plead not guilty Plea bargain Jail
Adjudication		Reduced charges Trial Conviction
Disposition		Sentence Incarceration Prison Parole

11/12/2017

Chris Uggen – Soc 4141

4

---

---

---

---

---

---

---

---

---

---

---

---

## name game

	Juvenile	Adult
Person	Delinquent Child	Criminal/Offender
Act	Delinquent Act	Crime
Intake/Pre-Adjudication		Arrest Indictment Plead guilty Plead not guilty Plea bargain Jail
Adjudication		Reduced charges Trial Conviction
Disposition		Sentence Incarceration Prison Parole

11/12/2017

Chris Uggen – Soc 4141

5

---

---

---

---

---

---

---

---

---

---

---

---

## name game

	Juvenile	Adult
Person	Delinquent Child	Criminal/Offender
Act	Delinquent Act	Crime
Intake/Pre-Adjudication	Take into custody Petition Agree to a finding Deny the petition Adjustment Detention / shelter	Arrest Indictment Plead guilty Plead not guilty Plea bargain Jail
Adjudication		Reduced charges Trial Conviction
Disposition		Sentence Incarceration Prison Parole

11/12/2017

Chris Uggen – Soc 4141

6

---

---

---

---

---

---

---

---

---

---

---

---

## name game

	Juvenile	Adult
Person	Delinquent Child	Criminal/Offender
Act	Delinquent Act	Crime
Intake/Pre-Adjudication	Take into custody Petition Agree to a finding Deny the petition Adjustment Detention / shelter	Arrest Indictment Plead guilty Plead not guilty Plea bargain Jail
Adjudication	Substitution Adjudicatory hearing Adjudication	Reduced charges Trial Conviction
Disposition		Sentence Incarceration Prison Parole

11/12/2017

Chris Uggen – Soc 4141

7

---

---

---

---

---

---

---

---

---

---

---

---

## name game

	Juvenile	Adult
Person	Delinquent Child	Criminal/Offender
Act	Delinquent Act	Crime
Intake/Pre-Adjudication	Take into custody Petition Agree to a finding Deny the petition Adjustment Detention / shelter	Arrest Indictment Plead guilty Plead not guilty Plea bargain Jail
Adjudication	Substitution Adjudicatory hearing Adjudication	Reduced charges Trial Conviction
Disposition	Disposition Commitment Training/treatment ctr. Aftercare	Sentence Incarceration Prison Parole

11/12/2017

Chris Uggen – Soc 4141

8

---

---

---

---

---

---

---

---

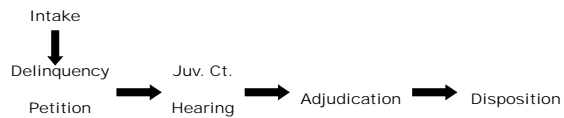
---

---

---

---

### Simplified view of Minnesota process



11m Hennepin County explainer for parents:  
[https://www.youtube.com/watch?v=xNyCBx0\\_Dx4](https://www.youtube.com/watch?v=xNyCBx0_Dx4)

11/12/2017

Chris Uggen – Soc 4141

9

---

---

---

---

---

---

---

---

---

---

---

---



trend toward > constitutional protection

- *Morris Kent v. US* (1966)
  - right to hearing before waiver to adult court, right to counsel in interrogation, records [16 year old got 30-90 years for rape/rob]
- *In re Gerald Gault* (1967)
  - right to counsel, notice of charges, confront witnesses, avoid self-incrimination [age 15, 6 yrs for crank call, cherries, bombers]
- *In re Samuel Winship* (1970)
  - reasonable doubt standard [age 12, stole \$112 from a purse, convicted on preponderance]
- *Joseph McKelver v. Pennsylvania* (1971)
  - no right to jury [group of 16 year olds stole 25 cents from kids]
- *Breed v. Gary Jones* (1975)
  - prohibits double jeopardy (trying in both juvenile and adult court) [age 17, armed robbery, adjudicated delinquent, then tried]
- *Schall v. Martin* (1984)
  - preventive detention of juveniles is constitutional and serves state interest (age 14, hit kid with gun & stole sneakers)
- *Roper v. Christopher Simmons* (2005)
  - juvenile death penalty unconstitutional under 8<sup>th</sup> and 14<sup>th</sup> Amendment [age 17, murder (evolving standards of decency)]
- *Miller v. Alabama* (2012) (& *Jackson v. Hobbes*)
  - mandatory life without parole (LWOP) unconstitutional for juveniles [Evan Miller, 14, set fire to trailer, got LWOP for murder]

11/12/2017

Chris Uggen – Soc 4141

13

---

---

---

---

---

---

---

---

---

---

Schaefer & Uggen on Blended Sentencing (EJJ) (2016)

- What is "blended"?
  - On what theory is it based?
  - "Extended Juvenile Jurisdiction"
- Liberal reform or conservative crackdown?
  - States with high unemployment, Black incarceration, Republican govts, and prosecutorial discretion
- 26 states since 1985
  - took off at crime peak 1992-'98, none since 2002



11/12/2017

Chris Uggen – Soc 4141

14

---

---

---

---

---

---

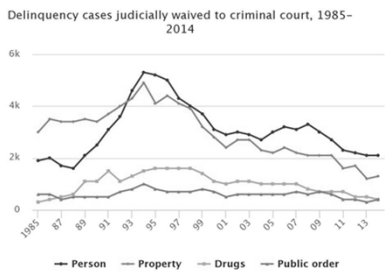
---

---

---

---

rise ('85-'94) & fall ('95-'14) of waiver to adult court (51% were for violent/person crimes in 2014)



11/12/2017

Chris Uggen – Soc 4141

15

---

---

---

---

---

---

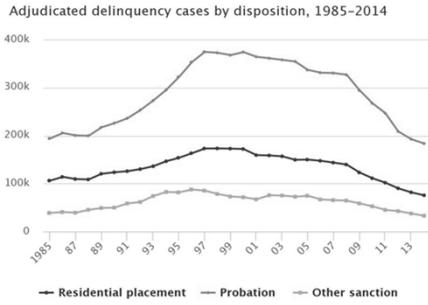
---

---

---

---

In 2013, 63% of cases got probation, 26% residential;  
 11% other (restitution, community service)  
 all rose from '85-'97, halved '98-'14



11/12/2017

Chris Uggen - Soc 4141

16

---

---

---

---

---

---

---

---

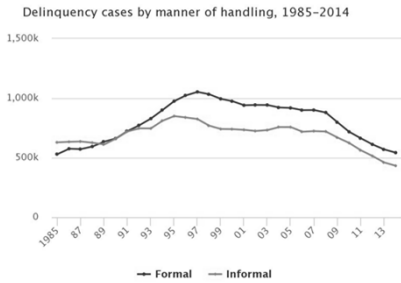
---

---

---

---

"net widening?" more cases handled formally  
 (petitioned) than informally (non-petitioned) but  
 formal processing dropped 45% from 1997-2013



11/12/2017

Chris Uggen - Soc 4141

17

---

---

---

---

---

---

---

---

---

---

---

---

PROGRAMS AT EACH  
 STAGE  
 (intake, adjudication, disposition)  
 Papers & Programs

11/12/2017

Chris Uggen - Soc 4141

18

---

---

---

---

---

---

---

---

---

---

---

---

## Prevention

- History of Individualized Treatment, Prevention and the Juvenile Court
  - 1915 Chicago: Wm. Healy's individualized treatment
  - The Minnesota Multiphasic Personality Inventory (MMPI)
  - The Glueck Social Prediction Table
  - The Cambridge-Somerville Youth Study
- But... dark assessments: "Prevention projects don't work and they waste money, violate the rights of juveniles and their families, inspire bizarre suggestions and programs, and fail to affect the known correlates of urban delinquency" (Lundman 1994: 245)

11/12/2017

Chris Uggen - Soc 4141

19

---

---

---

---

---

---

---

---

## Greenwood (2008) Prevention & Intervention Programs

- Much more optimistic since then.
  - Better designs and evidence since 1990s
- Now:
  - "Blueprints" at Colorado's CSPV
  - Lipsey's Meta-analyses (1992-)
  - C2: Campbell Collaboration
  - Cost-benefit analyses (Rand & WSIPP)
- Prevention *can* work, but only 5% of youth who could benefit from "proven" programs are being served

11/12/2017

Chris Uggen - Soc 4141

20

---

---

---

---

---

---

---

---

## A. prevention

- Nurse-Family Partnership home visits (Olds)
  - Infants aged 0-2 get 20 visits, reducing child abuse and arrests of moms & kids
  - RAND: cost of \$6,000, benefit of \$24,000
- Preschool Education (Perry)
  - Small-scale (n=123) high-investment "Head Start"-type project appears to reduce delinquency (SR and official) at age 27. (Berrueta-Clement et al. 1985)
  - RAND: cost of \$12,000, benefit of \$25,000
- School-based Life Skills Training, Bullying Prevention, STATUS
  - Success in reducing delinquency, dropout, substance use
  - Sometimes combined with diversion

11/12/2017

Chris Uggen - Soc 4141

21

---

---

---

---

---

---

---

---

## B. Community

- Also linked to diversion
- More successful emphasize family interactions & adults/parents
  - FFT: Functional Family Therapy
  - MST: Multisystemic Therapy more costly & involved (50 hrs + crisis support)
- Less successful focus solely on individual youth (supervision, surveillance, early release)

11/12/2017 Chris Uggen – Soc 4141 22

---

---

---

---

---

---

---

---

## C. Institutions

- More successful focus on changing risk factors & high-risk
  - CBT: Cognitive Behavioral Therapy skill-building to change thinking to reach client's goals
  - Aggression-Replacement Training
  - Family Integrated Transitions (reentry)
  - MTFC Multidimensional Treatment Foster Care
- Implementation & training issues/ "Fidelity"
  - Some agencies lack capacity to run good programs

11/12/2017 Chris Uggen – Soc 4141 23

---

---

---

---

---

---

---

---

## Evaluating Evaluations

1. Did the design randomly assign the treatment?
  - bias if volunteers are less delinquent than non-volunteers
2. Did the program target the right population?
  - Effectiveness may be age-graded or limited to one group
3. What outcome is examined?
  - Incarceration vs. arrest vs. education and employability
4. How long is the follow-up observation period?
  - Residential may only prevent crime while in residence; some programs take years/decades to show effects
5. Was the program fully implemented, or did cost or logistical problems dilute the treatment?
6. Do researchers have the ethical and legal licenses to intervene?
  - "Pre-delinquents" have not committed crime and "benign" treatment could harm them. But if the treatment works, how can it be equitably withheld from needy children?

11/12/2017 Chris Uggen – Soc 4141 24

---

---

---

---

---

---

---

---



Sullivan, Piquero, Cullen (2012) applying life-course theory in programs

- Child-saver roots of juvenile court
  - Healy's "multiple-factor" medical model
  - Today, Moffitt; Sampson & Laub
    - Onset 8-14; Peak 15-19; Desist 20-29; chronicity; peers; non-utilitarian; steps; label/custody effect
- Recommend
  1. Intervention BEFORE JJS is needed
  2. Short-and-long term public safety
  3. Case-based study of causes-Moffitt & onset
  4. Multifaceted response- MST, home, school
  5. Facilitate desistance (CBT) & identity shift
  6. Developmental & graduated sanctions
  7. Be mindful of effects of contact & confinement

11/12/2017

Chris Uggen - Soc 4141

25

---

---

---

---

---

---

---

---

---

---

---

---

Draft Exchange!

- Complete grade sheet
- Be gentle but clear and specific
- Give your grade sheet to partner to hand in with their final paper next week.

11/12/2017

Chris Uggen - Soc 4141

26

---

---

---

---

---

---

---

---

---

---

---

---

next

- Week 12 Juv. Justice, Gender, & Policing
  - Zahn, Margaret A., Jacob C. Day, Sharon F. Mihalic and Lisa Tichavsky. 2009. "Determining What Works for Girls in the Juvenile Justice System: A Summary of Evaluation Evidence." *Crime & Delinquency* 55:266-93.
  - Rios, Chapter 7. "Guilty by Association: Acting White or Acting Lawful?" Pp. 142-56.
  - CWB, 14: "Shame, Restorative Justice, and Crime." Not required.
- Week 13: Probation and institutionalization
  - Lane, Jodi, Susan Turner, Terry Fain, and Amber Sehgal. 2007. "The Effects of an Experimental Intensive Juvenile Probation Program on Self-reported Delinquency and Drug Use." *Journal of Experimental Criminology* 3:201-219.
  - CWB, Chapter 15. Paul Gendreau, Paula Smith, and Sheila A. French. "The Theory of Effective Correctional Intervention: Empirical Status and Future Directions." Pp. 419-446.
  - Michelle Inderbitzin, Trevor Walraven, and Joshua Cain. 2014. "Juvenile Lifers, Learning to Lead." Pp. 171-86 in *Crime and the Punished*, edited by Hartmann and Uggen. New York: WW Norton.

11/12/2017

Chris Uggen - Soc 4141

27

---

---

---

---

---

---

---

---

---

---

---

---