

# Past, Present, and Future of Juvenile Justice: Assessing the Policy Options (APO)

## *Final Report*

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# Executive Summary

In recent decades, state governments have enacted sweeping changes in law and policy that have profoundly affected the juvenile justice landscape in the United States; many mirror those made to the adult justice system (Wool and Stemen 2004) and are unprecedented historically (Butts and Mears 2001; Katzmann 2002; Howell 2003). Examples include new and expanded laws for transferring youth to the adult system and for reducing gaps between the juvenile and adult justice systems; sentencing guidelines and graduated sanctions models that encourage greater consistency in juvenile dispositions; laws aimed at reducing the confidentiality of juvenile records and hearings; and efforts to target serious and violent crime, drug offending, and weapon offenses. Yet, arguably, the last two decades have also been marked by innovation aimed at preventing delinquency and improving the structure and administration of juvenile justice (Butts and Mears 2001). The increased prevalence of and legislative support for specialized courts including juvenile drug, mental health and truancy court programs, as well as diversion programs designed to promote positive youth development and increased efforts to integrate treatment and evidence-based approaches into the fabric of juvenile justice, are just a few examples of recent advances.

Despite these remarkable changes, policymakers lack information about how front-line juvenile justice professionals—those individuals responsible for implementing these changes and most likely to be affected by them—view the new policies. Furthermore, relatively little is known about how well such policies address the critical issues facing the juvenile justice system and its practitioners (Mears 2000). Most of the extant research focuses on whether practitioners agree with or support the philosophy of a given policy, not their views about its impact or necessity. Likewise, very few studies measure the actual effectiveness of a given policy in achieving its stated outcomes, choosing instead to examine implementation.

*The Past, Present, and Future of Juvenile Justice: Assessing the Policy Options (APO) project*, funded by the National Institute of Justice (#2005-IJ-CX-0039) and supported by the Office of Juvenile Justice and Delinquency Prevention, addressed these questions by taking stock of recent policy changes and asking juvenile justice practitioners about their impressions of these changes. Between October 2005 and December 2007, researchers at the Urban Institute, Florida State University, and the Chapin Hall Center for Children at the University of Chicago conducted an online survey of juvenile justice professionals to measure their impressions of recent policy changes and the critical needs facing today's juvenile justice system, and to garner recommendations for improving the administration and effectiveness of this system. An examination of 17 prevalent juvenile justice policies and practices and review of state-level legislative activity around those issues were also conducted to identify recent and emerging trends in the administration of juvenile justice.

The study's primary objective was to provide policymakers, administrators, and practitioners with actionable information about how to improve the operations and effectiveness of the juvenile justice system, and to examine the role practitioners could play in constructing sound juvenile justice policy.

## KEY FINDINGS

This report synthesizes findings from the national practitioner survey, and examines trends identified during review of state-level juvenile justice legislation proposed and enacted during the study period. Synopses of several prominent juvenile justice policies are also provided in this report. The findings and recommendations discussed throughout this report highlight the importance of involving diverse and divergent voices—particularly practitioners with differing agendas from across the justice spectrum—not only in the policy debate but also in the construction and implementation of sound policy, practice, and programming.

### National Survey of Juvenile Justice Professionals

A total of 534 juvenile court judges, chief probation officers, court administrators, prosecutors, and defense attorneys in 44 states and the District of Columbia participated in the APO national practitioner survey<sup>1</sup>. A web-based self-administered questionnaire, the APO practitioner survey consisted of four major sections: demographics, critical needs, policies and practices, and practitioner recommendations. Critical needs facing the juvenile justice system were measured by asking respondents about the policy priority of 13 issues in their respective jurisdictions; topics ranged from staff training and development to effective juvenile defense counsel to information technology. Respondents were also asked to assess the effectiveness of 17 different policies and practices—ranging from parental accountability laws to transfer and treatment—in achieving six vital juvenile justice outcomes. Respondents used a unique “username” and private password assigned by the Urban Institute to log-on to the survey; participation was voluntary and completely confidential. Most completed the survey in 15 minutes. Survey findings are summarized below.

#### Critical Needs

Alternatives to secure detention (51.0%), policymaker support for rehabilitation (50.7%), and developmentally appropriate services (48.4%) were the top three issues identified across practitioner groups as critical to improving juvenile justice. As discussed in later sections of this report, respondent measures of critical needs facing their respective jurisdictions encompassed 13 items organized across the following five domains (1) quality of counsel, both prosecution

#### APO National Practitioner Survey

The APO National Practitioner Survey was an online self-administered questionnaire consisting of four sections. Respondents used a unique “username” and private password assigned by the Urban Institute to log-on to the survey. Most participants completed the survey in about 15 minutes.

##### Section 1: Demographics

##### Section 2: Critical Needs (13 items; 5 domains)

Staff development & training • Gender responsive services • Culturally relevant services • Developmentally appropriate services • Resources for non-English speakers • Policymaker support for rehabilitation • Public support for rehabilitation • Effective juvenile defense counsel • Effective prosecution • Alternatives to secure detention • Disproportionate minority contact • Information technology • System capacity to measure performance and evaluate programs

##### Section 3: Policy Outcomes (17 items, 4 domains)

Curfew laws • Parental accountability laws • Reduced confidentiality • Victim participation • Restorative justice • Time limits on proceedings • Specialized courts • Transfer • Graduated sanctions • Risk and needs assessments • Coordination with social services • Effective mental health treatment • Effective substance abuse treatment • Effective sex offender treatment • Targeting gang-involved youth • Community-based alternatives to secure detention • Reentry services and planning

Six outcome measures of policy effectiveness included  
Less crime • Less recidivism • Fair treatment • Appropriate punishment • System efficiency • Traditional mission

##### Section 4: Practitioner Recommendations for System Improvement

<sup>1</sup> The APO practitioner survey targeted the most- senior juvenile justice professionals in primarily urban and suburban jurisdictions; as a result, survey results may not generalize to line staff or practitioners in rural jurisdictions. The sample did not specifically target practitioners working in the areas of detention, juvenile corrections or aftercare although some respondents, specifically Chief Probation Officers, may be responsible for those activities.

and defense; (2) quality of services; (3) system performance; (4) public support; and (5) research and evaluation.

Close to 80 percent of all respondents agreed or strongly agreed several additional issues were also critical to system improvement, including staff development and training, public support for rehabilitation, quality of legal counsel, more effective use of information technology, and improved system capacity to monitor and assess the performance of programs and services. Strong support for these top priorities suggests a clear and compelling need for well-trained staff to deliver appropriate and effective interventions to young offenders; these findings likewise suggest practitioners recognize public and policymaker support is essential to address these priority needs.

Policy Priorities (Critical Needs)					
Survey respondents commented on the priority given to each of the 13 issues on their respective jurisdictions. For each item, respondents could choose to agree, strongly agree, disagree, or strongly disagree with the statement, "In my jurisdiction, the issue <u>should be</u> a top priority for improving the juvenile justice system." This table reports the percent replying Strongly Agree. The percentages of the top three issues garnering practitioner support appear in bold type below.					
	Delinquency Services (N=165)	Judges (N=122)	Prosecutors (N=163)	Public Defenders (N=84)	Total Strongly Agree
Staff development and training	54%	44%	39%	48%	46% (233)
Gender responsive services	38%	40%	24%	36%	34% (165)
Culturally relevant services	40%	33%	26%	37%	34% (164)
Developmentally appropriate services	52%	48%	38%	62%	48% (246)
Resources for non-English speaking youth and families	37%	35%	27%	41%	34% (170)
Policymaker support for rehabilitation of young offenders	57%	51%	38%	61%	51% (249)
Public support for rehabilitation of young offenders	52%	53%	31%	60%	47% (235)
Effective juvenile defense counsel	41%	51%	34%	77%	47% (234)
Effective prosecution of juvenile offenders	33%	43%	59%	30%	43% (214)
Alternatives to secure detention	55%	60%	31%	70%	51% (261)
Disproportionate minority contact	49%	40%	23%	52%	40% (183)
Information technology	54%	37%	33%	33%	41% (204)
System capacity to evaluate programs and services	57%	43%	38%	37%	45% (224)

Slight differences in priorities did emerge when examining responses by practitioner group; in large measure, these differences likely reflect the distinct function and responsibilities specific to the four practitioner groups. Focusing again on the percentage strongly agreeing highlights this variation. The three top issues for prosecutors were effective prosecution of juvenile offenders (58.6% strongly agreed), staff development and training (39.0%), and policymaker support for rehabilitation (38.4%). Judges identified alternatives to secure detention (60.0%), public support for rehabilitation (52.7%), and effective juvenile defense counsel (51.4%) as their top priorities. In turn, the court personnel group, composed of juvenile court administrators and chief probation officers, most strongly agreed that policymaker support for rehabilitation (57.4%), system capacity to measure performance and/or evaluate programs (56.6%), and alternatives to secure detention (55.0%) should be top priorities. Public defenders emphasized the importance of

effective juvenile defense counsel (75.6%), alternatives to secure detention (68.7%), and developmentally appropriate services for young offenders (62.2%).

Regardless of the above variation, a clear consensus emerged among respondents with respect to critical needs facing the juvenile system. Clearly, practitioners recognize there are many critical needs facing the juvenile justice system. One notable exception was disproportionate minority contact (DMC), though even for this item the different groups of practitioners largely agreed that it should be a priority. That said, 38 percent of prosecutors and 26 percent of judges disagreed or strongly disagreed that DMC should be a top priority. The survey, however, did not collect information that would afford a reasonable explanation for why this particular difference exists.

Clearly, the theme remains that a diverse range of issues and needs are viewed by the various practitioner groups as meriting attention. That said, it is worth noting the emphasis on rehabilitation and increased system capacity reflected in respondents' choices of issues as top priorities. In short, practitioners consistently identified issues that were decidedly oriented toward rehabilitation of youth, not punishment, and structural issues central to the improved functioning and monitoring of the system as top priorities (critical issues) for improving juvenile justice in their respective jurisdictions.

A natural question that flows from a focus on whether a given issue should be a top priority is whether it in fact is one. The focus on this contrast—between what should happen and what actually happens—is rarely addressed in studies of juvenile justice policies (Kelly et al. 2005) or many social policies generally (Rossi et al. 2004). For these same 13 priorities, practitioners also reported on whether each was indeed a priority in their respective jurisdiction. Overall, respondents most strongly agreed that alternatives to secure detention (33.3%), effective prosecution (24.9%), and effective juvenile defense counsel (24.5%) were the current top priorities in their jurisdictions. Notably, for each of the thirteen possible issues, considerable gaps exist, ranging from a low of 13.1 percent (alternatives to secure detention) to a high of 42.4 percent (public support for rehabilitating juveniles). The greatest “ought-is” gaps were for public support for rehabilitation of young offenders (42.4%), system capacity to measure performance and evaluate programs (32.7%), and gender responsive services for young offenders (30.7%).

Finally, it is important to note the Federal Advisory Committee on Juvenile Justice (FACJJ), the federal body charged with advising the President and the Congress on juvenile justice issues, reported similar findings from its 2007 survey of State Advisory Group (SAG) members; SAG members assist their respective states in the formulation of juvenile justice policy. Detention reform, mental health treatment, and disproportionate minority contact topped the list of major juvenile justice issues at the state-level (FACJJ Annual Report, 2007). FACJJ survey respondents also identified juvenile substance abuse treatment, the coordination of services and resources, and the need for more evidence-based programming as key state-level policy concerns.

### **Perceptions about Policy Outcomes**

In addition to identifying critical needs, survey respondents answered six questions about the effectiveness of 17 widely-employed practices and policies in juvenile justice. These six questions focused on outcomes of interest to both policymakers and practitioners, specifically the

ability of a given policy or practice to (1) reduce crime in the community, (2) reduce recidivism among young offenders, (3) provide appropriate punishment, (4) facilitate fair treatment, (5) increase the efficiency of the system, and (6) support the traditional mission of juvenile justice.

Overall, respondents strongly agreed that the following five policies and practices are effective in reducing crime: mental health treatment (53.7% strongly agree), substance abuse treatment (50.6%), sex offender treatment (46.8%), reentry services and planning (45.4%), and coordination of juvenile justice with wraparound services (37.5%). Notably, this general pattern held true for the other outcomes. That is, respondents most strongly agreed that the same aforementioned five policies and practices that reduce crime also promote the other five outcomes—appropriate punishment, fair treatment of young offenders, efficiency of the justice process, and the traditional mission of the juvenile justice system. Again, the following five policies and practices garnered the strongest support from respondents across each of the six outcomes:

- Mental health treatment,
- Substance abuse treatment,
- Sex offender treatment,
- Reentry services and planning, and
- Coordination of juvenile justice with wraparound services.

The consistency in disagreement about the effectiveness of various policies and practices is just as notable. Respondents most strongly disagreed that reduced confidentiality of juvenile records, transferring juveniles to adult court, setting time limits on delinquency proceedings, targeting gang-involved youth for special prosecution, and parental accountability laws serve as effective mechanisms to reduce juvenile crime. With only one exception, the following five policies and practices garnered the strongest disagreement from respondents across each of the six outcomes:

- Reduced confidentiality of juvenile records,
- Transferring juveniles to adult court,
- Setting time limits on delinquency proceedings,
- Targeting gang-involved youth for special prosecution, and
- Parental accountability laws.

The exception to the rule was for the efficiency outcome—in this instance, juvenile curfew laws replaced setting time limits on delinquency proceedings as one of the five policies and practices for which the most disagreement existed concerning effectiveness.

The table on the following page reports practitioner responses (percent agreeing/strongly agreeing) for all seventeen policies and practices highlighted in the survey.

### **Practitioner Recommendations**

Practitioner recommendations for improving the effectiveness of the juvenile justice system generally focused on providing adequate resources including qualified staff and financial resources for training, staff development, and programs and services. Administering juvenile



justice in a collaborative manner, using a range of sanctions to provide meaningful and effective consequences, focusing on prevention and interventions to address juveniles' unique needs, and developing policies and practices based on evidence and practitioner input represented other notable respondent recommendations.

In each instance, a range of specific suggestions emerged. For example, many comments focused on the issue of resources. Practitioners emphasized the need for efforts to maintain stable levels of funding and for the prioritization of staff retention and training, including a focus on offering competitive salaries for juvenile justice professionals.

Similarly, respondents identified two broad approaches to increasing collaborative efforts in juvenile justice. The first was to target juvenile justice stakeholders, professionals in particular, using a variety of strategies to create greater information-sharing and a common vision for juvenile justice. The second was to target families and the community for inclusion in various facets of juvenile justice system operations.

They also identified many specific ways to improve sanctioning in juvenile justice. Many respondents focused, for example, on what they viewed as the need for the greater use of graduated sanctions and restorative justice programs, as well as a variety of alternatives to secure detention.

Respondents provided an array of suggestions focused on prevention and intervention. Four sets of recommendations emerged. These included a focus on prevention and early intervention, an emphasis on treatment and programs, a call for developmentally appropriate responses to individual juvenile offenders, and the need for efforts aimed at preserving the life chances of youth referred to the juvenile justice system.

Not least, practitioners pointed to different ways in which evidence-based practices could improve juvenile justice programming and other responses. They noted, for example, the need to emphasize programs deemed effective by research. At the same time, they stressed the need to avoid adopting "feel good" programs that lack any research-based foundation to support them.

Perhaps what is most notable about the recommendations is how closely they mirror the lists of effective approaches and practices emphasized in many reviews, as well as the findings and recommendations presented in the August 2007 Annual Report of the Federal Advisory Committee on Juvenile Justice (FFJAC), cited earlier. The Federal Comprehensive Strategy, for example, stresses policies and practices that overlap substantially with those identified by practitioners (Howell 2003). Similarly, meta-analyses and other reviews also point to similar sets of recommendations (see, generally, Butts and Mears 2001; McCord et al. 2001; Katzmann 2002; Howell 2003; Guarino-Ghezzi and Loughran 2004; Krisberg 2005).

Whether the overlap results from practitioners taking heed of research or from their life experiences and wisdom gained in the "doing" of juvenile justice is beyond the scope of the present study. Regardless, this consensus suggests a basis for optimism about the prospects for improving the operations and effectiveness of juvenile justice nationally.

<b>Effectiveness of Juvenile Justice Policies and Practices, Percent Agreeing/Strongly Agreeing.</b>						
The percentages of the top three issues garnering appear in bold type below.						
	<b>Less Crime in Community<sup>a</sup></b>	<b>Less Recidivism by Young Offenders<sup>a</sup></b>	<b>Appropriate Punishment of Young Offenders<sup>a</sup></b>	<b>Fair Treatment of Young Offenders<sup>a</sup></b>	<b>Efficiency of the Justice Process<sup>a</sup></b>	<b>Traditional Mission of Juvenile Justice<sup>a</sup></b>
Juvenile curfew laws	73.1	55.6	43.1	55.3	36.6	61.4
Parental accountability laws (e.g., punishing parents for children's behavior)	60.5	61.9	42.4	49.9	52.9	52.6
Reduced confidentiality of juvenile court records and proceedings promotes	23.9	22.4	31.1	34.5	38.6	24.7
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	49.7	58.6	81.1	79.8	67.2	77.4
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	79.1	82.7	<b>94.2</b>	93.0	80.5	89.2
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	36.2	35.9	52.7	66.7	75.8	62.9
Specialized courts (e.g., juvenile drug courts, mental health courts)	77.0	81.5	85.8	87.4	71.4	81.3
Transferring juveniles charged with certain offenses to criminal/adult court	51.9	48.2	61.5	57.4	56.0	42.6
Graduated sanctions	73.9	78.1	89.2	91.1	82.6	87.4
Using risk and needs assessment tools to assist with decision-making	67.2	73.2	84.6	86.8	84.3	84.0
Coordination of juvenile justice with social services (e.g., wrap-around programs, "systems of care")	89.9	91.6	87.7	94.7	85.3	93.0
Effective substance abuse treatment	<b>97.0</b>	<b>97.0</b>	<b>95.1</b>	<b>96.6</b>	<b>92.7</b>	<b>96.3</b>
Effective sex offender treatment	92.6	93.3	92.2	95.1	90.8	94.0
Effective mental health treatment	<b>95.1</b>	<b>95.7</b>	93.5	<b>96.5</b>	<b>92.1</b>	<b>95.8</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	73.5	66.9	70.0	65.7	67.7	56.9
Community-based alternatives to secure detention for certain offenses	72.7	72.5	86.6	92.1	86.0	90.3
Reentry services and planning (e.g., aftercare services and interventions)	<b>96.4</b>	<b>96.4</b>	<b>94.5</b>	<b>98.6</b>	<b>93.9</b>	<b>95.8</b>
<p>a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome (e.g., less crime in the community); the response options were strongly agree, agree, disagree, strongly disagree, don't know.</p> <p>b. "SA" = "strongly agree" and "A" = "agree."</p>						
For tables reporting percent disagreeing/strongly disagreeing, see Chapter 4.						

## ANALYSIS OF LEGISLATIVE ACTIVITY IN THE STATES

States are legislating juvenile justice policy at a remarkable pace. An analysis of proposed and enacted legislation between 2005 and 2007 suggests that over a thousand juvenile justice measures have been introduced in state legislatures in the last three years, resulting in more than 300 new laws and policies, or roughly 100 new measures annually. During 2007 alone, roughly 70 percent of the states (N=35) passed a combined total of 113 laws directly affecting the administration of juvenile justice (NCLS, 2008). Every state legislature as well as the District of Columbia (DC) considered at least one juvenile justice policy measure during the study period. State-level legislative activity, however, reached a high point in 2006, an election year, with 45 states<sup>2</sup> and DC introducing roughly 700 juvenile justice measures; approximately 215 measures were enacted.

More importantly, analysis of state-level legislation proposed and enacted between calendar years 2005 and 2007 also suggests many states are moving toward more progressive reforms and away from the sweeping punitive “get tough” responses that dominated juvenile justice policy in the previous decade (Urban, St. Cyr, and Decker 2003; Fagan and Zimring 2005; Bernard 2006; Bishop 2006; Snyder and Sickmund 2006). Bills designed to restore the jurisdiction of the juvenile court and return discretion to judges, limit transfer to the most violent crimes and weapons offenses, and abolish or restrict adult punishments like the death penalty and life without parole figured prominently on the states’ legislative agendas.

Other evidence that the policy pendulum is swinging toward reform and rehabilitation includes the number of bills with provisions focused on the developmental needs of youth and competency determination; instituting more strident confidentiality measures oriented toward protecting the privacy of young offenders while allowing for greater information-sharing among youth-serving agencies; and a growing focus on the treatment needs of juvenile justice-involved youth who use drugs and alcohol, or who are mentally ill. Several states enacted measures espousing strength-based approaches and mandating evidence-based practices across a range of services and programs (HI, OK, TN, WA). These shifts suggest a return to the founding tenets of the juvenile court: rehabilitation through individualized interventions focused on rehabilitation and restoration of the youth (Snyder and Sickmund 2006).

Although transfer continues to enjoy support among policymakers, as evidenced by the number of states (45) that introduced measures during the study period, the provisions of most bills focus on particularly serious crimes, like murder, that arguably may fall outside the realm of the juvenile court. This observation, coupled with the trend toward expanding the jurisdiction of the juvenile court suggests that policymakers and legislators are working to strike an appropriate balance in sentencing and handling delinquent youth. It further suggests that legislators are willing to return delinquency matters to juvenile court and reserve transfer to adult court for the most egregious offenses. In short, transfer may not be as readily applied to the broad range of offenses that previously were broadly labeled “serious.” These changes around the use of transfer, it should be noted, also returns a measure of discretion and latitude to juvenile court

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<sup>2</sup> Three states (MT, NV, OR) did not hold legislative sessions in 2006 (NJDC, 2006); neither North nor South Dakota considered any juvenile justice measures during their respective sessions.

judges to tailor dispositions to the specific circumstances of the crime and the capacities of the young offender.

Likewise, this analysis of legislative activity in the states also suggests some states are more active in legislating juvenile justice policy than others. California, Florida, New York, and New Jersey were among the most legislatively active states introducing upwards of 20 new measures annually during 2005 and 2006; New York and New Jersey, however, collectively passed less than five of the more than 80 measures proposed. Alaska, Arizona, California, Louisiana, and Tennessee appeared to be among the most “successful” in moving juvenile justice legislation forward: these states ratified 19 new measures, on average, each year. And, while the balance of measures considered within each state may seem to constitute an amalgam of issues, closer examination suggests an orientation toward either a punitive or progress orientation in some states. Louisiana, for example, stands out among the legislatively active states as one advancing an agenda focused primarily on penalties, restrictions, and procedural policies, as opposed to rehabilitation; measures increasing the number of transfer-eligible offenses, and governing registries and restrictions figured prominently in state legislation during the period of analysis. In contrast, much of Colorado’s recent juvenile justice legislation appears to advance a generally progressive agenda oriented toward rehabilitation, fair treatment and appropriate punishment. This observation, if accurate, further serves to underscore the unique context in which juvenile justice occurs in the United States.

## **RECOMMENDATIONS**

As noted earlier, the primary objective of the APO study was to provide policymakers, administrators and practitioners with information about how to improve the operations and effectiveness of the juvenile justice system. This report, therefore, concludes by offering the following recommendations.

**1. Inventory State Juvenile Justice Legislation.** States should consider creating an inventory and tracking legislative changes to their juvenile codes, as well as other laws enacted which may affect the operations and achievement of juvenile justice goals. Given the striking amount of juvenile justice legislation crafted and enacted in recent years, there is a high probability that states are passing laws with contradictory provisions or conflicting mandates. Adopting a basic matrix approach to catalogue the various legislation proposed and enacted each year, and documenting the crucial components of those laws would afford policymakers, practitioners, and the public with a quick reference for determining the number of like-minded laws already in place (reduce potential duplication), as well as identify issue areas requiring additional development. Additionally, this tool would offer an objective measure of the system’s overall orientation toward juvenile justice policy (are the juvenile justice laws in place primarily punitive, rehabilitative, or is a relatively balanced set of policies in place conducive to accomplishing the diverse and sometimes conflicting objectives of the juvenile justice system?).

**2. Systematically Analyze Juvenile Justice Policies.** The variation in state laws and statutes such as juvenile transfer highlight the need for systematic analysis of state-level juvenile justice policies and the key provisions of those policies. Organizations like the National Juvenile Defender Center, Juvenile Law Center, the Center for Policy Alternatives, and the National

Center on Juvenile Justice have made great strides in documenting and cataloguing legislative activity across the states. Systematic analysis of these policies will provide a platform for appropriate comparison of intended and actual outcomes, and thus, more accurate measurement of policy effectiveness.

**3. Focus on Juvenile Justice Administration Across the States.** A third recommendation is to conduct a more extensive examination of the strategies, structures, and policy context in which juvenile justice is administered across and within the 50 states and the District of Columbia. It bears mentioning here that juvenile justice is not administered in a unified, standardized manner across the United States, but rather in 51 different systems with their own unique history, laws and policies (Schwartz 2000; King 2006). Documenting the differences in how juvenile justice is administered and the extent to which policies are implemented not only underscores how vastly different the landscape of juvenile justice is across the US, but is essential to foster innovation and improvement. States are the laboratories for innovation. Many states, in response to local constraints (fiscal, policy), have adopted innovative and positive approaches to juvenile justice, but there is no mechanism for disseminating such information and no single forum for practitioners to discuss what is working and why. Juvenile justice professionals want to know both what works and how other jurisdictions are handling issues that they may be struggling to negotiate. A more systematic focus (by researchers and study sponsors) on how juvenile justice is administered with an eye toward documenting and disseminating state and local innovations would likely benefit the larger field.

**4. Evaluate Implementation, Compliance, and Impact of Juvenile Justice Policy and Practice.** Practitioners and policymakers, alike, long to know “what works.” A final recommendation, therefore, is to evaluate the impact of legislated policies and practices at the local level. Do these practices and policies lead to intended outcomes such as increased public safety, reduced crime and recidivism, or more pro-social youth? While these questions are reasonable, in and of themselves, the first question to address is whether these policies are being implemented as intended. A companion question, of course, which this study seeks to answer, is whether these measures enjoy practitioner support. If practitioners view the measures as unnecessary or ill-suited to their daily experience of juvenile justice administration, there is a good chance the measures will not be implemented, or may not be implemented as designed. An important first step, therefore, in evaluating the effectiveness of a practice or policy is to determine the degree to which it has been implemented, and the manner in which it has been implemented. Evaluation of the effectiveness may proceed after these have been determined.

In summary, numerous juvenile justice issues are legislated annually and the provisions of those laws and measures vary considerably, as do their directives. Some laws are permissive, others contain mandates. In reality, we know very little about how practitioners stay abreast of legislative changes in policy and practice, which of course affects implementation, or how long it takes to fully implement new laws, or the extent to which new measures are actually implemented. Little is known, for example, about how states implement or enforce DNA collection from juveniles, or whether practitioners generally support this policy. In turn, some laws and policies are designed to affect multiple and in some instances conflicting objectives. All these factors affect the extent to which a policy or practice may achieve its stated outcomes.

**5. Solicit Regular Practitioner Input.** Perhaps the key recommendation is that juvenile justice practitioners should be consulted on a regular basis as a source of information for evaluating prominent juvenile justice reforms. Juvenile justice practitioners—including probation officers, public defenders, prosecutors, judges, and court administrators—constitute a crucial source of information about the implementation and impacts of juvenile justice reforms. Yet, on a national basis, there is no single, up-to-date directory for identifying and contacting these individuals. As a result, there is no simple way to tap into this important source of information. The current study represents one attempt to create such a directory for the counties encompassing most of the nation’s metropolitan areas, but the challenges were considerable and disproportionate across groups. A critical way to monitor and assess the implementation and impact of key juvenile justice reforms, especially those that are implemented nationally, would be to create a county-specific list of juvenile court practitioners, one that is updated annually, that in turn can be used to conduct paper-and-pencil or online surveys about the reforms.

With the last proposition in mind, we offer policymakers the following practitioner-generated recommendations. We do so with the hope that this list, drawn from the insights of knowledgeable “insiders,” will facilitate greater practitioner participation in the policy debate as well as provide direction for future discussions.

- Focus on treatment and rehabilitation, in addition to appropriate punishment. On the whole, practitioners consistently identified issues of treatment and rehabilitation as critical and effective elements of the juvenile justice system. Treatment approaches targeting the specific needs of young offenders, including mental health and substance abuse treatment, and specialized approaches such as restorative justice and problem-solving courts were consistently ranked by practitioners as effective on a number of key measures. Likewise, developmentally appropriate services and alternatives to secure detention were identified as critical needs facing the juvenile justice system. The growing body of empirical evidence regarding the efficacy of these approaches should also be consulted to ensure the most promising practices are implemented (resources include OJJDP’s Model Programs Guide available online at <http://www2.dsgonline.com/mpg/>; Blueprints for Violence Prevention: <http://www.colorado.edu/cspv/blueprints/>; and the Macarthur Foundation’s Models for Change initiative <http://www.modelsforchange.net/index.html> and Research Networks for Adolescent Development and Juvenile Justice at <http://www.adjj.org>).
- Provide adequate resources to implement appropriate treatment and programming. Another top practitioner recommendation for improving the juvenile justice system was the provision of increased and consistent funding to properly equip staff and to deliver a range of appropriate treatment and programming to young offenders. Practitioners lamented the lack consistent funding with which to train, compensate, and retain talented staff, and to provide a range of interventions and treatment that address the unique needs in their respective jurisdictions.
- Administer juvenile justice in a collaborative manner. Practitioners consistently called for a more collaborative, cross-system approach to further the rehabilitation of young offenders. Essential elements identified by practitioners included developing a shared

vision of the purpose and objectives of the juvenile justice system and coordinated strategies for reform; and involving not just other youth-serving systems in this dialogue but also family members.

- Use a range of sanctions to provide meaningful and effective consequences. Another consistent recommendation offered by practitioners was the use of graduated sanctions and programming that reflect a balanced and restorative approach. Calls to strengthen juvenile probation services and aftercare options were also common among practitioners.
- Develop policies and practices based on evidence and practitioner input. Practitioners clearly want to be more involved in the policy debate as evidenced by the enthusiastic response to this study's survey. Policymakers should consider ways to leverage the considerable insight and first hand experience of practitioners and involve these stakeholders more fully in the policy debate. Practitioners had several suggestions for accomplishing the latter such as involving practitioners in the process of reviewing and revising juvenile justice statutes and creating forums in which practitioners from across the system are offered a voice in the debate. Practitioners also reiterated the need for evidence-based policies and practices, and external evaluation of programs to determine effectiveness. The latter was identified by survey respondents as a critical need facing the juvenile justice system.

Ultimately, the findings and recommendations of this report and the APO study highlight how little is known about juvenile justice reforms and underscore the need for additional research and evaluation at both the state and local policy levels. We are indebted to the practitioners who participated in this study and to those individuals at the National Institute of Justice and the Office of Juvenile Justice and Delinquency Prevention who recognized the need for this research.

# 1 Introduction

Juvenile justice has changed dramatically over the past two decades. State governments have enacted changes in law and policy that have profoundly altered the juvenile justice landscape in the United States. Reduced sentencing discretion, increased information-sharing among juvenile and adult justice systems, greater public access to juvenile records, and the transfer of juveniles to adult courts for prosecution are just a few examples of the policy changes practitioners have been asked to implement in recent years. Yet, there is little empirical information about these changes, including the associated range of policies and practices, or how juvenile justice practitioners view them. More specifically, which changes are seen as needed, feasible to implement, and effective in achieving specific goals? At the same time, practitioner views on how to improve juvenile justice have not been systematically examined. What do practitioners recommend for improving the operations and effectiveness of juvenile justice?

*The Past, Present and Future of Juvenile Justice: Assessing the Policy Options* (APO) project, funded by the National Institute of Justice (#2005-IJ-CX-0039) and supported by the Office of Juvenile Justice and Delinquency Prevention, addressed these questions by taking stock of recent policy changes and asking juvenile justice practitioners about their impressions of these changes. Specifically, between October 2005 and December 2007, researchers at the Urban Institute, Florida State University, and the Chapin Hall Center for Children at the University of Chicago conducted an online survey of juvenile justice practitioners to measure their impressions of recent policy changes, the critical needs facing today's juvenile justice system, and how they would recommend improving the administration and effectiveness of this system. Additionally, we conducted a cursory review of state-level juvenile justice legislation introduced during the study period to gauge the tenor of current policy.

This report presents the findings from the APO project. Below, we discuss the context that motivated the study, focusing particular attention on three issues—recent changes in juvenile justice, new directions in which juvenile justice has been heading, and research gaps in assessing prominent juvenile justice policies and practices, especially those that have emerged in recent decades. In the remainder of the report, we discuss the research design, data collection, and methods (Chapter 2), practitioner views of prominent juvenile justice policies and practices (Chapter 3), state-level juvenile justice activity across the country and descriptive profiles of several of these policies and practices (Chapter 4), and recommendations for research, policy, and practice (Chapter 5).

## RECENT CHANGES IN JUVENILE JUSTICE

In the late 1980s, juvenile crime, especially violent crime, began to increase dramatically (Snyder and Sickmund 1999; McCord et al. 2001; Butts and Travis 2002; Bishop 2004). The increases, fueled in part by public concern about crime (Roberts 2004), led states to introduce far-reaching and historically unprecedented changes to their juvenile justice systems (Feld 1999; Fagan and Zimring 2000; Harris et al. 2000; Howell 2003). These changes included: new and expanded laws for transferring youth to the adult system and for bridging gaps between the juvenile and adult justice systems; mandatory minimum sentence statutes, sentencing guidelines, and graduated sanctions models that attempt to create greater consistency in sentencing; laws to



reduce the confidentiality of juvenile records and hearings; and efforts to target youth charged with violence, drugs, and weapon offenses (Torbet et al. 1996; Butts and Harrell 1998; National Criminal Justice Association 1997; Torbet and Szymanski 1998; Butts and Mitchell 2000; Howell 2003; Snyder and Sickmund 2006). Despite the scope and potentially significant costs of these changes, they remain largely unexamined (Butts and Mears 2001; Mears 2002b; Bishop 2004; Guarino-Ghezzi and Loughran 2004; Krisberg 2005; Mears and Butts 2008).

The range of these recent policy initiatives defies simple characterization. In some cases, they clearly contradict or significantly modify the traditional philosophy and approach of the juvenile court (Feld 1999). For example, many new policies emphasize more punitive and “get tough” orientations that mirror those of the criminal (adult) justice system (Howell 2003; Wool and Stemen 2004). The expansion of transfer laws and the creation of mandatory minimum sentences for commission of serious, violent, and gang-related crimes, drug offending, and gun-related offenses illustrate this shift (Butts et al. 2002; Kupchik 2003). Others, however, attempt to strike a new balance between punishment and rehabilitation (Mears 2000; Katzmann 2002; Guarino-Ghezzi and Loughran 2004). Blended sentencing laws, which allow terms of incarceration to begin in the juvenile justice system and continue in adult prison, are just one example (Fagan and Zimring 2000).

Some recent policy efforts have attempted to address perceived problems with the administration of justice. Critics, for example, have pointed to inconsistency in sanctioning across judges and between jurisdictions, and have noted that intermediate sanctions are often ignored. In response, policymakers have created juvenile sentencing guidelines and graduated sanctioning models to increase consistency in sanctioning and to create more appropriate and effective dosages of punishment, treatment, and services (Howell 2003; Krisberg 2005).

Many states reduced the confidentiality of juvenile court records and proceedings (Sanborn 1998; Snyder and Sickmund 2006). Historically, the juvenile court process was private and court records were sealed or expunged when a youth reached the age of majority. Recent concerns about juvenile crime, however, led to new laws that broaden access to juvenile court records to victims, the community, the media, and the criminal court system. Some of the laws limit the sealing and expunging of records while others encourage fingerprinting and photographing of youth and the creation of offender registries and statewide data repositories. Such laws allow, among other things, for greater sharing of information of a youth’s legal and social history among prosecutors, corrections, probation, law enforcement, educational, and social service agencies, and others with a “need to know” (Torbet et al. 1996:35). Almost every state has enacted such laws, motivated by the idea, emphasized by the National Criminal Justice Association (1997:37), “that juveniles should be held accountable when their criminal behavior has an impact on the community as a whole.”

Other states enacted laws giving victims greater rights and a more prominent role in juvenile justice proceedings. For example, some states created a range of new provisions allowing victims of juvenile crime to be notified when a youth has a disposition hearing or is to be released from custody. Other provisions created opportunities for victims to participate in juvenile court hearings and to submit victim impact statements, and many established services for victims of crime (Torbet et al. 1996:48).

## NEW DIRECTIONS IN JUVENILE JUSTICE

Continuity and change are key facets of juvenile justice at the turn of the century. State laws continue to slowly evolve and garner interest among policymakers (Katzmann 2002). On this front, continuity is clearly evident. Blended sentencing laws, for example, continue to generate debate about whether there should be two separate justice systems, one for juveniles and one for adults. Opponents argue that blending harms juveniles, while proponents argue that it brings greater efficiencies, protection of juvenile rights, and ultimately improved outcomes for young offenders (Fagan and Zimring 2000). Other laws—including those that exclude entire age groups from the purview of the juvenile justice system (Torbet et al. 1996), and others that “criminalize” the juvenile justice system by modeling it increasingly after the adult justice system (Feld 1999)—have led to similar debates. Although no state has begun to formally unify their juvenile and adult justice systems, it remains unclear how many court practitioners would oppose or embrace such a change (Butts and Harrell 1998). The debate continues, as do attempts to modify various sentencing laws to better achieve such goals as deterrence, retribution, rehabilitation, and accountability.

Juxtaposed against the theme of continuity is the fact that in more than perhaps any period in juvenile justice, the last two decades have been witness to an almost ceaseless effort to develop new ways of preventing juvenile crime while holding young people accountable. Certainly, a recurring cycle, involving swings between two distinct orientations—“get tough” punishment and rehabilitative treatment—exists (Bernard 1993). Yet, in recent years, there increasingly is evidence of a multitude of new ways of structuring and achieving “juvenile justice” (Butts and Mears 2001).

Nationally, many state and local jurisdictions emphasize the importance of providing specialized services to particular populations of youth with unique needs, such as youth who have drug problems or those who suffer from mental illness or co-occurring disorders (Grisso 2004). In some cases, the result has been the emergence of specialized modes of processing, such as drug or mental health courts. In others, the result has been an attempt to create greater integration of court and justice system efforts with those of social service agencies and treatment providers (Katzmann 2002). However, few juvenile justice systems have systematically integrated specialized service delivery as a basic feature of everyday court processing, or assessed the impacts of related efforts, such as the widely touted wraparound initiatives (Howell 2003:236), on court operations. More relevant for debates about juvenile justice is the fact that such efforts do not in any simple way fit into a “get tough” approach to juvenile justice, even though they emerged during what frequently is described as a punitive era in juvenile justice.

Still other initiatives exist that illustrate the theme of change, and also point to increasing challenges confronting the juvenile justice system. For example, parental accountability laws and case processing standards have become common (National Criminal Justice Association 1997; Butts and Sanborn 1999). Accountability laws make parents civilly or criminally liable for the behavior of their children. Case processing laws and standards place time limits on the amount of time the courts can allow for the adjudication and/or disposition of delinquency cases. Alongside of such changes are new federally-sponsored efforts to promote a range of other policies, such as expanding the use of risk and needs assessment and restorative justice programs (Andrews and Marple 2003). Collectively, these and other emerging efforts aim to improve

juvenile justice through a myriad of ways, some punitive, some rehabilitative, and some not neatly fitting one category or the other. The efforts also can create burdens on juvenile courts and practitioners that may undermine their effectiveness.

## **RESEARCH GAPS IN ASSESSING JUVENILE JUSTICE POLICIES AND PRACTICE**

The rapid growth of new juvenile justice policies stands in marked contrast to the dearth of studies examining their implementation or impacts, or the opinions of juvenile justice practitioners toward these policies. Most studies have focused on a few specific juvenile justice policies, most notably transfer (Butts and Mears 2001), while opinion surveys typically focus not on practitioners but on the public (e.g., Schwartz et al. 1993; Sprott 1998) or individuals under correctional supervision (Landsheer and Hart 2000; Veneziano et al. 2001; Miller and Foster 2002).

Those studies that have measured the opinions of practitioners have generally not inquired about policy effectiveness, but instead have focused on philosophical orientations, such as practitioner attitudes towards rehabilitation (e.g., Moak and Wallace 2000). Cullen et al. (1983), for example, found that criminal justice practitioners, such as judges, correctional administrators, and lawyers, showed greater support for juvenile rehabilitation compared to legislators, prison guards, and the public. Bazemore and Leip (2000) analyzed judicial perceptions of restorative justice and found that support for victim involvement in juvenile justice was generally positive. Other such studies exist but, again, typically focus on broad policy or philosophical debates, not specific policies or practices (Roberts and Stalans 1998; Cullen et al. 2000; Roberts 2004; Roberts and Hough 2005).

Some studies have focused on juvenile justice policies but have not assessed practitioners' responses to these policies. For example, Butts and Halemba (1994) surveyed juvenile court professionals (judges, administrators or docket managers, prosecutors, and defense counsel) in 127 counties to determine the extent to which juvenile court cases were delayed due to organizational problems, and how those delays affected the handling of juvenile cases. The authors found that delinquency cases may be delayed due to a multitude of factors, such as heavy workloads, limited resources, staff attitudes, and administrative organization. Several other studies have focused on practitioner perceptions of various types of transfer provisions (e.g., Sanborn 1994; Mears 2000).

Alongside the gap in research that taps into practitioner views of policy and practice effectiveness is a dearth of empirical research that examines the effectiveness of the wide range of policies and practices that have emerged in juvenile justice in recent decades. Transfer laws are illustrative in two ways. First, the bulk of research on reforms tends to focus almost exclusively on such laws, and not the host of other prominent changes in juvenile justice. The focus is understandable given that transfer is a contentious issue. To some observers, transfer runs counter to the spirit of the juvenile court and undermines the integrity of the juvenile justice system. To others, it actually preserves the integrity of this system, enabling it to focus on less serious juvenile offenders while allowing for more serious punishment of violent offenders, thereby avoiding criticisms that juvenile justice necessarily entails "soft" sentences. Regardless, transfer is but one of many changes that have arisen in recent years and does not reflect the full

spectrum or tenor of these changes (Butts and Mears 2001; Mears 2002). It does not, as but one example, in any obvious way reflect the spirit of specialized teen and drug courts.

Second, few studies systematically investigate the effectiveness of transfer laws but rather describe how they are used (Howell 2003; Kupchik 2003). They focus, for example, on whether violent rather than property offenders are transferred and whether transferred youth receive tougher sentences. Relatively few studies examine the impacts of transfer laws on juvenile crime (Butts and Mitchell 2000; Mears 2003; Kupchik 2006). Much the same can be said of other prominent juvenile justice policies and practices. To illustrate, juvenile drug court research is predominated by studies on the implementation of these courts and on process-related outcomes, not the long-term effectiveness of these courts in, say, reducing drug dependency or recidivism (Butts and Roman 2004).

The failure of research to address these issues and important questions is striking given that the success of recent changes in policy and practice hinges upon their effectiveness. To date, policymakers wanting to know if the changes of the past several decades have been effective would be presented with, at best, a piecemeal body of impact evaluations. At the same time, they would be presented with a small handful of studies that present the views of practitioners concerning not only the effectiveness of these policies and practices but also whether they are needed, what the magnitude of the needs-services gap is, and their recommendations for improving juvenile justice. Indeed, few studies ask juvenile justice practitioners about their views and experiences of major policy changes, or the barriers they face in effectively implementing new policies (Katzmann 2002). Policymakers do not know, for instance, how enhanced access to juvenile court records or the inclusion of victim impact statements in juvenile proceedings have affected practitioner decision-making or case processing. They also do not know the extent to which practitioners support the use of sentencing guidelines or any of the range of changes that have emerged in juvenile justice.

Without research findings on these topics, policymakers lack crucial information for guiding and improving their efforts to develop a more efficient and effective juvenile justice system. This situation is made worse by the following fact—few jurisdictions or agencies have sufficient funding to rigorously evaluate more than a small set of specific policies and practices. Consequently, they face a situation in which they literally must hope that the full panoply of policies and practices they have created or encouraged are effective.

One critical and cost-effective strategy for addressing this situation is to tap into the views of practitioners about some of the leading changes that have occurred in juvenile justice in recent decades, focusing specifically on whether such changes have been needed, how well various needs have been addressed, and how effective the changes have been. Of course, practitioner views may not be accurate. But they may be, if only because practitioners are among the best situated to understand the needs of the juvenile justice system, the context in which various policies are implemented, and how well various policies are implemented. Indeed, within evaluation research, consultation with “insiders” constitutes a long-established approach to evaluating programs, especially in situations where experimental or quasi-experimental research designs cannot be undertaken (Rossi et al. 2004). Ultimately, however, any study relying on

practitioner views to assess the need for or the implementation or impacts of specific policies and practices ideally should be buttressed by more rigorous approaches to evaluation.

This project—by surveying juvenile justice practitioners, profiling some of the most prominent policies in recent decades, and describing state-level policymaking efforts—aims to inform policy debates and discussions about how best to improve the operations and effectiveness of the juvenile justice system. At the same time, our goal is to highlight the need for more consistent and rigorous evaluation of juvenile justice policies and practices and to illustrate one approach, surveying practitioners on a regular basis, to increasing such efforts. Without such research, the risk increases that scarce resources will be misallocated and, in turn, that we do an injustice to the lives of young people.

A final note—one of the most interesting and heartening parts of this study has been the consistently enthusiastic and passionate responses from practitioners. Notwithstanding many critiques of the juvenile justice system, the people we interviewed and surveyed, or with whom we spoke even briefly, were keen to provide their views on the problems in juvenile justice and solutions for improving it. Were juvenile justice systems to capitalize on that energy and passion, it seems likely that much good could come of it.

## 2 Study Design and Methods

The APO study was designed to address key questions about how recent changes in policy and practice have affected the juvenile justice system, including:

- How recent changes in policy and practice contribute to, or detract from, juvenile justice goals,
- Which changes practitioners view as necessary, effective, and feasible,
- What critical needs are facing the juvenile justice system,
- To what extent recent policy changes have addressed those critical needs.

Providing policymakers, administrators, and practitioners with empirical information about how to improve the operations and effectiveness of the juvenile justice system was the study's guiding objective. A secondary goal was to provide a forum in which practitioners could directly weigh in on the policies and practices they are frequently mandated to implement.

Evaluation activities, therefore, focused primarily on measuring practitioner perceptions about the impact and necessity of recent changes and, to the extent possible, assessing the terrain of today's landscape of juvenile justice policy and practice by identifying critical changes in state laws.

This chapter discusses the study's methodology, and reviews the multiple data sources used to assess practitioner views and the scope of recent policy changes. A detailed discussion of the study's data collection procedures is also provided; it highlights both the opportunities for systematically obtaining practitioner feedback on a wide variety of issues and the critical challenges related to such an endeavor.

### **NATIONAL SURVEY OF JUVENILE JUSTICE PRACTITIONERS.**

The national survey of juvenile justice professionals measured practitioner perceptions about the efficacy, feasibility, and necessity of recent juvenile justice policy changes. In addition, the brief 15-minute online survey instrument collected basic demographic and career information, as well as recommendations for system improvement. The primary purpose of the survey was to generate new information about which practices and policies practitioners—those individuals on the front lines of juvenile justice and most often charged with implementing such changes—viewed as necessary and effective. Data collection spanned five months. Over 530 juvenile justice professionals from 44 states and the District of Columbia completed the survey, resulting in a 52 percent response rate.

### **Sampling Frame**

The initial sampling frame consisted of the nation's 300 most-populated counties, but was later reduced to just 285 counties in response to one state's policies governing contact with judges and other court officials.<sup>3</sup> The 285 counties that formed the study's final sampling frame

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<sup>3</sup> Under the policy provisions of one state's Administrative Office of the Court (AOC), outside organizations must receive permission from the AOC to contact and speak with its judges and other court personnel. The process for obtaining access to judges and other

encompassed 45 states<sup>4</sup> and the District of Columbia, and accounted for roughly two-thirds (62 percent) of the U.S. population. Counties were identified using the most recent U.S. Census figures available when the project commenced in 2005. Viewed as a distinct population of counties and not representative of the remaining U.S. counties, the 285 county sampling frame provided a basis for estimating how juvenile justice professionals in the largest counties – and arguably the counties responsible for processing the vast majority of youthful offenders – viewed prominent juvenile justice reforms. In short, the study sought to generalize across, not within, counties<sup>5</sup>.

## **Practitioner Group Samples**

The survey targeted four groups of juvenile justice professionals as uniquely positioned to provide insights about key issues: (1) juvenile court judges; (2) prosecutors; (3) defense attorneys; and (4) chief probation officers and court administrators, referred to collectively as the Court Personnel group. In every county, for each practitioner group, the project sought to identify, invite and engage those individual practitioners with the most juvenile justice-relevant experience. Identifying the appropriate survey respondents for each practitioner group in each of the 285 counties took significant effort: compiling accurate respondent lists with viable contact information was an iterative process that spanned roughly six months.

Absent a national “master” list of juvenile justice professionals, researchers consulted multiple sources and employed snowball sampling techniques to assemble respondent lists for each of the four practitioner groups. Ultimately, 1032 individuals across 285 counties, representing 282 jurisdictions, were identified and invited to participate in the APO national survey. Although the sampling frame consisted of 285 counties and the survey targeted four juvenile justice stakeholders in each county, a one-for-one county to practitioner group match did not always exist, nor was it appropriate. In some states, for example, juvenile justice services were structured by judicial circuits that encompassed multiple counties; a single practitioner, therefore, served as the representative for the judicial circuit and the multiple counties encompassed therein.

Practitioner group samples were assembled on a state-by-state basis. This approach allowed project researchers to leverage existing practitioner networks within the same state and across counties to identify additional respondents and obtain often hard to find email address information. As a starting point, the project enlisted the assistance of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Early in the study, OJJDP sent a letter on behalf of the APO project and the National Institute of Justice (NIJ), the study’s sponsor, to the 45

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court personnel includes submitting a research proposal, and in this case, a copy of the survey instrument to the AOC’s Research Council – the group designated to advise the AOC Director and the Court on issues regarding outside access to judges, judiciary records, or judiciary staff for research purposes – for review and approval. Following an Initial submission of IRB materials to the AOC Research Council, project researchers chose not to further pursue the AOC review due to misgivings about potential respondent reporting issues.

<sup>4</sup> States excluded from the sample include New Jersey, North Dakota, South Dakota, Vermont, and Wyoming.

<sup>5</sup> Researchers considered surveying the 100 largest counties, but decided against that approach. Although doing so would create sufficient leverage to conduct more surveys in each county, not much would be gained with respect to additional precision. Further, the project would essentially lose 200 cases (i.e., 200 counties), and thus substantially reduce the precision of any cross-county estimates. Moreover, the 100 counties from which these estimates would be obtained would represent only 42 percent of the U.S. resident population, whereas the 300 counties targeted by the APO project would encompass roughly 65 percent of the population.

state-level Juvenile Justice Specialists whose states had counties in the survey sample. Sent via the OJJDP email list serve, the letter provided a brief description of the APO study and requested the assistance of the state Juvenile Justice Specialists in identifying appropriate practitioners, by county, for survey participation. The Juvenile Justice Specialists were generally supportive of the request, and several provided lists of county-level contacts organized by practitioner group.

State professional associations and county offices were also contacted for assistance in identifying individual practitioners, and researchers searched the online directories for various agencies. The internet proved to be essential in assembling the initial respondent lists and obtaining contact information, including email addresses. Most state agencies and many county-level department websites, for example, post online directories that identify key staff and provide contact information, and most are organized by county or judicial circuit. Websites for many state Departments of Juvenile Justice and Administrative Offices of the Court not only identified staff and offered contact information, but also provided critical information about how local juvenile justice services were structured and administered, the significance of which is discussed later in this section. The websites for county juvenile justice boards, and state-level professional associations, as well as the directories of national associations were also valuable resources in building the survey sample. It is estimated that roughly three-quarters of all survey respondents were identified through state and county websites.

Once a potential respondent was identified, project researchers contacted the practitioner to verify the accuracy of the contact information, issue an informal invitation to participate in the study, and whenever possible, enlist their help in identifying other potential respondents for practitioner groups in their respective county or individuals in other counties within their specific practitioner group. As a rule, project researchers sought to identify and engage the most experienced juvenile justice professional in each practitioner group within each of the sample's 285 counties. Initial respondent lists typically targeted the most-senior ranking positions in each group—such as the Presiding or Chief Judge of a county's juvenile or family court, or a county's State's Attorney—with the assumption that a portion of these initial respondents would choose to nominate a colleague with more perceived juvenile justice experience to participate in the survey.

Assembling respondent lists was easier for some practitioner groups than for others, and as a result viable respondents were not identified for every group in every county. Generally-speaking, juvenile court judges and the Court Personnel practitioner group were the easiest to assemble and finalize, while public defenders were the most challenging group to identify, contact, and engage. Although various factors affected construction of each respondent group sample, variation in the structure, organization, and administration of juvenile justice across state systems most consistently affected both the construction and composition of each practitioner group.

### Juvenile Court Judges

Although the APO project typically invited a county's Presiding Juvenile Court Judge to participate in the practitioner survey,<sup>6</sup> some counties did not operate a juvenile court or maintain

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<sup>6</sup> As with the other practitioner group respondents, the Presiding Juvenile Court Judge was free to nominate another judicial official in that jurisdiction if he or she felt that individual would be better suited to respond to the survey.



a dedicated delinquency docket, thus reducing the efficacy of that approach. Among the Minnesota counties in the sample, delinquency cases were divided among the county's sitting court judges. This structure made it difficult to identify a single judge best suited to participate in the survey. At the other end of the spectrum were Unified Family Courts; the structure of these courts presented the challenge of identifying the judge most experienced in delinquency matters, as opposed to dependency cases.

Fall 2006 elections also complicated efforts to finalize the lists for judges, prosecutors, and public defenders in jurisdictions where these individuals are elected and not appointed. Election-related turnover affected efforts to finalize the judges list in about ten percent of counties in the sample, and almost two full weeks of time were spent confirming the accuracy of the Judges respondent list for states in which juvenile court judges are elected<sup>7</sup>. A number of judges also retired that fall. Surprisingly, many retiring judges contacted the APO project to nominate another judicial officer in their jurisdiction to take survey.

### Court Personnel

Identifying and engaging practitioners in the Court Personnel group, specifically Chief Probation Officers and Court Administrators, was relatively straightforward despite the fact that responsibility and organization of juvenile probation services—including intake, supervision, and detention—differ by state and within states. According to the National Center for Juvenile Justice (NCJJ) State Profiles, delinquency services are an executive-level function in 12 states, while in 18 states it is primarily a local responsibility; in 21 states the structure is mixed, meaning some aspects are centralized at the state-level, while others are local (Griffin and King 2006). In states with mixed structures, it could be difficult to determine what agency is responsible for delinquency services in a given county. This, of course, made identifying a respondent for the survey difficult. In a handful of states (MI, WI), this function falls to the social services sector of the youth-serving system, as opposed to the juvenile justice system. The point for consideration: do the perspectives of practitioners outside the traditional juvenile justice system who handle youth offenders differ due to their social services orientation?

Another wrinkle: in some states, juvenile justice services—particularly juvenile court and probation supervision—are structured by judicial circuits encompassing multiple counties. In such instances, a single individual serves as the juvenile court, judge court administrator, or chief probation officer for the entire circuit. In other words, a single practitioner could represent several counties as was the case in Florida, where 22 of the counties in the sample were folded into 16 judicial circuits. The noteworthy consideration, here, was that such structures reduced the number of practitioner representatives in these groups, arguably reducing the number of practitioner voices weighing on the issues at hand and potentially skewing the feedback received.

### Prosecutors

Identifying the most-senior individual in the District Attorney's office responsible for prosecuting delinquency cases required a good bit of follow-up phone work. Although some county prosecutors operated a juvenile unit dedicated to handling delinquency matters, just as

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<sup>7</sup> According to the website for the Brennan Center at the New York University School of Law, at least some judges are elected in 39 states (as accessed online 9/9/08 at [http://www.brennancenter.org/content/section/category/state\\_judicial\\_elections/](http://www.brennancenter.org/content/section/category/state_judicial_elections/)). Elections in Florida, Ohio, Georgia and Michigan, to name just a few states, affected sample construction in 2006.

many did not. In the case of the former, the individual who oversaw the office’s juvenile unit was targeted for participation in the survey. For those prosecutor offices without a formal juvenile unit, initial contacts, including “lead letters” and the first survey invitation, were typically sent to the county’s District Attorney or State’s Attorney. Subsequently, these individuals often contacted the project to nominate an individual in their office with more direct experience handling juvenile justice cases. Over time, as the project initiated follow-up contacts to increase survey response, efforts focused largely on identifying the individual in charge of juvenile cases and all subsequent correspondence was then directed to that individual.

### Public Defenders/Indigent Defense

This practitioner group was the most challenging group for which to assemble a list of viable respondents, in large part because the structure of juvenile defense services differs dramatically between and within states. For example, not all states fund indigent defense services.<sup>8</sup> Not every county has a dedicated public defender. While many counties do operate an Office of the Public Defender, some public defenders are elected while others are appointed to serve for a fixed period of time by the judge of a judicial circuit, county board of supervisors, or a state oversight agency. Some counties contract solely with private attorneys while others use a mix of county attorneys and private lawyers. For these reasons, public defender respondents were the most challenging to identify and hardest to engage of the practitioner groups. Relatively speaking, responses were high in jurisdictions with a formal county Office of the Public Defender and low in jurisdictions that contracted with private attorneys or where the court appointed counsel. Ultimately, project researchers identified public defender contacts in 206 counties, of which 196 turned out to be valid. Of the 196 public defenders invited, just 42 percent (n=82) completed the survey.

The final sample of 534 juvenile justice professionals resulted in an overall survey response rate of 52 percent, closely mirroring that of other national surveys of practitioners. The denominator, in this instance, consisted of the number of viable practitioner contacts obtained across the four target groups or roughly 1,032 individuals, not the number of counties in the sample multiplied by four (285\*4=1,140).

### Practitioner Group Response Rates

Response rates varied considerably across practitioner groups raising questions about how to engage practitioners across the juvenile justice spectrum and ensure their participation in the policy debate.

Practitioner Group	Total Invited	Total Completers	Group Response Rate
• Court Personnel:	285	165	58%
• Judges:	268	122	47%
• Prosecutors:	283	163	58%
• Public Defenders:	196	84	43%

Response rates varied across practitioner groups, raising questions about how to engage practitioners across the juvenile justice spectrum and ensure their participation in the policy debate. Prosecutors, Probation Chiefs, and Court

<sup>8</sup> Two of the 50 states – Pennsylvania and Utah – do not fund indigent defense service systems although Pennsylvania law requires counties to establish and provide legal defense services to individuals deemed indigent (National Indigent Defense and Delivery Oversight System, National Juvenile Defender Center, 2005). Although about two-thirds of the states have some version of formal indigent defense services systems at the state level, the structure of those services varies with respect to (1) oversight – may fall within the scope of the county-level legal system, state executive branch, judicial circuit, or a county board of supervisors to establish public defense services, appoint public defenders, or contract with private attorneys; and determine the criteria for provision of services; (2) financial provision – in some states, counties must finance indigent defense services in others, the state pays for services, and public defenders are considered to be state employees.

Administrators were the most responsive with roughly 60 percent of practitioners in their respective groups completing the survey. Together, practitioners in those two groups compose roughly 62 percent (N=328) of the entire sample of survey completers. The extent to which sample composition affected survey findings is discussed in the next chapter.

## Survey Design and Data Collection

The APO National Practitioner Survey is an online, self-administered questionnaire consisting of four major sections. Survey items included measures of critical need, the perceived effectiveness of 17 prominent policies and practices in the juvenile justice system, and a limited set of demographic characteristics. The response format was a five-point Likert-type scale (strongly agree, agree, disagree, strongly disagree, or don't know). The only open-ended survey question captured respondent policy recommendations.

Simple instructions, repetitive forced-choice response formats, and clear navigational prompts were basic elements of the online survey's user-friendly design. Respondents logged on to the survey using a unique "username" and private password assigned by the Urban Institute; online instructions reminded respondents that participation was voluntary and completely confidential. Most completed the survey in 15 minutes. To increase participation, an identical paper version of the survey also was mailed to respondents along with instructions for completing the survey online. Roughly two-thirds of respondents chose to complete the paper-pencil version of the survey, as opposed to the online version; this response pattern is consistent with the extant literature on studies conducting mix-mode surveys (Converse, Wolfe, Huang, and Oswald 2008).

### APO National Practitioner Survey

The APO National Practitioner Survey was an online self-administered questionnaire consisting of four sections. Respondents used a unique "username" and private password assigned by the Urban Institute to log on to the survey. Most participants completed the survey in about 15 minutes.

#### Section 1: Demographics

#### Section 2: Critical Needs (13 items; 5 domains)

Staff development & training • Gender responsive services • Culturally relevant services • Developmentally appropriate services • Resources for non-English speakers • Policymaker support for rehabilitation • Public support for rehabilitation • Effective juvenile defense counsel • Effective prosecution • Alternatives to secure detention • Disproportionate minority contact • Information technology • System capacity to measure performance and evaluate programs

#### Section 3: Policy Outcomes (17 items, 4 domains)

Curfew laws • Parental accountability laws • Reduced confidentiality • Victim participation • Restorative justice • Time limits on proceedings • Specialized courts • Transfer • Graduated sanctions • Risk and needs assessments • Coordination with social services • Effective mental health treatment • Effective substance abuse treatment • Effective sex offender treatment • Targeting gang-involved youth • Community-based alternatives to secure detention • Reentry services and planning

Six outcome measures of policy effectiveness included  
Less crime • Less recidivism • Fair treatment • Appropriate punishment • System efficiency • Traditional mission

#### Section 4: Practitioner Recommendations for System Improvement

Cognizant of practitioners' busy schedules and differing orientations to technology, project researchers sought to design a web-based instrument that was brief, relevant, and easy-to-use. Input from the study's 14-member external advisory panel was critical to achieving the first two design objectives. Composed of juvenile justice policy experts, researchers, judges, and probation chiefs from across the country, the advisory panel's primary task was to narrow the initial list of more than 40 potential survey topics; the advisory panel members provided guidance on the instrument's design, structure, and ease of navigation.

In-depth phone interviews were conducted with the project's external advisors to compile a "short list" of issues and practices most warranting further research and examination via the online survey. Prior to these calls, panel members received an extensive list of juvenile justice issues (policies, practices, and needs) along with instructions to select the five policy changes,

three policy issues, and three critical needs they viewed as most meriting additional research (a copy of the initial list is provided in Appendix A). Panel members were instructed to consider prevalence; potential impact on crime, the system, and the community; fairness; use of resources; and mission compliance when evaluating issues for selection. The telephone interviews focused on the topics selected and the reason for those selections. The final list of survey topics was then compiled in conjunction with NIJ, the study's sponsor.

A draft version of the online survey instrument was pre-tested and revised to reflect lessons learned during pilot testing in early 2007. In its final form, the survey instrument consisted of 13 measures of critical need, ranging from developmentally-appropriate services to policymaker support for rehabilitation, and 17 policy issues, ranging from parental accountability laws to aftercare and reentry. A copy of the survey instrument is presented in Appendix B.

Data collection spanned the five months between March and August 2007. An aggressive follow-up schedule consisting of "lead letter" postcards, phone calls to verify names and addresses, weekly email reminders<sup>9</sup>, repeat mailings of paper surveys to all non-respondents, and follow-up phone calls was implemented to achieve data collection goals.

APO researchers mailed "lead letters" to all potential respondents once the respondent's name, practitioner group affiliation, county, and contact information were verified. The APO lead letter consisted of a 5x7 postcard introducing the APO survey, inviting the individual's participation in the survey, and instructing the individual to contact the Urban Institute with their email address if they preferred to complete the survey online. These postcards generated a surprising amount of response from practitioners: many practitioners contacted the project to provide their email information and express their enthusiasm to participate in the survey. An encouraging number of individuals also responded to the postcard lead letter to nominate individuals they believed were better suited to respond to the survey.

Lead letters were sent three weeks in advance of the survey launch to allow ample time for individuals to respond to the request and for contact lists to be updated and revised. In all, UI mailed more than 1,100 lead letter postcards. A fair number of postcards were returned due to insufficient address information, or marked as undeliverable because the recipient was no longer at the specified location. Obtaining current contact information, particularly good email addresses, was a significant hurdle that required considerable effort on the part of project researchers before the survey could be launched.

To maximize project resources, the survey was launched in stages. Practitioners in the Court Personnel group (chief probation officers and court administrators) had the most complete and up-to-date contact information and therefore, received the first wave of surveys. The survey was launched to different practitioner groups weekly throughout the month of March such that each practitioner group received an initial round of surveys by the end of that month. (See earlier sections of this report for a detailed discussion of factors affecting construction of the respondent sample.)

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<sup>9</sup> During the first month of data collection, non-respondents received weekly email reminders. In subsequent months, the frequency of email reminders were reduced to bi-weekly, then monthly and were interspersed with repeat paper survey mailings and targeted phone call reminders.

In addition to frequent email reminders, three waves of surveys were mailed to non-responders. Each mailing was followed by brief phone calls to confirm receipt of the survey, answer any questions the survey recipient might have, and issue a personal invitation to complete the survey. The final round of surveys was mailed in mid-July, with follow-up phone calls continuing through the first week of August. The last practitioner survey was received in early September 2007.

## **ANALYSIS OF STATE-LEVEL JUVENILE JUSTICE POLICY**

A secondary objective of the study was to assess the tenor of policy and practice across the states. This analysis consisted of two tasks. The first task reviewed legislation proposed and enacted across the 50 states during the study period, roughly 2005 through 2007, to identify emerging policy trends. The second task examined the provisions of existing state laws pertaining to the 17 juvenile justice policies and practices highlighted in the practitioner survey to explore how these measures may contribute to, or detract from, juvenile justice goals.

Multiple sources were consulted for this analysis of state-level juvenile justice policy. These included, but were not limited to, the National Center for Juvenile Justice (NCJJ), the National Juvenile Defender Center (NJDC), the National Conference of State Legislatures (NCSL), the Office of Juvenile Justice and Delinquency Prevention (OJJDP), and the Juvenile Division of the American Bar Association (ABA). NJDC's annual inventories of juvenile justice legislation across the 50 states aided in the identification of proposed and enacted measures pertaining to more than 20 policy issues (National Juvenile Defender Center, 2005-2007). The NCSL website supplied annual summaries of juvenile justice-specific laws enacted by the states between 2005 and 2007, and offered valuable commentary on the key provisions of those measures. State juvenile justice profiles available through NCJJ aided in the identification of policies and practices adopted, but not formally legislated. Internet searches were conducted to obtain reviews of key policies and to construct an inventory of legislation currently "on the books" across the states, and to further examine the components of various bills. Project researchers also accessed numerous resources through OJJDP's website, including its 2006 National Report, and consulted the website of the ABA's Juvenile Division for clarification on key policy issues.

This review of legislative activity at the state level served two purposes. The first: to provide a snapshot of recent juvenile justice legislation alluding to the tenor of the current policy climate – has the pendulum begun to swing back to toward rehabilitation or are states still focused on punitive "get tough" measures? The second: to provide a sense of the states' general bend toward juvenile justice (rehabilitation-oriented or punitive) and thus, the overall policy context for juvenile justice within the states by looking at legislation currently "on the books," regardless of when enacted. The latter task resulted in a 50-state matrix cataloguing measures (i.e., practices or policies) in effect across the nation and providing a rough measure of each state's relative orientation toward juvenile justice policy (punitive, progressive, or balanced). As discussed in Chapter 4, both the review of recent legislation and the inventory of the 17 survey policies and practices "on the books" in various states, underscore the astounding variation in the substance of juvenile justice policy. Neither, however, determines the extent to which legislation has been implemented "on the ground" across jurisdictions—an issue outside the scope and resources of the current study, but one worth further exploration.

Findings from the analysis of recent state legislative activity are presented in Chapter 4 along with brief summaries of several of these policies and practice. The ramifications for evaluating the effectiveness of current practices and policies in attaining key juvenile justice outcomes are also discussed in that chapter.

### 3 Survey Findings

Throughout this chapter, we present findings from the national survey of juvenile justice practitioners. We use the entire sample or, when so-designated in the titles of the tables or figures or in the text, from each of the four main practitioner groups we sampled: prosecutors, judges, court administrators and probation officers, and public defenders. Chapter 2 provides a description of the data and the sampling methods as well as how the specific dimensions we examined, such as particular issues and policies and practices, were selected. Here, one coding issue bears mention—in a few cases, respondents self-reported professional positions different from the practitioner group of the individuals we invited to participate in the survey. In these cases, we categorized the responses according to our original practitioner group designation with the assumption that the respondents were completing the surveys on behalf of the practitioners we originally invited to participate.

This chapter is structured into four sections. First, we describe the survey sample characteristics, both for the full sample and for each of the four separate practitioner groups. Second, we summarize practitioner views on what they said should be top priorities in their jurisdictions (i.e., their views of what their jurisdictions need to address). We also describe what practitioners say are the priorities in their jurisdiction, and then describe the gaps between what practitioners say should be and actually are priorities. Third, we then turn to practitioner perceptions of the effectiveness of a range of prominent juvenile justice policies and practices in achieving each of six different outcomes. Last, we discuss the recommendations that practitioners provided for improving the operations and effectiveness of the juvenile justice system. All referenced tables and figures can be found at the end of this chapter.

#### DESCRIPTION OF THE SAMPLE

Table 1 provides descriptive statistics for the sample as a whole while tables 1a, 1b, 1c, and 1d provide similar statistics for each of the four practitioner groups (prosecutors, judges, court administrators or probation officers, and public defenders, respectively). All the tables in this chapter adhere to a similar numbering scheme. That is, the first version of a table provides statistics for the overall sample, and variants of the table provide them for each practitioner group. As with table 1, each variant is designated by affixing an “a” (prosecutors), “b” (judges), “c” (court administrators or probation officers), or “d” (public defenders) to the full-sample table number. So, for example, table 1a refers to the prosecutor sample, 1b to the judge sample, 1c to the court administrator or probation officer sample, and 1d to the public defender sample.

As table 1 shows, respondents overall had an average of 16.7 years of experience in the juvenile justice field. Prosecutors had the lowest average years of experience in juvenile justice (12.5), followed by public defenders (13.4), judges (16.7), and court administrators/probation officers (22.6) (see tables 1a through 1d, respectively).

When asked about their current professional position, the largest share of respondents self-identified as prosecutors, states attorneys, or district attorneys (30.0%), followed by court administrators and chief probation officers (24.9%), judges, magistrates, or other judicial officers (22.8%), defense attorneys or public defenders (15.4%), and probation officers (not chief

probation officers) or court services workers (2.6%). The remaining 4.3 percent of respondents selected “other.”

Respondents had been in their current position for an average of 10.9 years. Judges and prosecutors had served for the longest time in their positions (12.4 and 12.1 years, respectively), followed by public defenders (11.1 years) and the court administrator/probation officer group (8.4 years).

The sample consisted of individuals with diverse experiences—the average number of different positions held by respondents was 1.87. Although court administrators and probation officers reported the lowest time in their current position, they reported having held the largest variety of positions in juvenile justice throughout their careers, at 2.15 positions. Judges reported having held 1.96 positions in juvenile justice, followed by prosecutors (1.66 positions) and public defenders (1.61 positions).

More than half of the sample (57%) was male. Judges had the highest proportion of men (65%), followed by court administrators and probation officers (57%) and prosecutors (54%). Men and women were equally represented among public defenders.

The average age of respondents was 50.9 years. Judges were the oldest group (56.0 years), followed by court administrators/probation officers (51.9), prosecutors (48.7), and public defenders (47.2).

In short, the survey respondents consisted of individuals who had worked in juvenile justice for many years, had held different positions within juvenile justice, and were predominantly male and age 50 or older. At the same time, there was variability across the practitioner groups with respect to these dimensions. Judges, in particular, were older and more likely to be male, whereas public defenders were younger and evenly represented by men and women.

## **PRACTITIONER VIEWS OF JUVENILE JUSTICE NEEDS AND PRIORITIES**

Measuring respondent perceptions about the critical needs facing today’s juvenile justice system was one of the study’s key objectives. Critical needs were measured by asking respondents about thirteen general issues in their respective jurisdictions. (Chapter 2 describes the process by which these issues were identified.) For each issue, the study posed two questions, one focused on whether the issue should be a top priority in the jurisdiction (i.e., constituted a need that should be addressed) and the other focused on whether the issue was, in fact, a top priority. Below, we present statistics summarizing the responses to these questions by the sample as a whole and for each of the four practitioner groups. We then identify those issues where the biggest “ought-is” gaps appear to exist—that is, those areas where the gaps are greatest between the share of practitioners who believe a particular issue should be a top priority in their jurisdictions and the share who perceive that issue as a current top priority.

### **What Should Be a Top Priority**

As inspection of table 2 shows, respondents overall strongly agreed that the following should be top priorities in their jurisdictions: alternatives to secure detention (51.0%), policymaker support



for rehabilitation (50.7%), and developmentally appropriate services (48.4%). Notably, however, there was substantially strong agreement that many other issues should be top priorities. For example, over 40 percent of respondents strongly agreed that, in addition to the above three priorities, the following should also be top priorities: staff development and training, generating public support for rehabilitation, providing effective juvenile defense counsel, providing effective prosecution of juveniles, greater and more effective use of information technology, and improved system capacity to monitor and evaluate performance of programs and services. Clearly, among practitioners, there is a diverse set of needs and issues that they believe should be prioritized. This diversity in turn highlights the importance of weighing and balancing the relative values of the needs and issues to maximize the effectiveness of the juvenile justice system.

Looking across practitioner groups reveals some variation in perceptions of what should be top priorities. Tables 2a through 2d show, for example, that the relative agreement each practitioner group gave to particular policies varied. Focusing again on the percentage strongly agreeing highlights this variation. Specifically, in table 3, the three top issues for prosecutors were effective prosecution of juvenile offenders (58.6%), staff development and training (39.0%), and policymaker support for rehabilitation (38.4%). Judges identified alternatives to secure detention (60.0%), public support for rehabilitation (52.7%), and effective juvenile defense counsel (51.4%) as their top priorities. The court administrator and probation officer group most strongly agreed that policymaker support for rehabilitation (57.4%), system capacity to measure performance and/or evaluate programs (56.6%), and alternatives to secure detention (55.0%) should be top priorities. And public defenders emphasized the importance of effective juvenile defense counsel (75.6%), alternatives to secure detention (68.7%), and developmentally appropriate services for young offenders (62.2%).

Here, again, perhaps the most striking theme across the practitioner groups is the consensus that there are many top priorities in their jurisdictions. In general, 80 percent or more of respondents agreed or strongly agreed that each of the thirteen listed items should be a top priority. One notable exception was disproportionate minority contact (DMC), though even for this item the different groups of practitioners largely agreed that it should be a priority. That said, 38 percent of prosecutors and 26 percent of judges disagreed or strongly disagreed that DMC should be a top priority (see tables 2a and 2b). We did not collect information that would allow us to identify why this particular difference exists. Regardless, the theme remains that a diverse range of issues and needs are viewed by the various practitioner groups as meriting attention.

### **What Is a Top Priority**

A natural question that flows from a focus on whether a given issue should be a top priority is whether it in fact is one. The focus on this contrast—between what should happen and what actually happens—is rarely addressed in studies of juvenile justice policies (Kelly et al. 2005) or many social policies generally (Rossi et al. 2004). Table 4 presents practitioner responses about whether, in their jurisdictions, specific priority areas are actually prioritized. Overall, respondents most strongly agreed that alternatives to secure detention (33.3%), effective prosecution (24.9%), and effective juvenile defense counsel (24.5%) were the current top priorities in their jurisdictions.

Looking across practitioner groups (tables 4a through 4d) reveals some noteworthy variation in perceptions of current top priorities in jurisdictions. Table 5 both summarizes and highlights this variation. Prosecutors most strongly agreed that effective prosecution of juvenile offenders (37.0%), alternatives to secure detention (24.8%), and effective juvenile defense counsel (20.6%) were top priorities. Judges highlighted alternatives to secure detention (41.9%), effective juvenile defense counsel (34.2%), and policymaker support for rehabilitation (32.4%). Court administrators and probation officers most strongly agreed that alternatives to secure detention (41.5%), staff development and training (36.6%), and information technology (36.0%) were top priorities. Defenders viewed effective juvenile defense counsel (35.7%), alternatives to secure detention (21.7%), and information technology (16.5%) as being the top priorities in their jurisdictions. The one consistently overlapping priority area was alternatives to secure detention. Thus, it would appear, based on the various practitioner groups' views, that this issue is consistently being made a priority in juvenile justice systems in the most populated counties in the United States.

Another pattern that emerges from inspection of tables 4 and 5 is the contrast to practitioner views about what should be occurring. Specifically, most practitioners agreed that the thirteen issues and needs should be priorities. However, there was substantially less agreement among practitioners that the various issues that should be top priorities were, in fact, being prioritized. Whereas 80 percent or more of respondents typically agreed or strongly agreed that various issues should be priorities, the percentage agreeing or strongly agreeing that the issues were prioritized typically was much lower. For example, the range of agreement that a given item was a priority ran from as low as 52 percent (public support for rehabilitating juveniles) to a high of 78 percent (alternatives to secure detention). Put differently, close to half of respondents felt that certain items, such as promoting rehabilitation of juveniles, providing resources for non-English-speaking youth, and addressing DMC, were not being prioritized in their jurisdictions.

## Gaps in Priorities

A more succinct way to highlight the gaps between what practitioners thought should be priorities versus what they thought actually was being prioritized is to compare the two sets of responses directly. Table 6 provides just such a comparison, and tables 6a through 6d provide the comparisons for each of the four practitioner groups, respectively. In each table, the strongly agree and agree responses for each item were combined. Then, the responses about whether an item should be a priority were subtracted from the responses about whether an item was, in fact, a priority. The resulting negative values quantify the extent to which practitioners view an “ought-is” gap as occurring. To illustrate, in table 6, the gap—quantified in the third column labeled “Difference”—is “-19.8,” indicating an almost 20 percentage point gap between the share of practitioners who say that staff development and training should be prioritized and the share who say it actually is prioritized in their jurisdiction. Of course, the *actual* gap may be larger or smaller than the *perceived* gap in so far as practitioner perceptions are incorrect. Nonetheless, the perceived gaps provide insight from “insiders” about the state of juvenile justice practice through the lens of what is ideal versus what actually occurs.

Notably, for each of the thirteen possible issues, considerable gaps exist, ranging from a low of 13.1 percent (alternatives to secure detention) to a high of 42.4 percent (public support for rehabilitating juveniles). The greatest “ought-is” gaps were for public support for rehabilitation

of young offenders (42.4%), system capacity to measure performance and evaluate programs (32.7%), and gender responsive services for young offenders (30.7%). However, “ought-is” gaps of 20 percent or more were also identified for five other priorities including resources for non-English speaking peoples (30.1%), culturally relevant services (29.0%), developmentally appropriate services (27.3%), policymaker support for rehabilitation (23.9), and information technology (22.5). Two of the issues with “ought-is” gaps of 20 percent or more – specifically, policymaker support for rehabilitation and developmentally appropriate services for young offenders – were also among the top three issues identified across practitioner groups as critical to improving juvenile justice. Clearly practitioners believe these issues deserve greater emphasis in their jurisdictions than either is currently receiving.

There was little variation across groups concerning perceptions about what should be a priority. More variability arose when the focus was on what is a priority. Across all groups, the areas that were perceived to be prioritized the most were effective defense counsel, effective prosecution of juvenile offenders, and alternatives to secure detention. In each instance, over three-fourths of respondents agreed or strongly agreed that these areas were prioritized (see table 6, second column). Prosecutors’ and judges’ views paralleled the overall views of the entire sample (see tables 6a and 6b). However, judges, court administrators and chief probation officers, and public defenders felt that staff development and training are top priorities, and public defenders felt that effective juvenile defense counsel is in fact prioritized (tables 6a through 6d).

Despite the variability across practitioner groups, there was also consistency, highlighted in part by comparing the “ought-is” gaps reported by each group. For both prosecutors and judges, for example, the same three gaps emerged as for the entire sample (i.e., public support for rehabilitation of young offenders, system capacity to measure performance and evaluate programs, and gender responsive services for young offenders). Court administrators and probation officers and public defenders also agreed that the gap was greatest for public support for rehabilitation of juvenile offenders. However, court administrators and probation officers also viewed culturally relevant services for young offenders as constituting a large gap (table 6c), and public defenders also viewed system capacity to measure performance as constituting a top gap.

In short, to the extent that practitioner perceptions are correct, there exist substantial gaps between ideal and actual practice across a diverse range of dimensions. The gaps were greatest in the areas of public views toward rehabilitation, evaluation capacities, and gender-specific programming. However, substantial gaps existed for many other areas—such as culturally and developmentally appropriate programming—as well.

## **PRACTITIONER VIEWS OF POLICY AND PRACTICE OUTCOMES**

Practitioners in each of the four groups answered six questions about the effectiveness of seventeen prominent juvenile justice policies and practices. Respondents indicated whether they strongly agreed, agreed, disagreed, or strongly disagreed with the statement that a particular policy or practice promoted each of six outcomes. The focus on six outcomes stems from the fact that any balanced evaluation of a policy or practice requires assessment of all relevant outcomes (Rossi et al. 2004). Typically, in juvenile justice, various juvenile offender-focused initiatives have multiple goals (Mears 2000). For these reasons, we focused on six outcomes that

policymakers and practitioners would be likely to try to achieve through specific initiatives. The six include: reducing crime in the community, reducing recidivism, providing appropriate levels and types of punishment, providing fair treatment of young offenders, increasing the efficiency of the juvenile justice system, and supporting the traditional mission of the juvenile justice system.

Table 7a presents the findings to the question of whether a given policy or practice reduces crime in the community. Overall, respondents most strongly agreed that the following five policies and practices are effective in reducing crime: mental health treatment (53.7% strongly agree), substance abuse treatment (50.6%), sex offender treatment (46.8%), reentry services and planning (45.4%), and coordination of juvenile justice with wraparound services (37.5%). Respondents most strongly disagreed that reduced confidentiality of juvenile records, transferring juveniles to adult court, setting time limits on delinquency proceedings, targeting gang-involved youth for special prosecution, and parental accountability laws serve as effective mechanisms to reduce juvenile crime.

Notably, this general pattern held true for the other outcomes—reducing recidivism (table 7b), providing appropriate punishment (table 7c), promoting fair treatment of young offenders (table 7d), promoting efficiency of the justice process (table 7e), and promoting the traditional mission of the juvenile justice system (table 7f). That is, respondents most strongly agreed that the same five policies and practices that reduce crime also improve these other outcomes. The five policies and practices were:

- effective mental health treatment,
- effective substance abuse treatment,
- effective sex offender treatment,
- reentry services and planning, and
- coordination of juvenile justice with wraparound services.

For one outcome, promoting appropriate punishment of young offenders, restorative justice programs entered in as one of the top-five approaches viewed as effectively achieving this outcome. Even in this instance, however, coordination of juvenile justice with social services garnered substantial agreement among practitioners as being an effective approach in producing appropriate punishment.

The consistency in disagreement about the effectiveness of various policies and practices is just as notable. With only one exception, the following five policies and practices garnered the strongest disagreement from respondents across each of the six outcomes:

- reduced confidentiality of juvenile records,
- transferring juveniles to adult court,
- setting time limits on delinquency proceedings,
- targeting gang-involved youth for special prosecution, and
- parental accountability laws.

The exception to the rule was for the efficiency outcome—in this instance, juvenile curfew laws replaced setting time limits on delinquency proceedings as one of the five policies and practices for which the most disagreement existed concerning effectiveness.

Figures 1a through 1f depict both sets of findings graphically. In figure 1a, for example, average responses to each policy and practice are depicted for the reducing crime outcome. Higher values indicate greater agreement that the policy or practice is effective in achieving reduced crime in the community. As review of the figure shows, the same policies and practices garnering the most agreement among practitioners as being effective in reducing crime, as depicted in table 7a, are those with the highest average responses in the figure. Examining the figure from left to right, we can see, for example, that the bars are highest for coordination with social services, substance abuse treatment, sex offender treatment, mental health treatment, and reentry services and planning.

The same pattern emerges when we examine the policies and practices where the least agreement existed. Here, the results again largely parallel those from table 7a. Focusing on those policies and practices where the bars are lowest, we can see that the least agreement emerged for parental accountability laws, reduced confidentiality, victim participation, time limits on proceedings, and transfer laws. (In table 7a, targeting of gang-involved youth replaced victim participation in the “bottom” five policies and practices.) The same general pattern emerges when comparing figures 1b through 1f and tables 7b through 7f.

Combining “strongly agree” and “agree” responses and focusing on the “top 3” policies and practices yields a slightly different picture of respondents’ views about the effectiveness of each of the policies and practices. Table 8 and tables 8a through 8d present the full sample and practitioner-specific results.

As inspection of table 8 shows, the full sample identified effective substance abuse treatment (97% agreed or strongly agreed it was effective), reentry services and planning (96.4%), and effective mental health treatment (95.1%) as the top three crime-reducing policies and practices on the list. Looking across practitioner groups (see tables 8a through 8d), all but one group chose the same three policies as the full sample. Court administrators, however, ranked effective sex offender treatment slightly above effective mental health treatment as a means of reducing crime (see table 8c).

When the outcome was reducing recidivism, the full sample again chose effective substance abuse treatment, reentry services and planning, and effective mental health treatment as the three most effective policies and practices. No variation in this “top 3” listed emerged among the four practitioner groups.

For appropriate punishment of young offenders, effective substance abuse treatment, reentry services and planning, and restorative justice programs and policies emerged as the top three policies and programs. Prosecutors chose reentry services and planning, effective substance abuse treatment, and victim participation in juvenile proceedings (table 8a). Judges identified restorative justice programs and policies, effective substance abuse treatment, and effective mental health treatment (table 8b). Court administrators and probation officers chose restorative

justice programs, graduated sanctions, and effective sex offender treatment (table 8c). And public defenders chose effective substance abuse treatment, effective mental health treatment, and community-based alternatives to secure detention (table 8d).

For policies and practices viewed as producing fair treatment, the full sample identified reentry services and planning, effective substance abuse treatment, and effective mental health treatment as the top three policies and practices. Prosecutors chose these same three policies and practices (table 8a); judges chose two of the three, substituting coordination of juvenile justice with social services for reentry services and planning (table 8b). Court administrators and probation officers emphasized reentry services and planning, effective sex offender treatment, and effective substance abuse treatment (table 8c). And defenders selected alternatives to secure detention, reentry services and planning, and effective mental health treatment (table 8d).

The “top 3” policies and practices viewed as effectively increasing the efficiency of the justice process, were, according to the full sample, reentry services and planning, effective substance abuse treatment, and effective mental health treatment. All four practitioner groups also identified reentry services and planning as key to promoting efficiency. Prosecutors also ranked effective substance abuse treatment and targeting gang-involved youth for special prosecution within their top three policies and practices (table 8a), while judges selected effective substance abuse treatment and alternatives to secure detention (table 8b). Court administrators selected effective substance abuse treatment and sex offender treatment (table 8c), and defenders chose effective mental health treatment and alternatives to detention (table 8d).

When the outcome was the promotion of the traditional mission of juvenile justice, the full sample identified effective substance abuse treatment, effective mental health treatment, and reentry services and planning as being the most effective policies and practices. Prosecutors and court administrators and probation officers also identified these three policies and practices (tables 8a and 8c). Judges and defenders both selected effective substance abuse treatment and mental health treatment, though judges included alternatives to secure detention and defenders included coordination of juvenile justice with social services among their top three policies and practices for promoting the traditional mission of juvenile justice (tables 8b and 8d).

## **PRACTITIONER RECOMMENDATIONS FOR IMPROVING JUVENILE JUSTICE**

Practitioners were asked to provide one recommendation for policymakers for improving the effectiveness of the juvenile justice system. Their verbatim responses were coded into general categories and sub-categories, summarized in figure 2. The five general categories that emerged were:

- providing adequate resources for the juvenile justice system,
- administering juvenile justice in a collaborative manner,
- using a range of sanctions to provide meaningful and effective consequences,
- focusing on prevention and interventions addressing juveniles’ unique needs, and
- developing policies and practices based on evidence and practitioner input.

In each instance, a range of specific suggestions emerged. For example, many comments focused on the issue of resources. Practitioners emphasized the need for efforts to maintain stable levels of funding and for the prioritization of staff retention and training, including a focus on offering competitive salaries for juvenile justice professionals.

Similarly, they identified two broad approaches to increasing collaborative efforts in juvenile justice. The first was to target juvenile justice stakeholders, professionals in particular, using a variety of strategies to create greater information-sharing and a common vision for juvenile justice. The second was to target families and the community for inclusion in various facets of juvenile justice system operations.

They also identified many specific ways to improve sanctioning in juvenile justice. Many respondents focused, for example, on what they viewed as the need for the greater use of graduated sanctions and restorative justice programs, as well as a variety of alternatives to secure detention.

In addition, respondents provided an array of suggestions focused on prevention and intervention. Broadly, four categories emerged—a focus on prevention and early intervention, an emphasis on treatment and programs, a call for developmentally appropriate responses to individual juvenile offenders, and the need for efforts aimed at preserving the life chances of youth referred to the juvenile justice system.

Not least, practitioners pointed to different ways in which evidence-based practices could improve juvenile justice practice. They noted, for example, the need to emphasize programs where research indicates that they may be effective. At the same time, they stressed the need to avoid adopting “feel good” programs that lack any research-based foundation to support them.

Perhaps what is most notable about the recommendations is how closely they mirror the lists of effective approaches and practices emphasized in many reviews. The Federal Comprehensive Strategy, for example, stresses policies and practices that overlap substantially with those identified by practitioners (Howell 2003). Similarly, meta-analyses and other reviews also point to similar sets of recommendations (see, generally, Butts and Mears 2001; McCord et al. 2001; Katzmann 2002; Howell 2003; Guarino-Ghezzi and Loughran 2004; Krisberg 2005). Whether the overlap results from practitioners taking heed of research or from their life experiences and wisdom gained in the “doing” of juvenile justice, we cannot say. In either case, the overlap suggests a basis for optimism about the prospects for improving the operations and effectiveness of juvenile justice nationally.

## ANALYSIS TABLES



## Tables and Figures

**Table 1. Descriptive Statistics**

	<b>Mean</b>	<b>N</b>
Number of years in juvenile justice field	16.7	533
Current professional position		
Judge, magistrate, or other judicial officer	22.8%	122
Prosecutor, states attorney, district attorney	30.0%	160
Defense attorney, public defender	15.4%	82
Court administrator, chief probation officer	24.9%	133
Probation officer, court services worker	2.6%	14
Other	4.3%	23
Number of years in current professional position	10.9	533
Total number of positions held in juvenile justice <sup>a</sup>	1.87	534
Male	57%	531
Age (years)	50.9	523

Note: Respondents were asked to list all professional position types they had ever held within juvenile justice, excluding the professional position held at the time of the survey. The value here is the total number of position types held, inclusive of respondents' current position.

**Table 1a. Descriptive Statistics (Prosecutors)**

	<b>Mean</b>	<b>N</b>
Number of years in juvenile justice field	12.5	163
Current professional position		
Judge, magistrate, or other judicial officer	—	—
Prosecutor, states attorney, district attorney	—	—
Defense attorney, public defender	—	—
Court administrator, chief probation officer	—	—
Probation officer, court services worker	—	—
Other	—	—
Number of years in current professional position	12.1	163
Total number of positions held in juvenile justice <sup>a</sup>	1.66	163
Male	54%	161
Age (years)	47.8	158

Note: Respondents were asked to list all professional position types they had ever held within juvenile justice, excluding the professional position held at the time of the survey. The value here is the total number of position types held, inclusive of respondents' current position.

**Table 1b. Descriptive Statistics (Judges)**

	<b>Mean</b>	<b>N</b>
Number of years in juvenile justice field	16.7	121
Current professional position		
Judge, magistrate, or other judicial officer	—	—
Prosecutor, states attorney, district attorney	—	—
Defense attorney, public defender	—	—
Court administrator, chief probation officer	—	—
Probation officer, court services worker	—	—
Other	—	—
Number of years in current professional position	12.4	121
Total number of positions held in juvenile justice <sup>a</sup>	1.96	122
Male	65%	122
Age (years)	56.0	122

Note: Respondents were asked to list all professional position types they had ever held within juvenile justice, excluding the professional position held at the time of the survey. The value here is the total number of position types held, inclusive of respondents' current position.

**Table 1c. Descriptive Statistics (Court Admin./Probation Officers)**

	<b>Mean</b>	<b>N</b>
Number of years in juvenile justice field	22.6	165
Current professional position		
Judge, magistrate, or other judicial officer	—	—
Prosecutor, states attorney, district attorney	—	—
Defense attorney, public defender	—	—
Court administrator, chief probation officer	—	—
Probation officer, court services worker	—	—
Other	—	—
Number of years in current professional position	8.4	165
Total number of positions held in juvenile justice <sup>a</sup>	2.15	165
Male	57%	164
Age (years)	51.9	161

Note: Respondents were asked to list all professional position types they had ever held within juvenile justice, excluding the professional position held at the time of the survey. The value here is the total number of position types held, inclusive of respondents' current position.

**Table 1d. Descriptive Statistics (Public Defenders)**

	<b>Mean</b>	<b>N</b>
Number of years in juvenile justice field	13.4	84
Current professional position		
Judge, magistrate, or other judicial officer	—	—
Prosecutor, states attorney, district attorney	—	—
Defense attorney, public defender	—	—
Court administrator, chief probation officer	—	—
Probation officer, court services worker	—	—
Other	—	—
Number of years in current professional position	11.1	84
Total number of positions held in juvenile justice <sup>a</sup>	1.61	84
Male	50%	84
Age (years)	47.2	82

Note: Respondents were asked to list all professional position types they had ever held within juvenile justice, excluding the professional position held at the time of the survey. The value here is the total number of position types held, inclusive of respondents' current position.

**Table 2. Views of What Should Be Top Priorities in Jurisdictions**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	0.2	4.6	49.0	46.2
Gender responsive services for young offenders	1.2	10.2	54.8	33.7
Culturally relevant services for young offenders	1.2	12.0	53.4	33.4
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	0.0	2.2	49.4	<b>48.4</b>
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	2.8	12.6	50.5	34.1
Policymaker support for rehabilitation of young offenders	0.4	4.7	44.2	<b>50.7</b>
Public support for rehabilitation of young offenders	0.4	4.8	48.0	46.8
Effective juvenile defense counsel	1.2	5.2	47.0	46.6
Effective prosecution of juvenile offenders	2.0	6.9	48.6	42.5
Alternatives to secure detention	0.8	7.4	40.8	<b>51.0</b>
Disproportionate minority contact	4.5	19.3	37.0	39.2
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	0.8	8.9	49.8	40.5
System capacity to measure performance and/or evaluate programs and services	1.0	4.6	49.6	44.8

Note: The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 2a. Views of What Should Be Top Priorities in Jurisdictions (Prosecutors)**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	0.0	4.4	56.6	<b>39.0</b>
Gender responsive services for young offenders	2.7	14.4	58.9	24.0
Culturally relevant services for young offenders	1.3	18.1	55.0	25.5
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	0.0	3.2	58.9	38.0
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	3.9	11.0	58.1	27.1
Policymaker support for rehabilitation of young offenders	0.7	7.3	53.6	<b>38.4</b>
Public support for rehabilitation of young offenders	1.3	8.4	59.4	31.0
Effective juvenile defense counsel	2.6	5.1	58.3	34.0
Effective prosecution of juvenile offenders	3.2	0.6	37.6	<b>58.6</b>
Alternatives to secure detention	2.5	16.4	49.7	31.4
Disproportionate minority contact	8.2	29.5	39.7	22.6
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	1.3	10.8	55.1	32.9
System capacity to measure performance and/or evaluate programs and services	0.6	7.1	54.2	38.1

Note: The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 2b. Views of What Should Be Top Priorities in Jurisdictions (Judges)**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	0.0	5.6	50.0	44.4
Gender responsive services for young offenders	0.0	10.7	49.5	39.8
Culturally relevant services for young offenders	1.0	12.6	53.4	33.0
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual	0.0	0.9	50.9	48.1
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	1.9	14.2	49.1	34.9
Policymaker support for rehabilitation of young offenders	0.0	3.8	45.7	50.5
Public support for rehabilitation of young offenders	0.0	2.7	44.5	<b>52.7</b>
Effective juvenile defense counsel	0.9	5.6	42.1	<b>51.4</b>
Effective prosecution of juvenile offenders	0.0	7.4	50.0	42.6
Alternatives to secure detention	0.0	4.5	35.5	<b>60.0</b>
Disproportionate minority contact	2.1	24.0	34.4	39.6
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	0.9	7.5	54.2	37.4
System capacity to measure performance and/or evaluate programs and services	0.0	6.6	50.0	43.4

Note: The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.



**Table 2c. Views of What Should Be Top Priorities in Jurisdictions (Court Admin./Probation Officers)**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	0.0	4.5	41.4	54.1
Gender responsive services for young offenders	0.6	6.3	55.3	37.7
Culturally relevant services for young offenders	1.3	6.9	52.2	39.6
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual	0.0	1.3	46.9	51.9
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	2.5	16.6	43.9	36.9
Policymaker support for rehabilitation of young offenders	0.6	3.9	38.1	<b>57.4</b>
Public support for rehabilitation of young offenders	0.0	2.6	45.5	51.9
Effective juvenile defense counsel	0.6	5.7	52.9	40.8
Effective prosecution of juvenile offenders	0.6	6.3	60.1	32.9
Alternatives to secure detention	0.0	3.1	41.9	<b>55.0</b>
Disproportionate minority contact	2.0	11.6	37.4	49.0
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	0.0	3.8	42.1	54.1
System capacity to measure performance and/or evaluate programs and services	0.0	1.9	41.5	<b>56.6</b>

Note: The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 2d. Views of What Should Be Top Priorities in Jurisdictions (Public Defenders)**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	1.3	3.8	47.5	47.5
Gender responsive services for young offenders	1.2	9.9	53.1	35.8
Culturally relevant services for young offenders	1.3	10.0	52.5	36.3
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual	0.0	3.7	34.1	<b>62.2</b>
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	2.5	6.2	50.6	40.7
Policymaker support for rehabilitation of young offenders	0.0	2.5	36.3	61.3
Public support for rehabilitation of young offenders	0.0	4.9	35.8	59.3
Effective juvenile defense counsel	0.0	3.7	20.7	<b>75.6</b>
Effective prosecution of juvenile offenders	4.9	19.8	45.7	29.6
Alternatives to secure detention	0.0	2.4	28.9	<b>68.7</b>
Disproportionate minority contact	5.1	9.0	34.6	51.3
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	1.3	17.5	48.8	32.5
System capacity to measure performance and/or evaluate programs and services	5.0	2.5	56.3	36.3

Note: The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 3. Views of What Should Be Top Priorities in Jurisdictions, by Group**

	Prosecutors (Pct. SA)	Judges (Pct. SA)	Court Administrators/ Probation Officers (Pct. SA)	Public Defenders (Pct. SA)
Staff development and training	<b>39.0</b>	44.4	54.1	47.5
Gender responsive services for young offenders	24.0	39.8	37.7	35.8
Culturally relevant services for young offenders	25.5	33.0	39.6	36.3
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social,	38.0	48.1	51.9	<b>62.2</b>
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients'	27.1	34.9	36.9	40.7
Policymaker support for rehabilitation of young offenders	<b>38.4</b>	50.5	<b>57.4</b>	61.3
Public support for rehabilitation of young offenders	31.0	<b>52.7</b>	51.9	59.3
Effective juvenile defense counsel	34.0	<b>51.4</b>	40.8	<b>75.6</b>
Effective prosecution of juvenile offenders	<b>58.6</b>	42.6	32.9	29.6
Alternatives to secure detention	31.4	<b>60.0</b>	<b>55.0</b>	<b>68.7</b>
Disproportionate minority contact	22.6	39.6	49.0	51.3
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	32.9	37.4	54.1	32.5
System capacity to measure performance and/or evaluate programs and services	38.1	43.4	<b>56.6</b>	36.3

Note: The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 4. Views of What Are Top Priorities in Jurisdictions**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	3.1	21.5	54.1	21.3
Gender responsive services for young offenders	5.6	36.5	44.8	13.1
Culturally relevant services for young offenders	6.4	35.9	47.3	10.5
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	5.5	24.0	53.7	16.8
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	11.7	33.9	42.2	12.3
Policymaker support for rehabilitation of young offenders	5.5	23.5	47.9	23.1
Public support for rehabilitation of young offenders	10.7	37.0	41.1	11.3
Effective juvenile defense counsel	5.2	17.9	52.4	<b>24.5</b>
Effective prosecution of juvenile offenders	4.2	18.5	52.4	<b>24.9</b>
Alternatives to secure detention	5.0	16.4	45.3	<b>33.3</b>
Disproportionate minority contact	8.1	35.2	35.4	21.4
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	4.5	27.7	45.0	22.8
System capacity to measure performance and/or evaluate programs and services	9.0	29.3	44.4	17.3

Note: The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 4a. Views of What Are Top Priorities in Jurisdictions (Prosecutors)**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	3.7	30.4	59.0	6.8
Gender responsive services for young offenders	9.5	41.2	43.9	5.4
Culturally relevant services for young offenders	6.1	44.6	41.9	7.4
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	3.8	26.6	58.2	11.4
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	10.5	32.0	44.4	13.1
Policymaker support for rehabilitation of young offenders	4.0	27.5	53.7	14.8
Public support for rehabilitation of young offenders	9.6	39.7	45.9	4.8
Effective juvenile defense counsel	5.6	16.9	56.9	<b>20.6</b>
Effective prosecution of juvenile offenders	4.3	14.2	44.4	<b>37.0</b>
Alternatives to secure detention	5.0	14.9	55.3	<b>24.8</b>
Disproportionate minority contact	7.5	39.7	35.6	17.1
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	6.4	35.9	46.8	10.9
System capacity to measure performance and/or evaluate programs and services	12.1	36.2	40.9	10.7

Note: The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 4b. Views of What Are Top Priorities in Jurisdictions (Judges)**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	2.6	11.1	61.5	24.8
Gender responsive services for young offenders	2.8	33.3	47.2	16.7
Culturally relevant services for young offenders	2.9	31.4	55.2	10.5
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	1.8	20.5	55.4	22.3
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	8.0	32.7	48.7	10.6
Policymaker support for rehabilitation of young offenders	0.9	18.9	47.7	<b>32.4</b>
Public support for rehabilitation of young offenders	9.2	35.8	38.5	16.5
Effective juvenile defense counsel	5.1	12.8	47.9	<b>34.2</b>
Effective prosecution of juvenile offenders	3.4	14.5	56.4	25.6
Alternatives to secure detention	3.4	12.0	42.7	<b>41.9</b>
Disproportionate minority contact	6.9	30.4	35.3	27.5
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	3.6	24.5	47.3	24.5
System capacity to measure performance and/or evaluate programs and services	8.2	26.4	47.3	18.2

Note: The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 4c. Views of What Are Top Priorities in Jurisdictions (Court Admin./Probation Officers)**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	1.2	15.5	46.6	<b>36.6</b>
Gender responsive services for young offenders	1.9	31.1	46.6	20.5
Culturally relevant services for young offenders	4.5	28.0	51.0	16.6
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	3.1	18.8	53.8	24.4
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	10.8	31.0	40.5	17.7
Policymaker support for rehabilitation of young offenders	6.5	18.8	43.5	31.2
Public support for rehabilitation of young offenders	5.8	33.1	44.8	16.2
Effective juvenile defense counsel	7.0	22.2	55.7	15.2
Effective prosecution of juvenile offenders	3.1	18.6	60.2	18.0
Alternatives to secure detention	1.8	12.8	43.9	<b>41.5</b>
Disproportionate minority contact	5.4	29.9	38.8	25.9
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	1.2	13.4	49.4	<b>36.0</b>
System capacity to measure performance and/or evaluate programs and services	4.3	18.3	49.4	28.0

Note: The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 4d. Views of What Are Top Priorities in Jurisdictions (Public Defenders)**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Staff development and training	6.1	30.5	48.8	14.6
Gender responsive services for young offenders	10.1	43.0	39.2	7.6
Culturally relevant services for young offenders	15.4	41.0	39.7	3.8
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	18.3	34.1	42.7	4.9
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	21.0	44.4	32.1	2.5
Policymaker support for rehabilitation of young offenders	12.7	31.6	45.6	10.1
Public support for rehabilitation of young offenders	24.4	41.0	28.2	6.4
Effective juvenile defense counsel	1.2	19.0	44.0	<b>35.7</b>
Effective prosecution of juvenile offenders	7.2	32.5	47.0	13.3
Alternatives to secure detention	13.3	32.5	32.5	<b>21.7</b>
Disproportionate minority contact	15.6	42.9	28.6	13.0
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	8.9	45.6	29.1	<b>16.5</b>
System capacity to measure performance and/or evaluate programs and services	14.7	44.0	36.0	5.3

Note: The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.



**Table 5. Views of What Are Top Priorities in Jurisdictions, by Group**

	Prosecutors (Pct. SA)	Judges (Pct. SA)	Court Administrators/ Probation Officers (Pct. SA)	Public Defenders (Pct. SA)
Staff development and training	6.8	24.8	<b>36.6</b>	14.6
Gender responsive services for young offenders	5.4	16.7	20.5	7.6
Culturally relevant services for young offenders	7.4	10.5	16.6	3.8
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social,	11.4	22.3	24.4	4.9
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients'	13.1	10.6	17.7	2.5
Policymaker support for rehabilitation of young offenders	14.8	<b>32.4</b>	31.2	10.1
Public support for rehabilitation of young offenders	4.8	16.5	16.2	6.4
Effective juvenile defense counsel	<b>20.6</b>	<b>34.2</b>	15.2	<b>35.7</b>
Effective prosecution of juvenile offenders	<b>37.0</b>	25.6	18.0	13.3
Alternatives to secure detention	<b>24.8</b>	<b>41.9</b>	<b>41.5</b>	<b>21.7</b>
Disproportionate minority contact	17.1	27.5	25.9	13.0
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	10.9	24.5	<b>36.0</b>	<b>16.5</b>
System capacity to measure performance and/or evaluate programs and services	10.7	18.2	28.0	5.3

Note: The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 6. Views of Top Priorities Gaps in Jurisdictions**

	Should be a Priority <sup>a</sup> (Pct. SA/A <sup>c</sup> )	Is a Priority <sup>b</sup> (Pct. SA/A <sup>c</sup> )	Difference (Is - Should Be) <sup>d</sup>
Staff development and training	<b>95.2</b>	75.4	-19.8
Gender responsive services for young offenders	88.6	57.9	<b>-30.7</b>
Culturally relevant services for young offenders	86.8	57.8	-29.0
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	<b>97.8</b>	70.5	-27.3
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	84.6	54.5	-30.1
Policymaker support for rehabilitation of young offenders	<b>94.9</b>	71.0	-23.9
Public support for rehabilitation of young offenders	94.8	52.4	<b>-42.4</b>
Effective juvenile defense counsel	93.6	<b>76.9</b>	-16.7
Effective prosecution of juvenile offenders	91.1	<b>77.3</b>	-13.8
Alternatives to secure detention	91.8	<b>78.7</b>	-13.1
Disproportionate minority contact	76.2	56.8	-19.4
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	90.3	67.8	-22.5
System capacity to measure performance and/or evaluate programs and services	94.4	61.7	<b>-32.7</b>

a. The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

b. The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

c. "SA" = "strongly agree" and "A" = "agree."

d. Negative values indicate that the perception is that issues that should be top priorities in jurisdictions in fact are being addressed less than they should be.

**Table 6a. Views of Top Priorities Gaps in Jurisdictions (Prosecutors)**

	Should be a Priority <sup>a</sup> (Pct. SA/A <sup>c</sup> )	Is a Priority <sup>b</sup> (Pct. SA/A <sup>c</sup> )	Difference (Is - Should Be) <sup>d</sup>
Staff development and training	<b>95.6</b>	65.8	-29.8
Gender responsive services for young offenders	82.9	49.3	<b>-33.6</b>
Culturally relevant services for young offenders	80.5	49.3	-31.2
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	<b>96.8</b>	69.6	-27.2
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	85.2	57.5	-27.7
Policymaker support for rehabilitation of young offenders	92.1	68.5	-23.6
Public support for rehabilitation of young offenders	90.3	50.7	<b>-39.6</b>
Effective juvenile defense counsel	92.3	<b>77.5</b>	-14.8
Effective prosecution of juvenile offenders	<b>96.2</b>	<b>81.5</b>	-14.7
Alternatives to secure detention	81.1	<b>80.1</b>	-1.0
Disproportionate minority contact	62.3	52.7	-9.6
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	88.0	57.7	-30.3
System capacity to measure performance and/or evaluate programs and services	92.3	51.7	<b>-40.6</b>

a. The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

b. The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

c. "SA" = "strongly agree" and "A" = "agree."

d. Negative values indicate that the perception is that issues that should be top priorities in jurisdictions in fact are being addressed less than they should be.

**Table 6b. Views of Top Priorities Gaps in Jurisdictions (Judges)**

	Should be a Priority <sup>a</sup> (Pct. SA/A <sup>c</sup> )	Is a Priority <sup>b</sup> (Pct. SA/A <sup>c</sup> )	Difference (Is - Should Be) <sup>d</sup>
Staff development and training	94.4	<b>86.3</b>	-8.1
Gender responsive services for young offenders	89.3	63.9	<b>-25.4</b>
Culturally relevant services for young offenders	86.4	65.7	-20.7
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	<b>99.1</b>	77.7	-21.4
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	84.0	59.3	-24.7
Policymaker support for rehabilitation of young offenders	<b>96.2</b>	80.2	-16.0
Public support for rehabilitation of young offenders	<b>97.3</b>	55.0	<b>-42.3</b>
Effective juvenile defense counsel	93.5	<b>82.1</b>	-11.4
Effective prosecution of juvenile offenders	92.6	<b>82.1</b>	-10.5
Alternatives to secure detention	95.5	<b>84.6</b>	-10.9
Disproportionate minority contact	74.0	62.8	-11.2
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	91.6	71.8	-19.8
System capacity to measure performance and/or evaluate programs and services	93.4	65.5	<b>-27.9</b>

a. The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

b. The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

c. "SA" = "strongly agree" and "A" = "agree."

d. Negative values indicate that the perception is that issues that should be top priorities in jurisdictions in fact are being addressed less than they should be.

**Table 6c. Views of Top Priorities Gaps in Jurisdictions (Court Admin./Probation Officers)**

	Should be a Priority <sup>a</sup> (Pct. SA/A <sup>c</sup> )	Is a Priority <sup>b</sup> (Pct. SA/A <sup>c</sup> )	Difference (Is - Should Be) <sup>d</sup>
Staff development and training	95.5	<b>83.2</b>	-12.3
Gender responsive services for young offenders	93.1	67.1	<b>-26.0</b>
Culturally relevant services for young offenders	91.8	67.5	<b>-24.3</b>
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	<b>98.8</b>	78.1	-20.7
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	80.9	58.2	-22.7
Policymaker support for rehabilitation of young offenders	95.5	74.7	-20.8
Public support for rehabilitation of young offenders	<b>97.4</b>	61.0	<b>-36.4</b>
Effective juvenile defense counsel	93.6	70.9	-22.7
Effective prosecution of juvenile offenders	93.0	78.3	-14.7
Alternatives to secure detention	96.9	<b>85.4</b>	-11.5
Disproportionate minority contact	86.4	64.6	-21.8
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	96.2	<b>85.4</b>	-10.8
System capacity to measure performance and/or evaluate programs and services	<b>98.1</b>	77.4	-20.7

a. The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

b. The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

c. "SA" = "strongly agree" and "A" = "agree."

d. Negative values indicate that the perception is that issues that should be top priorities in jurisdictions in fact are being addressed less than they should be.

**Table 6d. Views of Top Priorities Gaps in Jurisdictions (Public Defenders)**

	Should be a Priority <sup>a</sup> (Pct. SA/A <sup>c</sup> )	Is a Priority <sup>b</sup> (Pct. SA/A <sup>c</sup> )	Difference (Is - Should Be) <sup>d</sup>
Staff development and training	95.0	<b>63.4</b>	-31.6
Gender responsive services for young offenders	88.9	46.8	-42.1
Culturally relevant services for young offenders	88.8	43.6	-45.2
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	<b>96.3</b>	47.6	-48.7
Resources for non-English-speaking youth and families (e.g., bi-lingual staff, translation services, materials in clients' primary language)	91.4	34.6	<b>-56.8</b>
Policymaker support for rehabilitation of young offenders	<b>97.5</b>	55.7	-41.8
Public support for rehabilitation of young offenders	95.1	34.6	<b>-60.5</b>
Effective juvenile defense counsel	<b>96.3</b>	<b>79.8</b>	-16.5
Effective prosecution of juvenile offenders	75.3	<b>60.2</b>	-15.1
Alternatives to secure detention	<b>97.6</b>	54.2	-43.4
Disproportionate minority contact	85.9	41.6	-44.3
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	81.3	45.6	-35.7
System capacity to measure performance and/or evaluate programs and services	92.5	41.3	<b>-51.2</b>

a. The question was: "In my jurisdiction, this issue is a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

b. The question was: "In my jurisdiction, this issue should be a top priority for improving the juvenile justice system"; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

c. "SA" = "strongly agree" and "A" = "agree."

d. Negative values indicate that the perception is that issues that should be top priorities in jurisdictions in fact are being addressed less than they should be.

**Table 7a. Policies and Practices Promote Less Crime in Community**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Juvenile curfew laws	4.3	22.6	53.6	19.6
Parental accountability laws (e.g., punishing parents for children's behavior)	<b>7.2</b>	32.3	41.0	19.5
Reduced confidentiality of juvenile court records and proceedings promotes	<b>25.1</b>	51.0	16.8	7.1
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	7.0	43.4	35.7	13.9
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	2.5	18.4	49.9	29.2
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	<b>15.6</b>	48.2	27.5	8.7
Specialized courts (e.g., juvenile drug courts, mental health courts)	4.6	18.4	53.3	23.7
Transferring juveniles charged with certain offenses to criminal/adult court	<b>17.2</b>	30.8	29.6	22.3
Graduated sanctions	4.5	21.6	52.2	21.8
Using risk and needs assessment tools to assist with decision-making	4.7	28.1	45.3	21.9
Coordination of juvenile justice with social services (e.g., wrap-around programs, "systems of care")	2.2	7.9	52.4	<b>37.5</b>
Effective substance abuse treatment	0.2	2.8	46.4	<b>50.6</b>
Effective sex offender treatment	1.0	6.3	45.8	<b>46.8</b>
Effective mental health treatment	0.4	4.5	41.3	<b>53.7</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	<b>8.2</b>	18.3	40.7	32.8
Community-based alternatives to secure detention for certain offenses	3.7	23.6	49.8	22.9
Reentry services and planning (e.g., aftercare services and interventions)	0.2	3.4	51.0	<b>45.4</b>

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 7b. Policies and Practices Promote Less Recidivism by Juvenile Offenders**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Juvenile curfew laws	5.7	38.7	42.1	13.5
Parental accountability laws (e.g., punishing parents for children's behavior)	<b>6.4</b>	31.7	42.4	19.5
Reduced confidentiality of juvenile court records and proceedings promotes	<b>25.9</b>	51.7	16.6	5.8
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	5.5	35.9	42.9	15.7
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	2.3	15.1	52.4	30.3
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	<b>15.3</b>	48.8	27.1	8.9
Specialized courts (e.g., juvenile drug courts, mental health courts)	4.0	14.5	51.9	29.7
Transferring juveniles charged with certain offenses to criminal/adult court	<b>17.3</b>	34.5	29.0	19.2
Graduated sanctions	4.1	17.8	55.8	22.3
Using risk and needs assessment tools to assist with decision-making	4.4	22.4	48.8	24.4
Coordination of juvenile justice with social services (e.g., wrap-around programs, "systems of care")	2.0	6.4	53.8	<b>37.8</b>
Effective substance abuse treatment	0.2	2.8	44.6	<b>52.4</b>
Effective sex offender treatment	1.6	5.1	45.5	<b>47.8</b>
Effective mental health treatment	0.4	3.9	43.0	<b>52.7</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	<b>9.8</b>	23.4	38.8	28.1
Community-based alternatives to secure detention for certain offenses	3.7	23.8	48.5	24.0
Reentry services and planning (e.g., aftercare services and interventions)	0.4	3.2	48.6	<b>47.8</b>

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome; the response options were strongly agree, agree, disagree, strongly disagree, don't know.



**Table 7c. Policies and Practices Promote Appropriate Punishment of Young Offenders**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Juvenile curfew laws	8.6	48.3	36.1	7.1
Parental accountability laws (e.g., punishing parents for children's behavior)	<b>11.2</b>	46.5	29.8	12.5
Reduced confidentiality of juvenile court records and proceedings promotes	<b>26.6</b>	42.3	23.7	7.4
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	3.8	15.1	55.1	26.0
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	1.5	4.2	58.2	<b>36.0</b>
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	<b>11.4</b>	35.9	42.8	9.9
Specialized courts (e.g., juvenile drug courts, mental health courts)	3.5	10.7	53.2	32.6
Transferring juveniles charged with certain offenses to criminal/adult court	<b>18.0</b>	20.5	38.7	22.8
Graduated sanctions	3.2	7.7	57.6	31.6
Using risk and needs assessment tools to assist with decision-making	2.9	12.5	52.8	31.8
Coordination of juvenile justice with social services (e.g., wrap-around programs, "systems of care")	2.6	9.7	53.5	34.3
Effective substance abuse treatment	0.4	4.5	51.4	<b>43.8</b>
Effective sex offender treatment	1.2	6.6	48.4	<b>43.8</b>
Effective mental health treatment	0.4	6.1	45.9	<b>47.6</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	<b>9.6</b>	20.4	41.0	29.0
Community-based alternatives to secure detention for certain offenses	2.4	11.1	56.5	30.0
Reentry services and planning (e.g., aftercare services and interventions)	0.2	5.3	56.5	<b>38.1</b>

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 7d. Policies and Practices Promote Fair Treatment of Young Offenders**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Juvenile curfew laws	6.7	38.0	44.0	11.3
Parental accountability laws (e.g., punishing parents for children's behavior)	<b>10.7</b>	39.4	37.8	12.1
Reduced confidentiality of juvenile court records and proceedings promotes	<b>28.3</b>	37.2	27.1	7.4
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	4.5	15.8	54.3	25.5
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	1.0	6.0	56.9	36.2
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	<b>10.9</b>	22.4	49.4	17.3
Specialized courts (e.g., juvenile drug courts, mental health courts)	2.5	10.1	52.7	34.7
Transferring juveniles charged with certain offenses to criminal/adult court	<b>19.8</b>	22.8	39.4	18.0
Graduated sanctions	2.0	6.9	61.0	30.1
Using risk and needs assessment tools to assist with decision-making	2.7	10.5	50.4	36.4
Coordination of juvenile justice with social services (e.g., wrap-around programs, "systems of care")	1.2	4.1	55.3	<b>39.5</b>
Effective substance abuse treatment	0.2	3.3	51.6	<b>44.9</b>
Effective sex offender treatment	1.0	3.9	49.6	<b>45.5</b>
Effective mental health treatment	0.2	3.3	45.2	<b>51.3</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	<b>11.1</b>	23.2	41.7	24.0
Community-based alternatives to secure detention for certain offenses	1.6	6.3	59.5	32.5
Reentry services and planning (e.g., aftercare services and interventions)	0.2	1.2	55.5	<b>43.1</b>

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 7e. Policies and Practices Promote Efficiency of the Justice Process**

	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Juvenile curfew laws	<b>11.1</b>	52.3	28.6	8.0
Parental accountability laws (e.g., punishing parents for children's behavior)	<b>9.2</b>	37.9	38.4	14.5
Reduced confidentiality of juvenile court records and proceedings promotes	<b>23.7</b>	37.7	28.4	10.2
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	5.9	26.9	47.2	20.0
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	2.3	17.2	51.2	29.3
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	8.2	16.0	48.2	27.6
Specialized courts (e.g., juvenile drug courts, mental health courts)	6.6	22.0	42.6	28.8
Transferring juveniles charged with certain offenses to criminal/adult court	<b>18.3</b>	25.8	37.1	18.9
Graduated sanctions	2.9	14.5	56.9	25.7
Using risk and needs assessment tools to assist with decision-making	2.7	13.1	52.4	31.9
Coordination of juvenile justice with social services (e.g., wrap-around programs, "systems of care")	2.4	12.3	50.4	<b>34.9</b>
Effective substance abuse treatment	1.0	6.3	51.4	<b>41.3</b>
Effective sex offender treatment	0.8	8.4	50.4	<b>40.4</b>
Effective mental health treatment	0.6	7.3	45.4	<b>46.8</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	<b>9.3</b>	23.0	44.5	23.2
Community-based alternatives to secure detention for certain offenses	1.6	12.4	54.9	31.1
Reentry services and planning (e.g., aftercare services and interventions)	0.0	6.1	50.7	<b>43.2</b>

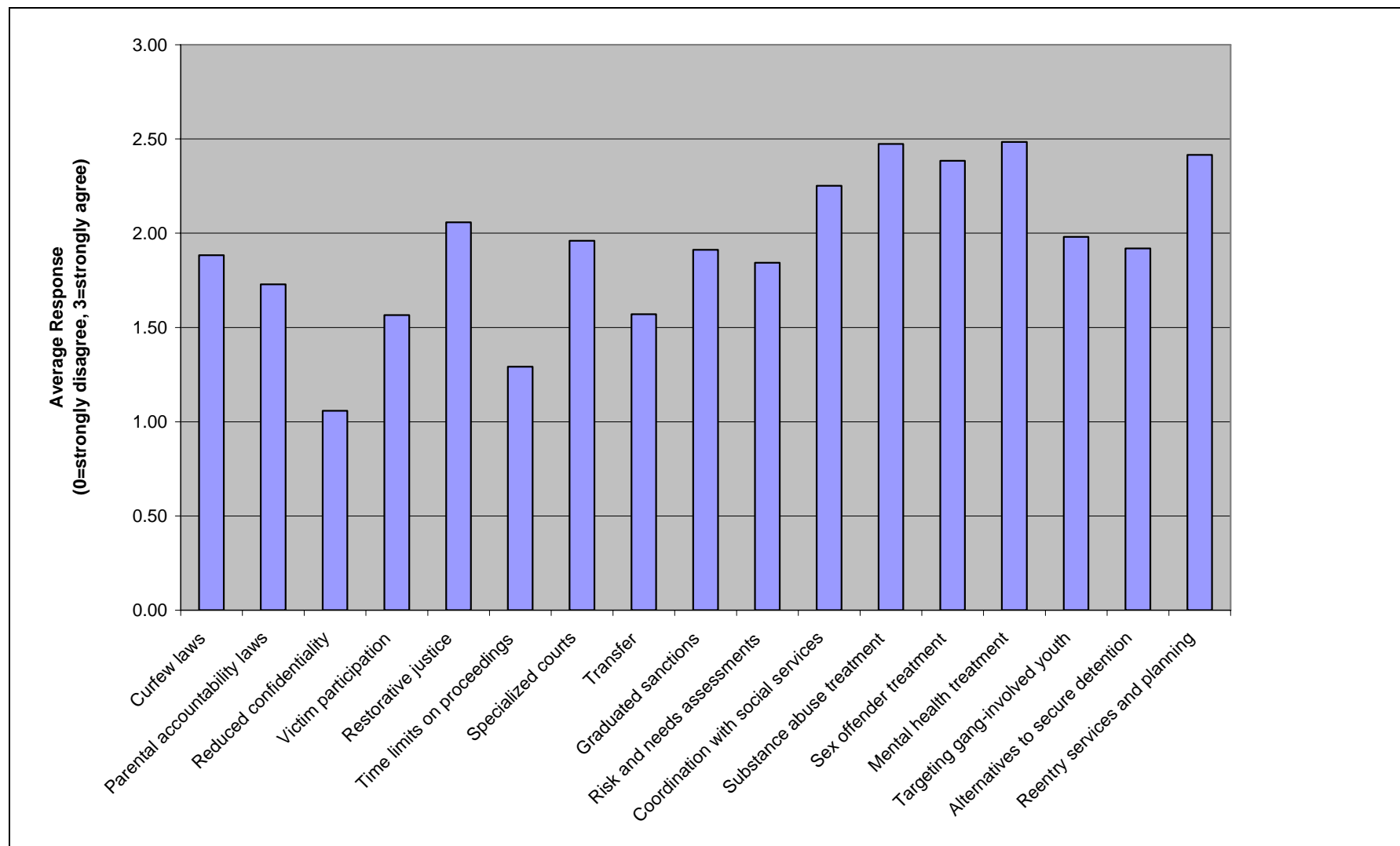
a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

**Table 7f. Policies and Practices Promote Traditional Mission of Juvenile Justice**

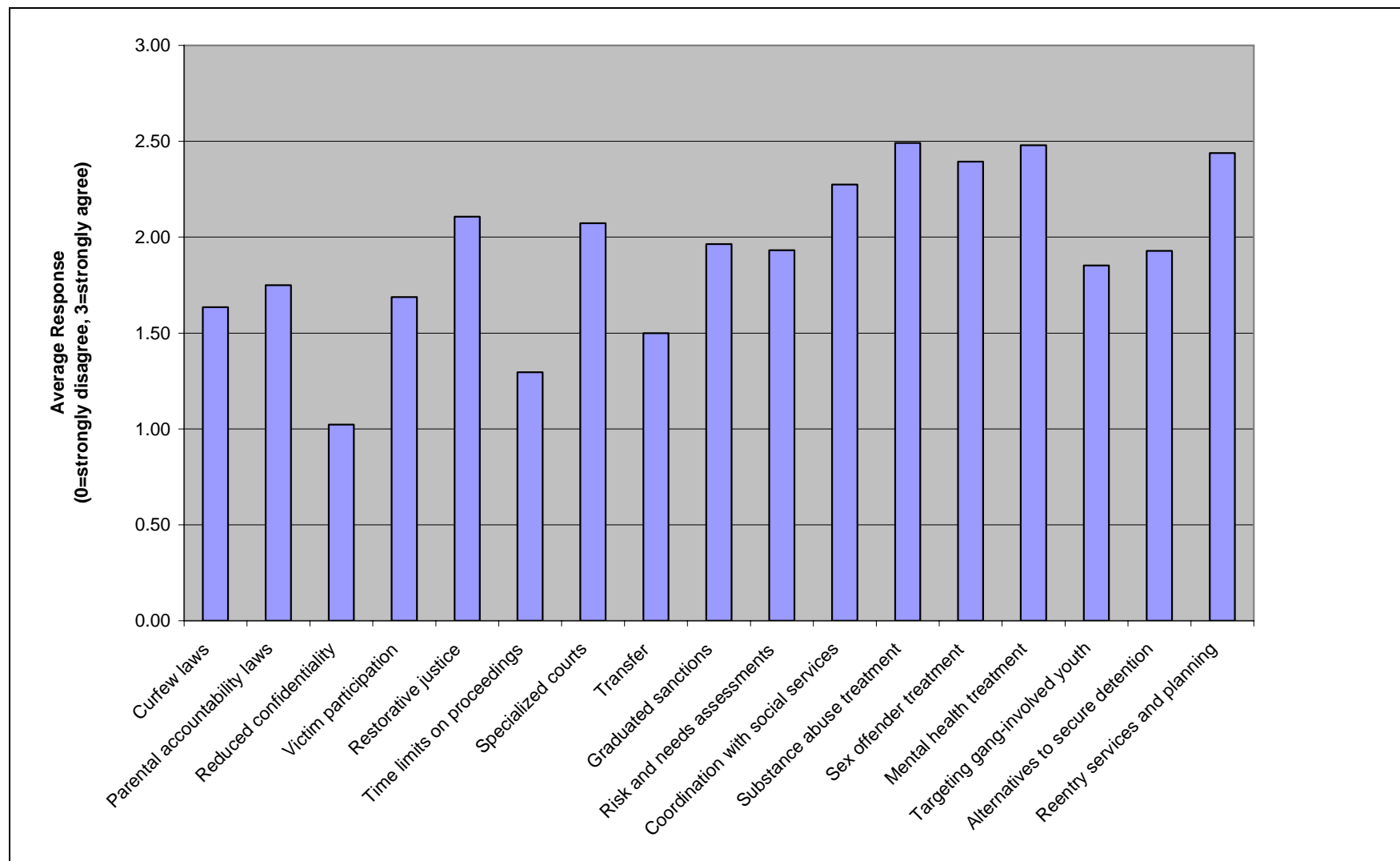
	Strongly Disagree (Pct.)	Disagree (Pct.)	Agree (Pct.)	Strongly Agree (Pct.)
Juvenile curfew laws	8.3	30.3	50.7	10.7
Parental accountability laws (e.g., punishing parents for children's behavior)	<b>9.0</b>	38.4	37.7	14.9
Reduced confidentiality of juvenile court records and proceedings promotes	<b>34.4</b>	40.9	20.1	4.6
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	5.0	17.6	52.9	24.5
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	2.4	8.4	58.7	30.5
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	<b>10.9</b>	26.2	45.7	17.2
Specialized courts (e.g., juvenile drug courts, mental health courts)	5.0	13.8	49.4	31.9
Transferring juveniles charged with certain offenses to criminal/adult court	<b>24.8</b>	32.6	29.1	13.4
Graduated sanctions	3.1	9.5	60.0	27.3
Using risk and needs assessment tools to assist with decision-making	3.4	12.7	55.3	28.7
Coordination of juvenile justice with social services (e.g., wrap-around programs, "systems of care")	1.2	5.8	52.0	<b>41.0</b>
Effective substance abuse treatment	0.8	2.9	50.7	<b>45.6</b>
Effective sex offender treatment	1.6	4.4	51.3	<b>42.7</b>
Effective mental health treatment	0.8	3.4	47.1	<b>48.7</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	<b>12.0</b>	31.2	38.6	18.3
Community-based alternatives to secure detention for certain offenses	2.0	7.6	56.9	33.4
Reentry services and planning (e.g., aftercare services and interventions)	0.6	3.6	51.1	<b>44.8</b>

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome; the response options were strongly agree, agree, disagree, strongly disagree, don't know.

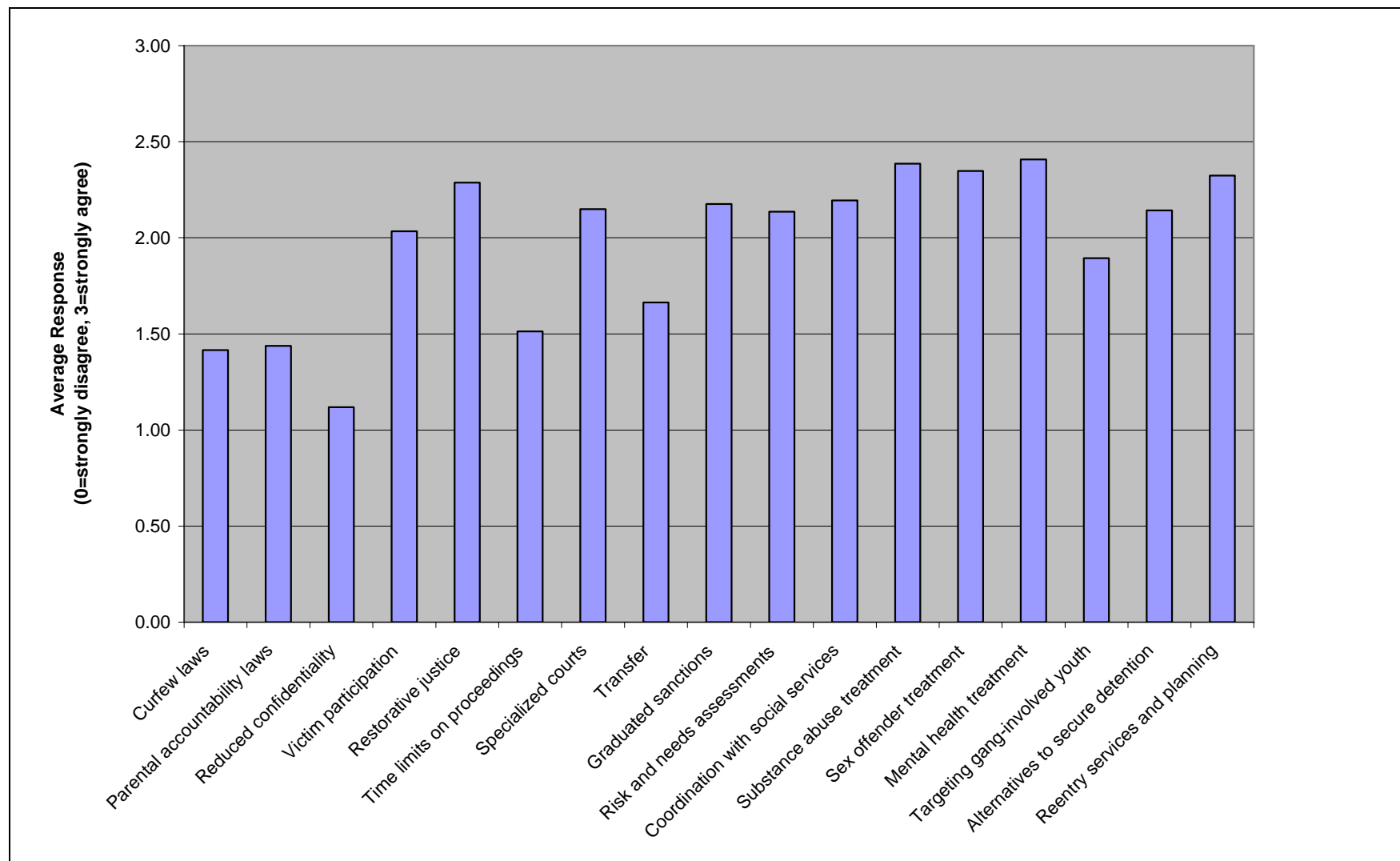
**Figure 1a. Policies and Practices Promote Less Crime in Community, Average Response**



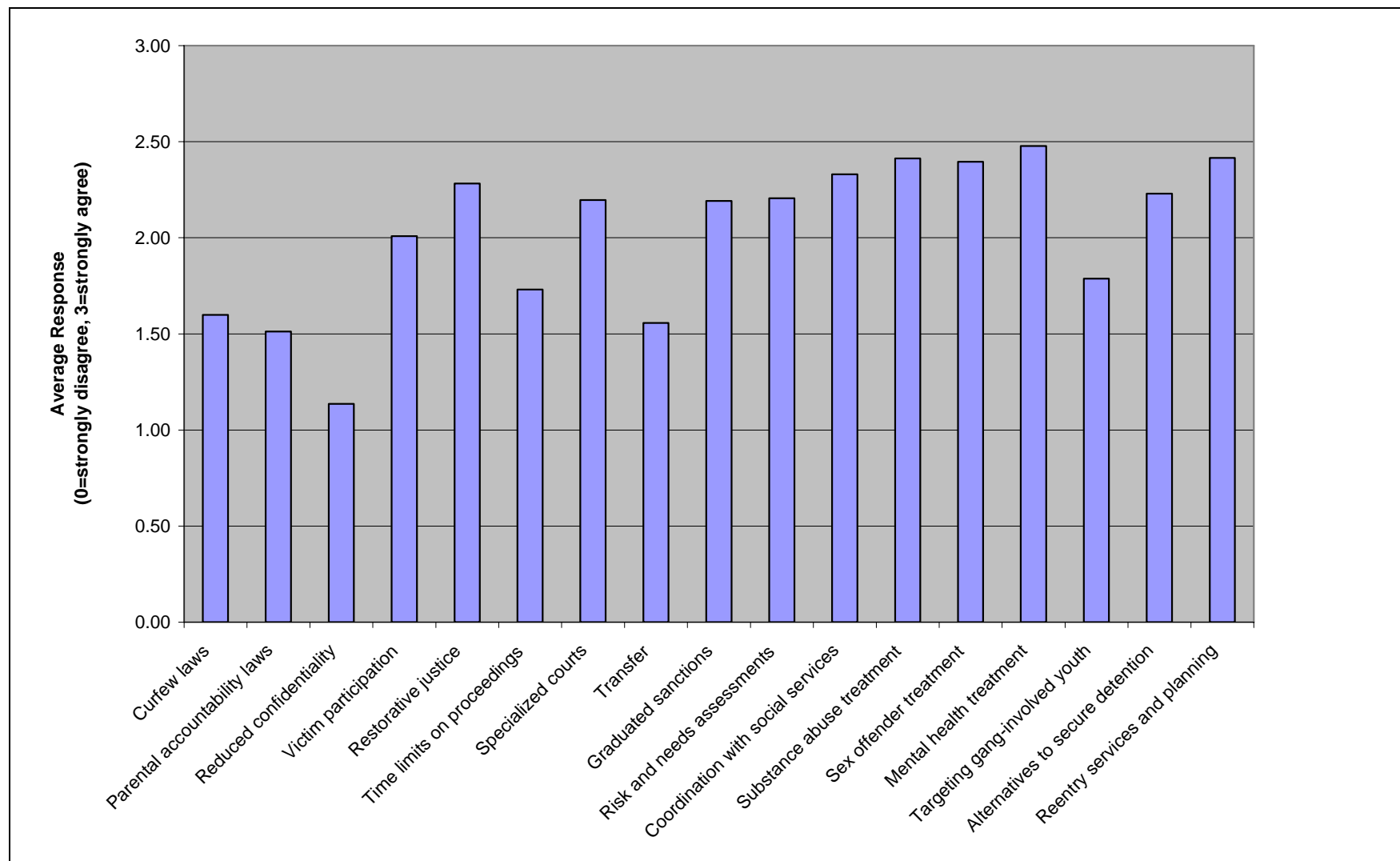
**Figure 1b. Policies and Practices Promote Less Recidivism by Young Offenders, Average Response**



**Figure 1c. Policies and Practices Promote Appropriate Punishment of Young Offenders, Average Response**

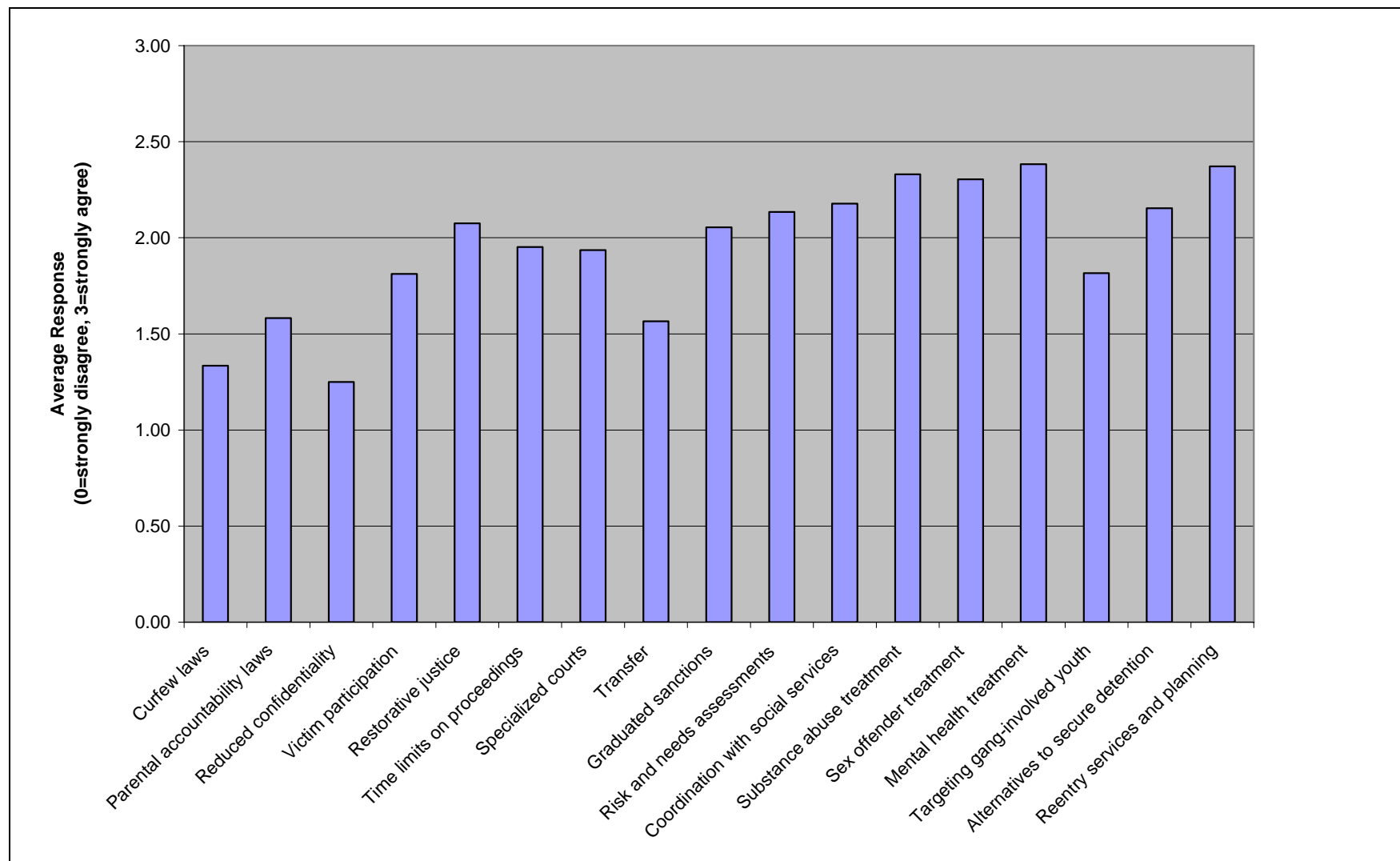


**Figure 1d. Policies and Practices Promote Fair Treatment of Young Offenders, Average Response**

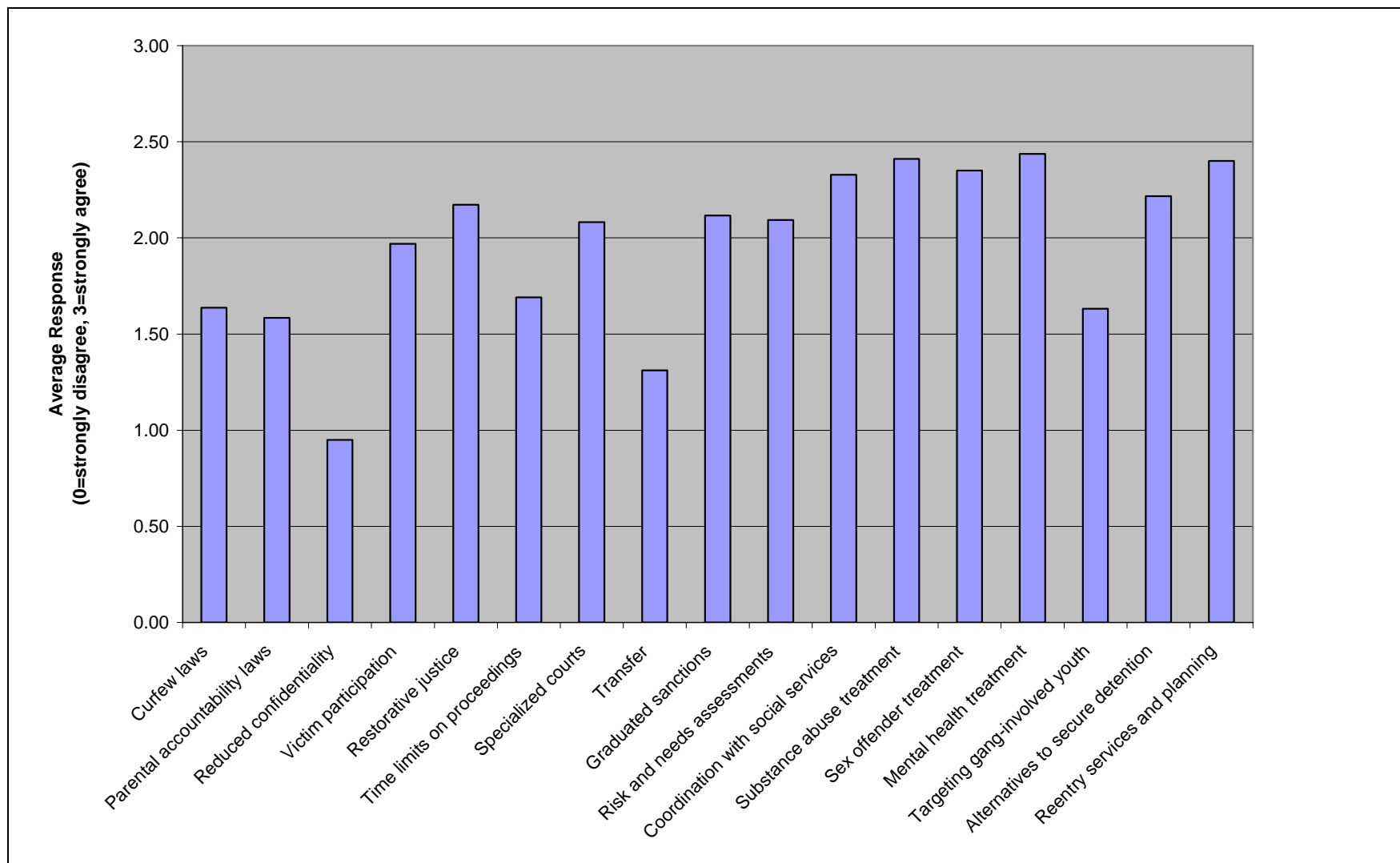




**Figure 1e. Policies and Practices Promote Efficiency of the Justice Process, Average Response**



**Figure 1f. Policies and Practices Promote Traditional Mission of Juvenile Justice, Average Response**



**Table 8. Effectiveness of Juvenile Justice Policies and Practices, Percent Agreeing**

	Less Crime in Community <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Less Recidivism by Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Appropriate Punishment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Fair Treatment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Efficiency of the Justice Process <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Traditional Mission of Juvenile Justice <sup>a</sup>  (Pct. SA/A <sup>b</sup> )
Juvenile curfew laws	73.1	55.6	43.1	55.3	36.6	61.4
Parental accountability laws (e.g., punishing parents for children's behavior)	60.5	61.9	42.4	49.9	52.9	52.6
Reduced confidentiality of juvenile court records and proceedings promotes	23.9	22.4	31.1	34.5	38.6	24.7
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	49.7	58.6	81.1	79.8	67.2	77.4
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	79.1	82.7	<b>94.2</b>	93.0	80.5	89.2
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	36.2	35.9	52.7	66.7	75.8	62.9
Specialized courts (e.g., juvenile drug courts, mental health courts)	77.0	81.5	85.8	87.4	71.4	81.3
Transferring juveniles charged with certain offenses to criminal/adult court	51.9	48.2	61.5	57.4	56.0	42.6
Graduated sanctions	73.9	78.1	89.2	91.1	82.6	87.4

Using risk and needs assessment tools to assist with decision-making	67.2	73.2	84.6	86.8	84.3	84.0
Coordination of juvenile justice with social services (e.g., wrap-around programs, “systems of care”)	89.9	91.6	87.7	94.7	85.3	93.0
Effective substance abuse treatment	<b>97.0</b>	<b>97.0</b>	<b>95.1</b>	<b>96.6</b>	<b>92.7</b>	<b>96.3</b>
Effective sex offender treatment	92.6	93.3	92.2	95.1	90.8	94.0
Effective mental health treatment	<b>95.1</b>	<b>95.7</b>	93.5	<b>96.5</b>	<b>92.1</b>	<b>95.8</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	73.5	66.9	70.0	65.7	67.7	56.9
Community-based alternatives to secure detention for certain offenses	72.7	72.5	86.6	92.1	86.0	90.3
Reentry services and planning (e.g., aftercare services and interventions)	<b>96.4</b>	<b>96.4</b>	<b>94.5</b>	<b>98.6</b>	<b>93.9</b>	<b>95.8</b>

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome (e.g., less crime in the community); the response options were strongly agree, agree, disagree, strongly disagree, don’t know.

b. “SA” = “strongly agree” and “A” = “agree.”

**Table 8a. Effectiveness of Juvenile Justice Policies and Practices, Percent Agreeing (Prosecutors)**

	Less Crime in Community <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Less Recidivism by Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Appropriate Punishment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Fair Treatment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Efficiency of the Justice Process <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Traditional Mission of Juvenile Justice <sup>a</sup>  (Pct. SA/A <sup>b</sup> )
Juvenile curfew laws	84.2	59.9	45.1	67.6	41.4	76.3
Parental accountability laws (e.g., punishing parents for children's behavior)	68.3	71.3	43.9	52.3	55.9	57.7
Reduced confidentiality of juvenile court records and proceedings promotes	39.3	39.9	50.7	53.0	54.9	31.7
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	51.8	60.7	<b>93.6</b>	90.4	81.0	87.8
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	75.2	75.7	90.0	89.3	76.4	89.0
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	25.5	24.3	42.4	57.1	67.1	54.2
Specialized courts (e.g., juvenile drug courts, mental health courts)	73.1	77.1	83.2	85.9	69.5	83.6
Transferring juveniles charged with certain offenses to criminal/adult court	77.9	72.5	91.4	88.7	81.3	61.3
Graduated sanctions	59.2	63.8	84.3	88.8	74.0	86.1

Using risk and needs assessment tools to assist with decision-making	64.2	64.4	80.0	83.3	82.9	85.9
Coordination of juvenile justice with social services (e.g., wrap-around programs, “systems of care”)	80.4	83.3	78.1	90.7	78.5	93.3
Effective substance abuse treatment	<b>95.1</b>	<b>94.5</b>	<b>93.6</b>	<b>94.9</b>	<b>89.7</b>	<b>96.8</b>
Effective sex offender treatment	88.1	89.3	88.9	93.4	87.2	94.7
Effective mental health treatment	<b>90.2</b>	<b>90.7</b>	90.3	<b>94.3</b>	89.0	<b>96.7</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	89.5	86.8	92.4	89.6	<b>89.7</b>	79.7
Community-based alternatives to secure detention for certain offenses	51.8	50.7	67.5	78.9	69.7	84.2
Reentry services and planning (e.g., aftercare services and interventions)	<b>93.3</b>	<b>94.0</b>	<b>94.6</b>	<b>98.7</b>	<b>92.6</b>	<b>97.4</b>

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome (e.g., less crime in the community); the response options were strongly agree, agree, disagree, strongly disagree, don’t know.

b. “SA” = “strongly agree” and “A” = “agree.”

**Table 8b. Effectiveness of Juvenile Justice Policies and Practices, Percent Agreeing (Judges)**

	Less Crime in Community <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Less Recidivism by Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Appropriate Punishment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Fair Treatment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Efficiency of the Justice Process <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Traditional Mission of Juvenile Justice <sup>a</sup>  (Pct. SA/A <sup>b</sup> )
Juvenile curfew laws	79.6	61.5	40.7	52.9	34.0	61.4
Parental accountability laws (e.g., punishing parents for children's behavior)	58.4	58.7	43.3	52.6	55.6	55.0
Reduced confidentiality of juvenile court records and proceedings promotes	19.8	13.6	26.4	31.8	29.7	22.6
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	53.8	62.5	84.2	84.8	64.2	78.7
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	83.5	88.4	<b>97.5</b>	96.6	75.5	93.1
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	44.0	41.4	51.9	68.2	80.0	62.1
Specialized courts (e.g., juvenile drug courts, mental health courts)	80.0	88.0	88.3	91.2	69.6	83.2
Transferring juveniles charged with certain offenses to criminal/adult court	52.3	49.1	57.5	54.0	56.4	39.8
Graduated sanctions	79.2	85.0	93.2	92.4	86.6	90.1

Using risk and needs assessment tools to assist with decision-making	73.7	82.8	93.8	95.5	87.6	89.9
Coordination of juvenile justice with social services (e.g., wrap-around programs, “systems of care”)	94.8	96.4	94.9	<b>99.2</b>	89.1	93.8
Effective substance abuse treatment	<b>99.2</b>	<b>100.0</b>	<b>96.7</b>	<b>99.2</b>	<b>94.1</b>	<b>95.7</b>
Effective sex offender treatment	94.6	96.5	94.2	95.8	92.0	93.8
Effective mental health treatment	<b>99.1</b>	<b>99.1</b>	<b>96.6</b>	<b>99.2</b>	92.2	<b>94.6</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	73.9	64.0	71.0	63.0	60.4	52.7
Community-based alternatives to secure detention for certain offenses	80.4	82.7	95.6	98.3	<b>96.3</b>	<b>97.3</b>
Reentry services and planning (e.g., aftercare services and interventions)	<b>100.0</b>	<b>100.0</b>	95.7	98.3	<b>92.9</b>	93.8

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome (e.g., less crime in the community); the response options were strongly agree, agree, disagree, strongly disagree, don’t know.

b. “SA” = “strongly agree” and “A” = “agree.”



**Table 8c. Effectiveness of Juvenile Justice Policies and Practices, Percent Agreeing (Court Admin./Probation Officers)**

	Less Crime in Community <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Less Recidivism by Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Appropriate Punishment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Fair Treatment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Efficiency of the Justice Process <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Traditional Mission of Juvenile Justice <sup>a</sup>  (Pct. SA/A <sup>b</sup> )
Juvenile curfew laws	67.5	58.1	48.3	56.5	43.7	57.4
Parental accountability laws (e.g., punishing parents for children's behavior)	66.7	68.1	48.9	56.7	58.3	56.5
Reduced confidentiality of juvenile court records and proceedings promotes	22.4	20.4	26.7	33.8	41.4	27.7
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	56.4	67.3	82.2	84.9	74.7	80.4
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	86.6	88.5	<b>96.3</b>	96.3	90.8	89.4
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	51.1	48.9	68.8	82.3	87.1	74.8
Specialized courts (e.g., juvenile drug courts, mental health courts)	80.7	83.1	86.7	89.1	77.2	78.6
Transferring juveniles charged with certain offenses to criminal/adult court	46.7	42.4	59.4	53.3	52.6	46.1
Graduated sanctions	85.5	88.4	<b>94.4</b>	95.0	91.7	89.2

Using risk and needs assessment tools to assist with decision-making	69.8	80.0	86.9	91.3	90.1	84.8
Coordination of juvenile justice with social services (e.g., wrap-around programs, “systems of care”)	93.0	94.4	88.0	95.1	86.3	88.8
Effective substance abuse treatment	<b>96.3</b>	<b>96.3</b>	94.2	<b>96.9</b>	<b>94.9</b>	<b>95.1</b>
Effective sex offender treatment	<b>95.4</b>	94.7	<b>94.3</b>	<b>97.5</b>	<b>93.5</b>	93.6
Effective mental health treatment	95.0	<b>96.3</b>	92.3	96.3	92.4	<b>93.8</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	79.9	71.9	73.5	71.3	73.9	61.1
Community-based alternatives to secure detention for certain offenses	81.1	79.7	93.1	96.2	89.9	86.7
Reentry services and planning (e.g., aftercare services and interventions)	<b>96.2</b>	<b>95.5</b>	92.9	<b>98.8</b>	<b>94.3</b>	<b>94.4</b>

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome (e.g., less crime in the community); the response options were strongly agree, agree, disagree, strongly disagree, don’t know.

b. “SA” = “strongly agree” and “A” = “agree.”

**Table 8d. Effectiveness of Juvenile Justice Policies and Practices, Percent Agreeing (Public Defenders)**

	Less Crime in Community <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Less Recidivism by Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Appropriate Punishment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Fair Treatment of Young Offenders <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Efficiency of the Justice Process <sup>a</sup>  (Pct. SA/A <sup>b</sup> )	Traditional Mission of Juvenile Justice <sup>a</sup>  (Pct. SA/A <sup>b</sup> )
Juvenile curfew laws	51.4	33.8	32.4	32.4	15.4	40.0
Parental accountability laws (e.g., punishing parents for children's behavior)	36.5	37.0	25.4	27.5	32.9	32.9
Reduced confidentiality of juvenile court records and proceedings promotes	3.8	5.1	8.9	3.9	13.3	9.1
Victim participation in juvenile proceedings (e.g., providing victims with the right to make statements in court)	27.0	32.0	48.7	38.4	28.8	47.9
Restorative justice programs and policies (e.g., providing offenders with opportunity to restore harm they cause or to make restitution to victims)	65.8	76.6	93.8	88.8	74.7	83.3
Statutes or court rules that set time limits on delinquency proceedings in juvenile court	17.6	26.8	43.8	53.3	64.9	56.9
Specialized courts (e.g., juvenile drug courts, mental health courts)	72.1	76.5	85.3	80.8	65.7	79.7
Transferring juveniles charged with certain offenses to criminal/adult court	13.6	13.4	12.2	8.6	10.5	6.3
Graduated sanctions	71.0	74.3	81.3	85.3	73.9	81.4

Using risk and needs assessment tools to assist with decision-making	57.6	61.2	74.7	70.7	69.3	69.4
Coordination of juvenile justice with social services (e.g., wrap-around programs, “systems of care”)	94.9	94.8	94.9	94.9	90.8	<b>100.0</b>
Effective substance abuse treatment	<b>98.8</b>	<b>98.8</b>	<b>97.6</b>	95.2	92.3	<b>98.8</b>
Effective sex offender treatment	93.3	93.5	91.3	92.4	90.7	93.6
Effective mental health treatment	<b>98.7</b>	<b>98.7</b>	<b>97.5</b>	<b>97.5</b>	<b>97.4</b>	<b>100.0</b>
Targeting gang-involved youth for special prosecution and enhanced penalties	28.9	23.7	17.7	13.6	21.6	13.9
Community-based alternatives to secure detention for certain offenses	84.7	86.3	<b>96.3</b>	<b>98.8</b>	<b>93.8</b>	98.8
Reentry services and planning (e.g., aftercare services and interventions)	<b>97.4</b>	<b>97.4</b>	96.1	<b>98.7</b>	<b>97.3</b>	98.7

a. Respondents were asked to indicate the extent to which each listed policy or practice promotes the given outcome (e.g., less crime in the community); the response options were strongly agree, agree, disagree, strongly disagree, don’t know.

b. “SA” = “strongly agree” and “A” = “agree.”

**Figure 2. Recommendations for Improving Juvenile Justice System Effectiveness**

Provide Adequate Resources for the Juvenile Justice System

*Provide Stable Funding at Appropriate Levels*

- Establish a separate, consistent funding stream for juvenile justice
- Increase overall funding levels for the juvenile justice
- Increase funding for specific programs and approaches (restorative justice, processing of less serious offenders, mental health and substance abuse treatment services, specialized courts)
- Reduce restrictions tied to funding and enable local jurisdictions to address local issues

*Prioritize Staff Retention and Training*

- Increase overall staffing levels and reduce case loads (hire and train additional case managers)
- Focus on retaining experienced professionals in the juvenile justice field (offer competitive salaries)
- Coordinate and expand staff training initiatives (state-coordinated training in assessment and case planning, specialized training for police)

Administer Juvenile Justice in a Collaborative Manner

*Promote Collaboration among Juvenile Justice Stakeholders*

- Promote collaboration and information-sharing among juvenile justice professionals
- Increase collaboration between all agencies that provide services to youth and their families (juvenile justice, child welfare, social services, mental health services, schools, law enforcement, community-based organizations)
- Develop a shared vision of the purpose and scope of juvenile justice (i.e., what juvenile justice is and what it can and should do)
- Coordinate strategies for reform
- Fund community-based initiatives involving parents, schools, social service agencies, and local businesses

*Involve Family and Community in Juvenile Justice*

- Expand parental accountability
- Focus on efforts to strengthen the family (target single-parent households, reduce “kids having kids,” offer training to parents)
- Emphasize principals of restorative justice and involve victims in the process

Use a Range of Sanctions to Provide Meaningful and Effective Consequences

- Employ graduated sanctions
- Implement balanced and restorative justice programs
- Develop and utilize effective alternatives to secure detention (high-level secure group homes, camp-like programs, etc.)
- Use secure detention to address serious violent offending (avoid using for less serious offenders, couple secure detention with intensive therapy and services)
- Expand the use of specialized courts
- Strengthen juvenile probation and emphasize aftercare

## Focus on Prevention and Interventions that Address the Unique Needs of Juveniles

### *Focus on Early Intervention and Prevention*

- Develop and expand programming for at-risk youth (afterschool programs, extended school day, mentoring programs—increase contact between youth and positive role models)
- Strengthen schools and education; focus on drop-out prevention

### *Emphasize Treatment and Programming*

- Emphasize early diagnosis and intervention for youth with mental health and substance abuse issues
- Individualize treatment on a case-by-case basis
- Prioritize the mental health needs of young offenders (early assessment and identification, range of treatment options, continuity of care)
- Prioritize substance abuse needs of young offenders
- Support juvenile alternative education programs
- Provide wraparound treatment for youth and their families
- Expand the provision of family counseling (expand counseling services in Spanish)

### *Provide Developmentally-Appropriate Responses*

- Reduce processing time to ensure swift, meaningful consequences
- Increase pre-court diversion options to keep youth out of court whenever possible
- Eliminate juvenile involvement in the adult system except in extreme cases (reduce transfer to adult court, end prosecutorial and legislative waiver, avoid placements in adult correctional facilities)
- Focus on rehabilitation while holding youth accountable
- Tailor services to address individual needs (gender, culture, language, age, etc.)
- Provide individualized attention through effective case management

### *Preserve the Life Chances of Juveniles*

- Uphold the confidentiality of juvenile records
- Reevaluate the use of juvenile sex offender registries

## Develop Policies and Practices Based on Evidence and Practitioner Input

- Involve juvenile justice professionals in policy-making (seek a range of perspectives, avoid allowing one group of professionals to dominate the dialogue)
- Promote evidence-based policies and practices (avoid “feel good” programs)
- Review and revise outdated juvenile justice statutes
- Promote external evaluation of programs and services
- Develop broad standards for juvenile justice that might be used nationally

Note: Respondents were asked to indicate one main recommendation they would give to policymakers for improving the effectiveness of the juvenile justice system.

## 4 Landscape of Policy and Practice

State legislatures have enacted numerous laws in recent years affecting the jurisdiction, administration, and mission of juvenile justice. New juvenile justice policy initiatives continue to emerge as state laws evolve in response to public sentiment, fluctuations in crime, and changing policy priorities. As discussed in Chapter 1, the range of recent policy changes enacted by states varies considerably. Many laws advance public safety and crime reduction. Some mandate the use of specific approaches including case management, evidence-based practices, and restorative justice principles, while others exact more severe penalties for specific classes of offenders. Some laws clearly enhance the rehabilitative capacity of the juvenile justice system and increase the protections afforded to delinquent youth, while others diminish the system's influence and further erode the barrier between juvenile and criminal justice. Arguably, each of these measures affects the administration of justice for young offenders.

In this chapter, we examine the scope and nature of state-level policy changes enacted during the study period, roughly calendar years 2005 through 2007. Initial discussion focuses on the level of activity across the states, looking specifically at the number of juvenile justice-related laws proposed and enacted during the two-year study period, the distribution of new legislation across the states, and the composition of the measures ratified to identify emerging trends. Subsequent discussion focuses on existing legislation, regardless of when enacted, pertaining to the seventeen policies and practices highlighted in the practitioner survey; there, we discuss the significant legal components of the legislation and consider the extent to which these laws contribute to or detract from primary juvenile justice goals. For the purposes of that discussion, key juvenile justice goals are defined as promoting the (1) rehabilitation of the child, (2) offender accountability, and (3) public safety. Concluding remarks address the landscape of recent state-level changes and explore the implications of this analysis for advancing a cohesive, cogent juvenile justice policy agenda.

Multiple sources were consulted for these analyses. The National Juvenile Defender Center's annual inventory of state juvenile justice legislation aided in the identification of proposed and enacted measures pertaining to over 20 issues (NJDC 2005; NJDC 2006; NJDC 2007). The National Conference of State Legislatures (NCSL) website supplied annual summaries of juvenile justice-specific laws enacted by the states between 2005 and 2007, and offered valuable commentary on the key provisions of those measures. State profiles and policy descriptions available through the National Center for Juvenile Justice (NCJJ) aided in the identification of policies and practices adopted, but not formally legislated. Internet searches were also conducted to obtain reviews of key policies and to construct an inventory of legislation currently "on the books" across the 50 states.

### SCOPE OF RECENT LEGISLATIVE ACTIVITY

States are legislating juvenile justice policy at a remarkable pace. An analysis of proposed and enacted legislation between 2005 and 2007 suggests that more than a thousand juvenile justice measures have been introduced in state legislatures in the last three years, resulting in more than 300 new laws and policies, or roughly 100 new measures annually. During 2007 alone, roughly

70 percent of the states (N=35) passed a combined total of 113 laws directly affecting the administration of juvenile justice (NCLS 2008). Every state legislature, as well as the District of Columbia (DC) considered at least one juvenile justice policy measure during the study period. State-level legislative activity, however, reached a high point in 2006, an election year, with 45 states<sup>10</sup> and DC introducing roughly 700 juvenile justice measures; approximately 215 measures were enacted. Ten states failed to move any of their delinquency bills forward. Many measures simply died in committee, however, some carried over and were passed in 2007, such as New Jersey bills 2281 and 2667 (NCSL 2007); the former mandated mental health screening and assessment of youth in detention while the latter made gang recruitment a fourth-degree offense.

As might be expected, different issues figured prominently in different years. The balance of measures proposed (450) and enacted (119) among the states in 2005, for example, focused largely on enforcement initiatives and penalties designed, presumably, to advance public safety. Thirty-eight states considered transfer and sentencing measures and 28 introduced mandatory registry laws and measures to expand the terms under which juvenile records are entered and retained in state-wide databases. Six states—Alaska (7), Louisiana (9), Nevada (8), Tennessee (7), Virginia (8) and Washington (6)—accounted for roughly 40 percent of the measures enacted. A closer look at the provisions of legislation passed in those states reveals a degree of variation that invites further scrutiny.

Thirteen states<sup>11</sup> enacted roughly 60 percent (124 of 215) of the measures passed in 2006. Across the board, the most prominent issues to be legislated focused on treatment (i.e., mental health and alcohol and drugs, respectively), aftercare and reentry, competency, indigent defense, sex offender registration and monitoring, and a variety of issues falling under delinquency prevention (truancy, gang prevention and intervention, vandalism and graffiti, diversion). The majority of states introduced laws related to the transfer and sentencing of juveniles, offenses and penalties, procedural due process, and the confidentiality of juvenile records. However, these measures were not passed. Competency, sex offender regulations, mental health treatment, and diversion measures were among the most prevalent issues related to juvenile justice legislation passed in 2006.

Among the most prevalent issues legislated (enacted) in 2007 were those focusing on mental health treatment, competency determination, alcohol and drug use, information sharing and access to juvenile records, sex offenders registration, and delinquency prevention (gang intervention and penalties, and truancy). Arizona, California, Tennessee, Texas, and Virginia were among the most active states accounting for 43 of the 113 juvenile justice-related measures enacted by state lawmakers in 2007. cursory examination of the measures enacted in these five states does not suggest a coherent or consistent policy agenda. The eight measures enacted in Arizona, for example, offered a mixed bag that increased penalties for delinquency and gang-related offenses, reduced confidentiality protections by increasing victim and criminal justice agency access to records, boosted procedural due process provisions around the transport and housing of juvenile offenders, and introduced standards for the provision of mental health and sex offender treatment.

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<sup>10</sup> Three states (MT, NV, OR) did not hold legislative sessions in 2006 (NJDC, 2006); neither North nor South Dakota considered any juvenile justice measures during their respective sessions.

<sup>11</sup> AK, AZ, CA, CO, GA, ID, IL, KS, LA, MD, MS, OH, VA



Likewise, looking across these three years suggests the tone of the policy measures initiated in recent years is mixed, as are the provisions of the measures themselves, and more generally the measures enacted at the state level in 2007. It is interesting to note the seeming lack of a consistent policy agenda. This observation, if accurate, raises questions about the process by which issues and policies are crafted and considered for implementation. Who decides? How much does public sentiment or political worthiness weigh in the selection of which issues merit legislation? Who, or rather what body of individuals, makes that decision?

Regardless, these three years provide a snapshot that suggests some states are more active in legislating juvenile justice policy than others. California, Florida, New York, and New Jersey were among the most legislatively active states introducing upwards of 20 new measures annually during 2005 and 2006; New York and New Jersey, however, collectively passed less than five of the more than 80 measures proposed. Alaska, Arizona, California, Louisiana, and Tennessee appeared to be the most “successful” in moving juvenile justice legislation forward: these states ratified 19 new measures, on average, each year. And, while the balance of measures considered seems to form a hodgepodge, closer examination suggests a more consistent orientation toward either a punitive or progressive orientation. Generally-speaking, Louisiana stands out among the legislatively active states as one advancing an agenda focused primarily on penalties, restrictions and procedural policies, as opposed to rehabilitation; measures increasing the number of transfer-eligible offenses, and governing registries and restrictions figured prominently in state legislation during the period of analysis. In contrast, much of Colorado’s recent juvenile justice legislation appears to advance a generally progressive agenda oriented toward rehabilitation, fair treatment, and appropriate punishment. Again, these characterizations are based on a three-year snapshot of legislative activity; therefore, the validity of these observations would need to be verified by a more extensive analysis of legislative activity that encompasses a broader span of time. Such an analysis was beyond the scope of the present study.

While some states obviously took a more active role in legislating juvenile justice policy during the years examined for this analysis, the majority typically enacted just one or two measures each session. What this signifies, if anything, is hard to say. Whether this piecemeal approach simply reflects the iterative reality of the legislative process, or signals something more profound about the legislation itself is unclear. It is tempting to attribute the failure of states to move forward on delinquency legislation to an absence of public and policymaker support. Such a conclusion, however, would require an extensive examination (i.e., across decades) of state legislative records. Doing so is beyond the scope of the present study. Regardless, looking at the provisions of the measures proposed, as well as those enacted, provides a degree of insight about present thinking.

## **CURRENT TRENDS**

Calculating the number of measures introduced and passed by states offers a sense of the volume or magnitude of legislative activity, but says nothing, of course, about the substance or composition of the measures, themselves. What types of measures are state lawmakers proposing and voting on? Which measures are being passed, and why? Are measures primarily punitive, introducing new penalties and harsher sentences? Or, are new measures more

progressive in their nature, providing additional protections and expanding services for young offenders? To what extent do the most successful measures focus merely on system funding and administration? And, finally, what are the key provisions of the laws enacted, and what are the implications for formulating a cogent policy agenda for a system juggling multiple and often conflicting priorities?

To answer these questions, the APO project reviewed the key components of enacted legislation. Analysis relied primarily on NJDC's annual inventory of state legislation and the categories designated by the NJDC in its typology. While the laws and statutes reviewed could easily fall into one or more categories, we discuss them according to the key provisions defining the measure. Clear-cut trends are hard to pinpoint, in part, because the substance of the bills varies so greatly. Regardless, several general themes emerged.

Transfer, truancy, mental health and alcohol and drug treatment, confidentiality and expungement, and determination of competency generated the most legislative activity (i.e., number of states proposing bills around those issues) during the years examined. Issues garnering the most support, as evidenced by the number of states enacting measures, generally included these same issues. Aftercare and reentry, and measures extending procedural due process also figured prominently on many states' agendas, as did bills regulating DNA data collection and offender registries. Female and minority youth received little attention from lawmakers between 2005 and 2007,<sup>12</sup> as did the issue of Disproportionate Minority Contact (DMC).

Closer examination of the measures passed reveals a mix of penalties and restrictions designed to increase offender accountability and public safety; provisions that extend confidentiality protections, promote treatment, and mandate the use of evidenced-based practices; and bills authorizing study groups and specialized task forces to examine and report on critical issues facing the juvenile justice system and the children it serves. In short, recent legislative changes include a wide range of bills that vary greatly in focus and content.

The following discussion highlights key juvenile justice issues addressed by state legislators between 2005 and 2007. The provisions of the measures proposed and enacted around prominent policy issues are discussed, as are the significant elements of these bills. The practical implications and policy considerations associated with these measures are also examined. Discussion is organized around five broad topics: jurisdiction, confidentiality, sentencing and penalties, treatment and rehabilitation, and wide-scale system reforms. Multiple related issues are discussed under these broad topics, including terms for sealing and expunging juvenile records, indigent defense, and other topics related generally to due process. Many states passed measures dealing with detention and conditions of confinement; these are not discussed in this report.

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<sup>12</sup> Only a handful of states (CA, CT, HI, IL, IA, MA, NM) proposed legislation around gender-specific programming and services during the timeframe examined. Only a few states (CA, HI, MA) passed measures between 2005 and 2007.

## Age Specifications and Jurisdiction

It is difficult to overstate the significance of age in juvenile justice policy. Age specifications delineate the parameters for juvenile court original jurisdiction and define case processing policies for petitioning, transfer, and sentencing. Therefore, it is widely acknowledged that legislation amending the upper age limit of the juvenile court – either lowering or increasing the age boundary – or the statutory definition of the age of majority, literally affects the welfare of thousands of children (Sickmund 2008).

Historically, juvenile courts had exclusive jurisdiction over children aged 17 and younger involved in delinquency and status offenses and dependency matters (Butts and Mears 2001; Snyder and Sickmund 2006). A proliferation of “get tough” policies in the 1990s, following a sharp increase in juvenile violent crime arrests in the late 1980s, chipped away at the court’s jurisdiction. Laws increasing the number of transfer-eligible offenses and reducing the upper age limit for juvenile court jurisdiction further eroded the court’s jurisdiction (Butts and Mitchell 2000; Bernard 2006; Snyder and Sickmund 2006; Redding 2008). By 2004, 13 states<sup>13</sup> had set the upper age for juvenile court jurisdiction over delinquency offenses at 15 and 16 years of age (Snyder and Sickmund 2006:103).

A review of recent legislation suggests this trend may be reversing. Since 2005, more than half the states introduced measures with age specifications designed to restore and expand the jurisdiction of the juvenile court, and at least 15 states passed laws increasing the upper age for juvenile court jurisdiction, mandatory minimums, life without parole, and the death penalty. In short, the matter of juvenile court jurisdiction figured prominently in recent state legislation, with more states passing measures to expand the court’s jurisdiction than reduce it – although several states introduced measures with the latter objective in mind.

Between 2005 and 2007, nine states<sup>14</sup> considered bills that would expand the jurisdiction of the juvenile court. Four states (IL, MI, NH, WA) proposed changing the court’s jurisdiction from 17 and under to 18 (Schmid 2005:6), while New York proposed raising the upper age limit from 16 to 17 years of age for status offenses (A3778) and North Carolina sought to clarify its definition of a delinquent youth as a child between the ages of six and 18 (S1445/S1098/H492). Legislation in Georgia (SB136/HB181/HB325) sought to return jurisdiction to juvenile court for cases involving youth between the ages of 13 and 17 years charged with violent crimes. In 2005, Nebraska lawmakers considered changing the age of majority from 18 years of age to 19 years of age under LB505. Between 2005 and 2007, Illinois<sup>15</sup> and Missouri legislators considered measures to amend the legal definition of a child from a person less than 17 years of age to a person less than 18 years of age; Missouri’s measures died in committee in each of the last three consecutive sessions.

Although many of these measures did not pass, there were notable exceptions. Under HB205, Idaho lawmakers expanded the juvenile court’s jurisdiction to include status offenders aged 18

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<sup>13</sup> CT, GA, IL, LA, MA, MI, MO, NH, NY, NC, SC, TX and WI.

<sup>14</sup> CT, GA, IL, MI, MO, NC, NV, NH, NY, WA.

<sup>15</sup> Illinois Senate Bill 458 passed in its Senate in 2005 (NJDC 2005) but failed to move forward in 2006; in 2009, legislators passed a bill extending juvenile court jurisdiction to misdemeanor offenders aged 18 and under. (<http://www.iljuveniledefenders.org/assets/Uploads/JJI-Press-Release-SB-2275.doc>)

and under; previously, juvenile court jurisdiction in Idaho had been limited to status offenders aged 14 and under (Schmid et al. 2005:52). In 2007, Rhode Island restored the jurisdiction of the juvenile court to 18 years of age (it had been 17 years of age previously), and Arkansas amended its juvenile code under HB1475 to “ensure that a felony or misdemeanor committed by a juvenile before age 18 may be prosecuted as a delinquency offense in juvenile court” ([www.ncsl.org/prorgams/cj/07jjsummary.htm](http://www.ncsl.org/prorgams/cj/07jjsummary.htm) as accessed online 2/20/08). That same year, Connecticut lawmakers increased the age of majority from 16 years of age to 18 years of age under Senate Bill 500. Passage of this bill was significant not only because it expanded the original jurisdiction of the juvenile court (i.e., scope of authority over matters involving youth 18 and younger), but also because its passage reduced the number of states to just two – New York and North Carolina – in which 16 year olds qualify as adults and are automatically handled in the criminal justice system ([www.ncsl.org/prorgams/cj/07jjsummary.htm](http://www.ncsl.org/prorgams/cj/07jjsummary.htm) as accessed online 2/20/08).

Additionally, a number of states adopted measures to extend the period for which juvenile courts could retain jurisdiction over adjudicated youth. New Hampshire (HB627) and Rhode Island (SB1141), for example, passed bills delineating circumstances under which family courts in those states could retain jurisdiction for youth over the age of 18. Missouri (HB1182) permitted parents or guardians to petition courts to extend jurisdiction to age 18 for youth aged 15 and older; Oklahoma (SB1799) specified various ages at which the state must relinquish “jurisdiction, custody or supervision” for youth committed to its care; and Arkansas (HB1475), in 2007, determined the juvenile court could retain jurisdiction over adjudicated youth until age 21, if the youth was 18 or younger at the time of the offense.

## Competency

The issue of competency in juvenile court proceedings has been propelled to the forefront of the policy debate during the last eight years due, in large part, to research substantiating adolescence as a distinct developmental phase and the limited emotional and psychological maturity of children between the ages of 11 and 16, respectively, to assess risk and conceptualize the consequences of their actions (Steinberg and Scott 2006; MacArthur Foundation Issue Brief#1 2008<sup>16</sup>). Competence typically refers to an individual’s cognitive ability (mental capacity) to comprehend and participate in legal proceedings, and discussion traditionally has focused on mentally ill adults. As applied to juveniles, competence concerns a youth’s ability to fully participate in legal proceedings owing to emotional and cognitive immaturity (MacArthur Foundation Issue Brief#1 2008<sup>17</sup>). Much of the research on juvenile competence comes from researchers affiliated with the MacArthur Foundation’s Research Network on Adolescent Development and Juvenile Justice. One of several foundation-led initiatives to spearhead juvenile justice reform, the MacArthur Foundation working group urges juvenile courts “to consider competence claims based on immaturity along with those based on mental illness and disability,” and reports that many states are now passing legislation addressing juvenile competence ([http://www.adjj.org/downloads/552network\\_overview.pdf](http://www.adjj.org/downloads/552network_overview.pdf) as accessed online 9/8/2008). Our analysis concurs with that assertion.

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<sup>16</sup> [http://www.adjj.org/downloads/9805issue\\_brief\\_1.pdf](http://www.adjj.org/downloads/9805issue_brief_1.pdf) as accessed online 9/8/2008

<sup>17</sup> <sup>17</sup> [http://www.adjj.org/downloads/9805issue\\_brief\\_1.pdf](http://www.adjj.org/downloads/9805issue_brief_1.pdf) as accessed online 9/8/2008

Between 2005 and 2006, nine<sup>18</sup> states considered legislation that included provisions related to juvenile competency. Among the three states enacting measures in 2005, Colorado's HB1034 appeared to focus on diminished mental health as provisions within the bill established standards for assessment and re-assessment allowing for competency gains and decomposition, and services in case of the latter. The following year, Colorado commissioned a task force to develop standards for performing competency evaluations (i.e., staff, qualifications, use of information, etc). Maryland's measures, in both 2005 and 2006, similarly specified terms under which competency evaluation would occur, together with guidelines regarding the use of evaluation findings in juvenile proceedings; however, in 2006, Maryland amended the legislation to the effect that the presumption, in any competency proceeding, will be that the child did not commit the crime charged (NJDC, 2006: 16).

Other competency measures include Arizona's 2006 bill that defined juvenile incompetence. That same year, Georgia (HB1145) established procedures for evaluating mental competency and a protocol for declaring dependency; and Louisiana (HB503 and HB1372) under HB1372 amended its law on competency hearings for youth transferred to criminal court to apply the criminal code, not the juvenile code.

### **Transfer, Sentencing, and Penalties**

Perhaps the most prominent change in juvenile justice in recent decades has been the explosion of new laws for transferring juveniles to adult court. These laws allow juvenile courts to waive jurisdiction, or, as some accounts describe it, to allow children to be certified adults and prosecuted in criminal court. Whatever the terminology—transfer, waiver, certification—the laws create diverse mechanisms for placing young offenders into the criminal justice system. Motivation for enacting ever-new ways of sending young people to adult court stems from several concerns, including real and perceived increases in violent crime and frustration with some of the limits in the types and duration of sanctions available in juvenile court (Zimring 2005). The popularity of transfer as a focus of policy change is reflected in trends nationally—as Snyder and Sickmund (2006:113) have noted, “since 1992, all states but Nebraska have changed their transfer statutes to make it easier for juveniles to be tried in criminal court.”

Transfer laws remain popular with state lawmakers despite the recent movement to reclaim and expand juvenile court jurisdiction. Roughly 43 states considered transfer measures between 2005 and 2007, of which 17 states adopted these measures. Many of the transfer laws enacted during the study period focused on weapons offenses and violent crimes like murder<sup>19</sup>; some sought to expand the laws' reach by lowering the minimum age for transfer on already transfer-eligible crimes, while others, interestingly enough, restricted the use of transfer.

During the years examined, at least six states passed a range of transfer enhancing measures (AK, CA, KS, OK, LA, MN). In 2006, Oklahoma legislators enacted Senate Bill 1760 providing for the automatic transfer to adult court of children as young as 13 charged with first-degree murder, unless previously certified as a youthful offender; a related portion of the bill excludes youths between the ages of 15 and 17 charged with first-degree murder from being considered as

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<sup>18</sup> AZ, CO, CT, GA, LA, MD, MI, NH and TX

<sup>19</sup> Pennsylvania's HB705, for example, proposed lowering the age for automatic transfer from 15 to 12 years of age for certain crimes. Several other states considered similar measures.

juveniles. Alaska (HB88) allowed 16 year olds to be automatically transferred to adult court for “conduct that would constitute a weapon offense in the first degree (NJDC 2006:162), while Kansas (SB 432) permitted 14-year olds driving without proof of insurance to be prosecuted as adults (NJDC 2006: 165). In 2007 Louisiana (HB1372) expanded the number of allowances (terms) under which a child could be transferred to criminal court. Reportedly, Minnesota (HB699) also expanded the reach of its transfer laws in 2007 by allowing children as young as 13 to be certified as adults for a range of violent crimes (NJDC 2008: 3). California’s governor approved AB686, which increased the number of offenses eligible for transfer to adult criminal court, and lowered the age from 16 to 14 years of age for offenses unfitting for juvenile court (SB520); the bill’s provision specified numerous violent crimes unfitting for juvenile court, including murder, robbery, assault, and arson.

Kentucky (HB284) legislators also pondered legislation that would abolish any specified minimum age for criminal responsibility for a child who commits an offense constituting a crime if committed by an adult; and New York lawmakers proposed almost a dozen measures increasing the number of transfer-eligible offenses and adult-oriented punishments, including measures mandating ten-year sentences for juveniles convicted of second-degree murder, and a sentence of 25 years for first-degree murder (NJDC 2005). Although these measures failed to move forward during the legislative sessions we examined, they illustrate the pervasive and ongoing appeal of “get tough” measures.

It should be noted that, during the same period, some states restricted the number of transfer-eligible offenses. Delaware, for example, limited criminal court jurisdiction to youth with prior felony adjudications, and abolished the automatic transfer of youth charged with first-degree robbery to criminal court (SB200-2006). In 2007, Virginia (HB3007) stipulated that juveniles tried as adults must be convicted of the crime to be recognized or processed as an adult in future legal actions.

These legislative changes suggest increasing support among lawmakers, and arguably the public, for reserving transfer to adult court for serious violent crimes like murder, and retaining less serious delinquency offenses under the jurisdiction of the juvenile court. In short, it appears legislators are working to strike a more balanced approach with respect to transfer and sentencing (Sickmund and Snyder 2006). Changes to other laws governing sentencing and penalties also support this observation.

### Death Penalty

At least six states introduced measures limiting or abolishing the death penalty as a disposition for juveniles. In 2005, Nevada (AB6) passed a measure prohibiting the imposition of death for crimes committed under the age of 18. A year later, Virginia lawmakers successfully raised the statutory minimum for the death penalty from 16 to 18 years of age, essentially abolishing the death penalty for children in that state (see HB45/SB362). Similar measures<sup>20</sup> in Alabama (SB372), Arkansas (SB316), Florida (SB346), and Texas (HB434/SB226/HB61/HB333) failed to move forward; most died in committee and were not subsequently re-introduced for

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<sup>20</sup> Alabama (SB372-2005) and Florida (SB346-2006) sought to abolish the death penalty for juveniles; Arkansas bill SB316 (2006) proposed to exempt juveniles ages 16 and 17 from the death penalty; 2006 Texas legislation (HB434/SB226/HB61/HB333) proposed to abolish the death penalty for any person under the age of 18.

consideration. It is unclear whether legislation abolishing the death penalty for juveniles in these and other states was designed merely to bring state juvenile codes in compliance with the Supreme Court's 2005 *ROPER v. SIMMONS*, No. 03-0633 decision, which ruled the death penalty unconstitutional following the 8<sup>th</sup> and 14<sup>th</sup> amendments, or to accomplish some other purpose.

### Mandatory Minimums

Only two states introduced legislation around mandatory minimums. According to NCJD, both Georgia (HB607) and Washington (HB1187) introduced measures prohibiting mandatory minimums for youth under 18 in 2005, but only the Washington law was enacted (Schmid 2005:6).

### Life Without Parole

In 2006, Colorado lawmakers (HB06-1315) amended the state's life-without-parole provisions such that it is no longer automatically imposed on a juvenile adjudicated as an adult for a Class 1 felony. The next year, Colorado's Governor convened a panel to review life-without-parole sentences involving juveniles to identify cases for which commutation may be most appropriate (Denver Dispatch, August 31, 2007). Colorado's action on this issue is significant because the majority of states have mandatory life without parole sentencing for juveniles, and many do not specify a lower age limit. Few states, however, followed Colorado's lead.

Among the roughly 30 states that allow juveniles to be sentenced to life without parole, Pennsylvania leads with roughly 332 children sentenced to life without parole, followed by Louisiana (317), Michigan (306), Florida (273), California (180), and Missouri (116) ([www.njdc.info/state\\_data.php](http://www.njdc.info/state_data.php) as accessed online September 4, 2008). Only a handful of states<sup>21</sup> do not have mandatory life without parole as a sentencing option for either children or adults. Fifteen states<sup>22</sup> have discretionary sentencing in which the decision to prosecute a child as an adult or to sentence a youth to life without parole is up to the presiding prosecutor or judge, respectively.

Interestingly, the five states identified, above, as those with the greatest number of children sentenced to life without parole, also considered some of the most expansive transfer measures and penalties for delinquency offenses, as noted in previous discussion.

## **Confidentiality and Juvenile Records**

Confidentiality has been the tacit hallmark of the juvenile justice system since its inception more than 100 years ago. Historically, juvenile court hearings were closed to the public, the names of juvenile offenders protected, and records expunged once the delinquent child reached the age of majority (NCJA 1997). These measures were rooted in the firmly-held belief that children, more so than adults, were amenable to and capable of change. The juvenile justice system sought to protect the vast majority of children it served from stigma and labeling that could inhibit

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<sup>21</sup> As of 2007, eight states (AK, KS, KY, ME, NM, NY, OR, WV) did not have mandatory life without parole provisions. See [www.njdc.info/state\\_data.php](http://www.njdc.info/state_data.php) as accessed online September 4, 2008)

<sup>22</sup> CA, HI, IN, NJ, ND, NV, MS, MT, OH, OK, TN, TX, UT, VA, WY

meaningful rehabilitation. These measures reflected the traditional mission of the juvenile court to act in the best interest of the child. In keeping with the increased emphasis on public safety and individual accountability in recent decades, the confidentiality of juvenile court proceedings and records has eroded. States increasingly open juvenile proceedings to the public and press, mandate the collection of DNA and other personal data from young offenders, and retain the records of adjudicated youth offenders in administrative databases accessible to law enforcement, social services, schools, and the general public.

Juvenile records were the policy focus of legislation in roughly 35 states (N=33) between 2005 and 2007. Proposed and enacted measures addressed a variety of issues, including (1) access to juvenile court records by victims and the general public, and interagency information sharing; (2) the type of personal data that may be collected (e.g., DNA, fingerprints, photographs) from juveniles at various stages in the legal process, and how that data could be used; (3) conditions under which records shall be sealed or expunged; and (4) information sharing between justice agencies and youth-serving systems. Changes in confidentiality laws served multiple purposes often highlighting the tension between the system's conflicting objectives: protecting public safety and promoting the welfare of the children it serves.

#### Juvenile DNA Profiles

Provisions for the collection, storage, retention, and exchange of DNA specimens from juvenile offenders figured prominently on state legislative agendas. In 2005, roughly 28 states had laws governing the collection and retention of DNA specimens from adjudicated juveniles (ASMLE 2006). By 2007, the number of states collecting DNA specimens from some subset of juvenile offenders totaled 35 (<http://www.ncsl.org/programs/cj/dnadatabanks.htm> accessed online 8/21/08). During this same period, approximately 20 states considered juvenile-specific DNA measures. Of the six states that passed bills authorizing the collection of DNA specimens from juveniles, most limited the mandate to adjudicated juvenile sex offenders, and youth charged with either a felony or a crime against a person. Alaska (HB124), Colorado (SB06-105), Illinois (SB2985), and Kansas (SB200) laws, for instance, permitted DNA samples to be collected from juveniles aged 16 or older adjudicated for either a felony or crime against a person, and maintained in a state-wide database or registry; Alaska's law also allowed for the use of reasonable force to collect samples. Likewise, Kentucky (HB3) allowed DNA specimens from youthful offenders committed to the state's Department of Juvenile Justice to be entered in the state-wide DNA database (NCJD 2006: 90).

Ohio legislators opted for a slightly broader approach under House Bill 525 (2005): this bill mandates the collection of DNA samples from all juvenile offenders "regardless of whether they are committed to the department of youth services, detention, or any facility for delinquent youth, and regardless of whether they violated a law that would be a felony or misdemeanor if committed by an adult" (NJDC 2005: 29). A separate Ohio law (HB137) further amended the state's provisions for expunging juvenile fingerprints and DNA profile by placing the burden on the youth to request this information be expunged (previously automatic), and extending the mandatory time period from two to five years.

Traditionally, collecting such information from juvenile offenders ran counter to the mission of the juvenile court and its stated goals.



### Registries

Like DNA specimens, fingerprints, and mug shots, offender registries are designed to advance public safety. Arguably, they do so by collecting, compiling, and retaining information about individual offenders that may assist law enforcement as they investigate crimes, inform the court's sentencing dispositions, and aid in decisions about community-based monitoring and supervision (Torbet and Szymanski 1997; BJA 2007) .

During the study period, more than three-quarters of the states considered measures to establish registries for juveniles adjudicated for violent or sex offenses, or guidelines for the management of existing registries. Measures in roughly half of these states (N=24) were enacted. To repeat a common theme, the provisions of these bills varied considerably. Some simply convened a task force to recommend options for establishing such a registry, while other states established entities to manage these databases (see Delaware SB90, passed in 2007). Most measures addressed registry requirements like age and qualifying offenses. Others specified terms for access and use (i.e., who could access the information, under what circumstance, and for what purposes). Some states may require offenders as young as 14 to register if adjudicated for a qualifying offense (examples include Virginia HB2318, enacted in 2005; Louisiana HB970 in 2007), but leave this decision (i.e., who must register and under what circumstances) up to the discretion of the juvenile court judge (likewise see Virginia HB2318).

It is worth noting that approximately 23 states proposed multiple offender registry laws, including restrictions and requirements, over the three-year period of this analysis. The prevalence of such measures across states and years suggests that lawmakers are deeply concerned about the management and monitoring of such young offenders, and the public safety implications for doing so.

### Records and Information Exchange

More and more, it appears that states are legislating the terms under which information about juveniles adjudicated delinquent may be shared between schools, mental health treatment providers, substance abuse services, and other justice system entities. Typically, these measures seek to accomplish one of several, if not multiple, objectives:

- To promote information sharing between the juvenile justice system and other youth serving systems, such as mental health, child welfare, and schools, for the primary purpose of enhanced service delivery to youthful offenders (i.e., information exchange to inform, strengthen, and monitor service delivery and utilization).
- To facilitate information exchange between juvenile and criminal justice agencies leading to increased public safety through enhanced monitoring and investigation.
- To enhance school safety by informing principals and other school officials of students currently involved in the juvenile justice system (offense, legal status, etc.).

- To increase the transparency of juvenile justice proceedings and promote confidence in the juvenile court by increasing public access to juvenile records and juvenile court proceedings.

Although not exhaustive or comprehensive, the following illustrates the diversity of issues around which states have legislated information-sharing policies, and the variation of the provisions enacted. They include:

- Schools. As of 2006, Tennessee (HB665) juvenile courts must notify schools about students who are felony offenders or who are undergoing mental health treatment, while Texas (SB230) probation officers are required to notify school officials when a youth is arrested, referred to juvenile court, or adjudicated (NCSL 2008).
- Social services agencies, including mental health and substance abuse treatment providers. Virginia (HB2661) authorizes juvenile court staff to provide information about juvenile probationers for treatment admission, while (HB2631) allows designated school officials to share scholastic information with the juvenile justice system for the purposes of effectively serving the youth while in custody (NCSL 2008) Utah (HB197) authorizes the Public Health Department to access juvenile records for licensing and certification purposes; and Montana (SB119-2006) authorizes information sharing among short-term detention facilities, youth assessment centers, and juvenile court when a youth is placed in detention.
- Criminal justice agencies. Arizona measure SB1130 (2006)) gives the Department of Corrections access to sealed juvenile records (competency) for specific assessment and monitoring purposes, and Texas (HB1960) permits various juvenile and criminal justice agencies, as well as the youth's parents to access and copy the juvenile's record (NCSL 2008). In recent years, Virginia (HB847/SB561), Michigan, and Kansas (HB 2073 in 2007) passed measures that allow criminal justice agencies to review juvenile records for research purposes; permit or require the records of juvenile felons to be entered and retained in state criminal justice repositories; or grant; or provide schools and law enforcement access, by court order, to specific juvenile records; Michigan (HB5276-2006).
- Victims. In 2006, Oklahoma (SB390) added victims to the list of individuals authorized to access a juvenile's records (NCSL 2008), and Connecticut (HB6579) opened juvenile proceedings to victims unless "good cause is shown" (NJCD 2005:66).

Sensitive to this growing trend, OJJDP recently released its review of state legislation governing the confidentiality of juvenile justice records and data (<http://dept.fvtc.edu/ojjdp/states.htm> Current through 2008). This review offers a list of model states with legislation addressing interagency information sharing, and specifies minimum standards for policies governing the exchange of information.

### Sealing and Expunging Records

Bills addressing the conditions under which juvenile records shall be retained, expunged, or sealed seemed to reflect a renewed concern for keeping those records confidential. In 2007, Arkansas (HB2248) enhanced confidentiality by expanding the list of protected materials to include “correspondence, memos, case history records, and other materials that identify the juvenile” and made unlawful disclosure of such information a Class C felony (NJDC 2008: 27). Illinois (HB615) “strengthened [its] current juvenile records confidentiality laws by limiting the ability to subpoena juvenile records to a juvenile court judge” (NCSL 2008), and New York (SB3092) prohibited disclosure of sealed criminal history information about juvenile arrests that did not result in conviction (NCSL 2008). Kansas (HB2074) limited fingerprinting and photographing of juveniles taken into custody to those charged with felony offenses (NCSL 2008). Vermont (S0194) — limited to children adjudicated delinquent on or after July 1, 2004—permitted all files and records to be sealed two years after a juvenile’s final discharge absent any subsequent felony or misdemeanor convictions during that period; the state also established a committee to study and suggest changes in this area.

Passage of HB5215 in 2005 expanded the provisions of Connecticut’s Youthful Offender status; the bill’s provisions addressed the expungement of records at age 21 (even if a youth’s case is under adult court), and allowed some 16- and 17-years olds to be retained in juvenile court, instead of adult court, as required under law at that time (2005). That same year, Tennessee mandated expungement of juvenile records for youth reaching age 21 without any subsequent offenses (Schmid 2005:5). In 2007, Delaware, provided for the automatic expungement of under-age drinking offenses upon an offender’s 21<sup>st</sup> birthday (SB79-2006).

In contrast, Kansas (HB2128) expanded the number of offenses that may not be expunged, however, most pertained to sex offenses.

Overall, the protective nature of records legislation in 2006 and 2007 was a marked contrast from 2005, which one source characterized as “simply allowing for record sharing among state agencies and authorities ... few measures focused on protecting the privacy of juveniles” (NJDC, 2005: 4)

### **Treatment and Rehabilitation**

Increased awareness of and growing empirical evidence about the use of drugs and alcohol and mental health needs of young offenders have propelled treatment to the forefront of juvenile justice (Grisso 2006). During the study period, states appropriated funding for substance abuse and mental health treatment and services (AK, CO, ID, MA, NE, TN), specialized courts (ID, TN), and pilot programs to increase capacity for community-based treatment and services (IL-SB1145; MD-SB882). These bills mandated a wide range of treatment-related practices, including screening, assessment, individualized treatment plans, treatment services, counseling, the use of evidence-based treatment and programming, and multidisciplinary service teams. Much of the legislation enacted in 2007, in particular, focused on the treatment needs of juvenile justice-involved youth.

Among the most innovative provisions were those mandating evidence-based practices, including screening and assessment, integrated treatment approaches, and multi-disciplinary teams. In 2007, Colorado (HB1057) legislation, for example, called for a system of care and services for juveniles with mental health needs. The year before, Colorado (SB06-122) increased funding state-wide for substance abuse treatment based on data indicating that between 60 and 80 percent of juvenile justice-involved youth required some level of treatment (NJDC 2006: 205). Also, in 2006, Massachusetts (HB5097) directed its Commissioner of Public Health to fund a “comprehensive and accessible continuum of substance abuse treatment and prevention programming (NCJD 2007:102). West Virginia (SB517-2006) mandated multidisciplinary teams at juvenile diagnostic centers as part of initial assessment at facilities where juveniles adjudicated delinquent are in custody, and Hawaii (SB3207 in 2006) called for the development of “community-based programs to encourage positive youth outcomes” (NJDC 2007:41).

Other notable treatment measures passed in 2007: California (SB81) established the Youthful Offender Block Grant to build county capacity to provide “appropriate rehabilitative and supervision services to youthful offenders” (NJDC 2009:11); Idaho (SB1142) authorizes judges to request assessment and order substance abuse treatment; Indiana (SB108) requires counseling for certain offenses; North Dakota (SB2357) mandates drug and alcohol education programs for youth under 21 charged with an alcohol violation; Oregon (HB2149) authorizes courts to mandate assessment and treatment for alcohol use; and Tennessee (HB1871) provided juvenile courts with the authority to “develop and operate drug treatment programs” (NCSL 2008).

Among the range of treatment measures passed in 2006: Idaho (SB1460) allocated funds for tobacco and drug prevention education for status offenders and after-school programming for high-risk youth. Illinois (SB1145) established pilot community-based detention alternatives; Utah (SB0167) allowed for diversion as a dispositional option for some offenders; Washington (HB1483) established goals and objectives for early intervention and services to juvenile justice-involved youth under the Reinvesting in Youth Program; and, Oklahoma (HB2999) identified the Office of Juvenile Affairs as the coordinating and oversight agency for services to juvenile delinquents (alleged and adjudicated) and defined the range of “core community-based” services to be provided to juveniles as the continuum of screening, evaluation, assessment, treatment planning, and case management (NJDC 2007:110).

Mental health treatment measures were equally diverse although one theme emerged: states are willing to fund mental health treatment and services. Under SB1455 in 2006, Idaho allocated \$700,000 for services to juvenile offenders diagnosed with mental illness, and SB1389 called for a comprehensive mental health center to provide intensive support services and transitional housing for juveniles (and adults) with mental illness or addiction disorders. Also in 2006, Alaska appropriated \$600,000 for juvenile mental health services. On a slightly different note, Colorado (SB6005) mandated insurance plans to pay for “medically necessary mental health services” court ordered as a result of the youth’s contact with the criminal or juvenile justice systems (NJDC 2007).

### Aftercare and Reentry

Aftercare and reentry is an important factor in the equation for successful rehabilitation, and some states are crafting aftercare and reentry policies. Again, however, close inspection reveals substantial variation in the content and scope of the measures enacted.

In 2005, only two states passed bills categorized as aftercare and reentry measures: Texas (HB 1575) merely mandated that a youth who moves from the county in which he or she is adjudicated continue to receive “meaningful supervision;” while Virginia (HB2245) mandated specific youth-serving systems (i.e., juvenile justice, mental health, and substance abuse) to establish procedures for the delivery of “therapeutic services” to juveniles returning to the community from placement (NJDC 2005:1). Unsuccessful measures generally called for assessment and construction of individual service plans to address needs identified through assessment (CA SB795), although some legislation simply endorsed alternative placements as appropriate (OK 1831). These measures were not passed.

Aftercare and reentry initiatives, among the seven states that passed measures in 2006, had equally disparate provisions. Arizona (HB2819), for example, set upper case load limits at 35 for juvenile probation officers in the field. California AB2216 established a working group to examine life skills training (self-sufficiency) for foster care youth also involved in the juvenile justice system, while Senate Bill 1469 authorized information sharing between county welfare agencies and the Department of Corrections Division of Juvenile Facilities to establish a youth’s Medi-Cal eligibility. Colorado passed two measures, one allowing for early discharge from parole if the juvenile meets five conditions; the second measure authorizes the use of electronic monitoring as a condition of intensive supervision or as a term of pre-adjudicatory release (HB06-1063). Under HB57812, Connecticut legislators established the Criminal Justice Advisory Commission to recommend measures that would promote a more “effective and cohesive juvenile justice system” (NJDC 2006: 155). Indiana’s legislature established a juvenile reentry court under Senate Bill 84, and Mississippi’s Juvenile Delinquency Act of 2006 included provisions for transition planning and the provision of community-based services for all youth leaving detention facilities (HB199).

### **System Innovation and Reform**

We would be remiss not to highlight the handful of states engaged in wide-scale reforms. Mississippi’s Juvenile Delinquency Prevention Act of 2006 represents a major reform, containing a number of due process provisions relating to the quality of counsel, standards for training, transition planning, and mandates for basic educational services. Kansas (SB261; HB2352) amended its Juvenile Justice Code around several issues, including restitution, statute of limitations, access to juvenile records, fingerprinting, competency, risk assessment, and restrictions and penalties related to juvenile sex offenders (NJDC 2006: 252). South Carolina (S601) established funds for victim compensation, indeterminate sentencing for youth who plead guilty or no contest, a range of community-based supervision options, and several other provisions affecting the administration of services (NJDC 2006: 346).

Notably, California passed a Youth Bill of Rights (SB 519) for children confined to the Division of Juvenile Facilities; provisions stipulate that presentation of the “Bill of Rights” must be age and developmentally-appropriate. The bill also contains a number of due process provisions

addressing the right to counsel, right to attend hearings, right to education, and specifications about the waiver of those rights (NCSL 2008; NJDC 2008).

### Juvenile Justice Task Forces and Advisory Groups

Finally, we would be remiss not to mention the numerous taskforces, study groups, and advisory councils established by state lawmakers each year to examine pressing juvenile justice issues and make recommendations for future action. Looking at the entities established and the issues they were convened to study (e.g., examining their charge, mission, etc.) provides clues about emerging issues that may lead to future legislation, new policies or changes in current practice – or, at the very least, points to issues of concern locally.

Among the entities convened and actions taken by lawmakers to address potential critical need and issues in 2007: California (AB 1381) established the Office of Gang and Youth Violence Policy to coordinate and assist with strategies to prevent violence and gang involvement; Illinois (HB521) authorized the Office of the State’s Attorney to establish a Juvenile Justice Resource Center to study and implement model systems for adjudication in which incarceration or imposition of adult sentence is an option; Pennsylvania (SB117) established a Juvenile Court Judges Commission and specified its powers; Texas (HB2291) commissioned a study of victim-offender mediation programs to assess specific outcomes; and Washington (5987) “directed” key state law enforcement associations to convene a working group to evaluate the state’s gang problem, create a gang database, and to make recommendations about additional laws to combat gangs.

In 2006: Florida (HB21) established a Council on the Social Status of Black Men and Boys to study “the conditions affecting black men and boys, including arrest and incarceration rates,” pursuant to a “legislative funding” about the disproportionate number of minorities in custody (NJDC 2006: 38); Connecticut (HB5781) authorized the Criminal Justice Policy Advisory Commission to work with Labor and Social Services to address employment and entitlement programs for youth reentering the community; Hawaii (196-06) commissioned a feasibility study of group homes, and multi-disciplinary screening and assessment; Arizona (SB1328) established a legislative committee to review and assess policies (e.g., prosecution, monitoring, treatment, housing) relating to juvenile sex offenders; Colorado (HB06-1353) created a task force on standards around competency evaluations for juvenile justice cases; and Georgia (SR161) commissioned the Juvenile Code Rewrite Study committee to refine and amend the existing juvenile code.

### **Summary**

Looking across the range of measures enacted between calendar years 2005 and 2007 suggests states are moving toward more progressive reforms and away from the punitive “get tough” responses that dominated juvenile justice policy in the previous decade (Snyder and Sickmund, 2006). Notable shifts include restoring the jurisdiction of the juvenile court; instituting more strident confidentiality measures to protect young offenders; a growing focus on the treatment needs of juvenile justice-involved youth who use drugs and alcohol, or who are mentally ill; and an emphasis on research-based programming and services that, together, build a continuum of care for at-risk, as well as delinquent youth. Several states appear to be headed in the direction of adopting more strength-based, not just risk-oriented, approaches to remediate the unique

circumstances of the individual youth served by the juvenile justice system. Arguably, these shifts suggest a return to the founding tenets of the juvenile court: rehabilitation through individualized interventions focused on the unique circumstances of the youth (Butts and Mitchell 2001; Bernard 2006; Snyder and Sickmund 2006).

Although transfer continues to enjoy support among policymakers, as evidenced by the number of measures introduced, recent measures primarily target particularly egregious crimes that may well fall outside the realm of the juvenile court. This observation, coupled with the trend toward expanding the jurisdiction of the juvenile court suggests that policymakers and legislators are working to strike a proper balance in sentencing and handling of delinquent youth – it suggests that legislators are willing to return delinquency matters to juvenile court, and reserve transfer to adult court for the most egregious cases.

Overall, these trends in legislation generally address many of the critical needs identified by APO survey respondents in Chapter 3, including practitioner recommendations for increased coordination with other youth-serving systems and a continuum of evidence-based treatment and programming options, including prevention, for the wide range of juveniles served by the system.

## **INVENTORY OF STATE JUVENILE JUSTICE POLICIES**

In addition to identifying general trends in recent legislation, project researchers also reviewed existing laws specific to the 17 policies and practices highlighted in the practitioner survey. Many of the same sources consulted for the analysis of state legislative activity were likewise reviewed for this task (e.g., NCJJ, NJDC, NCSL, ABA, OJJDP), as well as some state agency websites (e.g., Administrative Offices of the Courts, Departments of Juvenile Justice). State and local legislation, statutes, and programmatic materials also were consulted.

Several challenges confronted construction of this matrix. Certain issues were very broad and represented a practice or approach that may or may not be formally legislated. Coordination of juvenile justice and social services is just one example. Although policies existed in some states, it was difficult to identify legislation specific to the issue of coordination of juvenile justice and social services. Around such issues, it was often easier to identify specific practices, rather than formally legislated policies. Restorative justice principles, for example, may be incorporated in a state's juvenile justice code, but not referred to specifically by name; also legislation governing the implementation or application of specific principles is not likely to exist. Lastly, some policies and practices are not crafted at the state level, but are set by county, municipal, or city government.

### **50-State Matrix**

Policies and practices currently “on the books” in each of the states, regardless of when enacted, were identified and catalogued in a 50-state matrix. An “X” in the matrix signifies that a state had a certain policy or practice in place at the time of our review. Here, it is important to note the matrix captures policy activity in the states beyond (i.e., before) the years specified for the analysis of legislative activity discussed in the previous section of this report.

We refer to the 50-state matrix presented in Figure 3, both to gauge the states' juvenile justice policy orientation (punitive, progressive, or a balance) and the relative prevalence of the policies and practices highlighted by the APO practitioner survey. Several patterns stand out. We next examine these patterns, explore possible reasons for these patterns, and discuss plausible interpretations.

First, some policies and practices are relatively ubiquitous, while others have not been widely legislated at the state-level. Not surprisingly, virtually every state has laws on the books governing juvenile transfer, the confidentiality of juvenile court proceedings (i.e., open, open with restrictions, or closed), parental accountability laws, and victim participation in juvenile proceedings; and slightly more than half the states (28) have laws targeting gangs for special prosecution. Because matters of sentencing and punishment involve issues of due process and the rule of law, they will, by virtue of that fact alone, be legislated. In contrast, just eight states have laws on the books regarding mental health, substance abuse, or sex offender treatment, the use of risk and needs assessment tools; or community-based alternatives to detention. One plausible explanation: treatment and programming have not been legislated as a matter of practice. The review of recent legislation, however, suggests that lawmakers may be moving toward writing provisions for treatment and interagency coordination into law.

While the matrix provides a quick visual on the prevalence of these measures, it also invites very general state-by-state comparisons. The assertion earlier in this chapter that some states are more active legislatively is confirmed here. Alabama, Alaska, Arkansas, Arizona, California, Colorado, Florida, Idaho, Illinois, and Washington have laws pertaining to 10 or more of the 17 policies listed. New Hampshire, arguably, has the least developed policy agenda, as evidenced by legislation in just three policy areas.

With respect to what the matrix reveals about the policy orientation of the states, additional explanation is required. The matrix is limited in several respects. First, it merely indicates if a state has a law in place for a specific policy issue; it does not provide any information on the provisions of the policy itself, a key ingredient for determining whether a policy is primarily punitive or progressive. It does not, in its present form, lend itself to interpretation beyond observations about prevalence. Second, the matrix catalogues only laws or statutes, and is likely to undercount implementation of these policies and practices at the local (county) level. It does so because laws can be systematically identified and because formal legislation connotes importance (priority). That said, we acknowledge the need to look for other policy indicators. Whether youth-serving systems have articulated a commitment to implement evidence-based practices or adopted specific treatment standards may also constitute valid indicators of a state's demeanor toward juvenile justice policy.

Finally, we offer the following insights around selected policies listed on the matrix.

**Juvenile Curfew Laws.** Juvenile curfew laws typically are not legislated as a matter of state law. They are usually municipal ordinances enacted by a city, county, or some such local jurisdiction. Project researchers relied heavily on a 1997 survey of juvenile curfew ordinances to identify which municipalities have juvenile curfew laws on the books. An "X" in the Juvenile Curfew column denotes that at least one jurisdiction, typically more, in the state has a juvenile







curfew law on the books (in some instances, it is a county; usually, it is specific to cities). The matrix suggests that juvenile curfew laws are relatively common—jurisdictions in at least 14 states had curfew laws on the books.

According to a 1997 survey of 387 cities by the U.S. Conference of Mayors, 7 out of every 10 respondents reported having juvenile curfew laws in their jurisdictions (U.S. Conference of Mayors, 1997); this figure supports earlier findings by Ruefle and Reynolds (1996) indicating that 75 percent of 200 American cities had juvenile curfews. Juvenile curfew laws vary by jurisdiction according to age and time restrictions, enforcement, and legal ramifications for noncompliance, however some trends have been identified (Hemmens and Bennett, 1999; Adams, 2003). Most take the form of municipal ordinances forbidding those 15 to 17 years old and younger from being on the streets between late evening and early morning hours. As such, violations of these laws are classified as status offenses, and may trigger parent-child counseling to a misdemeanor offense. Most curfews contain exceptions for children accompanied by an adult or traveling to an approved activity (Steinhart, 1996).

Proponents of curfew laws believe that keeping juveniles off the streets will not only prevent juvenile crime, but will also prevent juvenile victimization. Research conducted by Ruefle and Reynolds (1996) credited juvenile curfews with restoring order in lower-crime neighborhoods, while Adams (2007) suggests curfews are ineffective. In addition, many support juvenile curfews because of the added authority they provide to rules and curfews created by parents. However, others invoke the Ninth Amendment, arguing that juvenile curfews infringe upon parents' basic rights to raise their children. Some also believe that the implementation of such curfews may enable discrimination based on race, and class, and unnecessarily introduce large numbers of youth to the criminal justice system (Budd 2007). Juvenile curfew laws are one of the least empirically-based, yet widely-implemented policies across the country. They are primarily punitive in nature.

**Transfer to Adult/Criminal Court.** Transfer to adult/criminal court may take place through a variety of mechanisms. Typically, the mechanism used is termed “judicial transfer,” wherein a prosecutor petitions to change the jurisdiction of a case from juvenile to adult court. Today, many more mechanisms exist, all of which vary depending on whether they focus on the age, offenses seriousness, original court of jurisdiction, or some combination of these factors. Some states include “amenability to treatment” among the criteria for transfer. In addition to judicial transfer, two other broad categories of transfer laws exist. Prosecutorial transfer laws give prosecutors the ability to determine independently whether they file a case in juvenile or adult court. In such cases, this arrangement, referred to as “concurrent jurisdiction,” imposes age and offense criteria on prosecutorial decision making. Legislative transfer refers to laws that remove certain cases from juvenile court jurisdiction; here, again, such laws are limited by age and offense criteria. As of 2004, 15 states had concurrent jurisdiction provisions, and 29 had statutory exclusion provisions (Sickmund and Snyder 2006: 113). Ultimately, the variation in the types of transfer laws and mechanisms, when coupled with limited data on when and how each is used, makes it difficult to quantify the impact of these laws. To date, studies do not support the notion that transfer laws have a specific deterrent effect—that is, such laws do not appear to exert a greater effect on recidivism than would occur as a result of juvenile court processing (Mears 2003; Kupchik 2006). Transfer provisions are primarily punitive in nature.

**Parental Accountability Laws.** Virtually every state has parental accountability laws, although the provisions of these laws vary as to whether the laws are civil, criminal, or a combination of both. These laws are statutory crimes with no precedent in common laws; as such, they have broad definitions and are applied differently. Many states have been challenged on the constitutionality of these laws with courts overturning legislation as unconstitutional. Presently, all states, but one, have tort or civil laws that apply to parental accountability; seven states have both criminal and civil laws. All states, except New Hampshire and New York, have tort provisions that hold parents civilly accountable for youth crime (NCJJ 2006). Parental accountability laws are primarily punitive

**Victim Participation in Juvenile Court Proceedings.** Victim participation in court proceedings also varies widely. Most states (31) had no legislation encouraging victim participation in juvenile court cases. Other states (13) allow victims to participate, but restricts them in some fashion—i.e., they are only able to participate in certain types of cases (usually the most violent); they can submit impact statements, but not in person or through a third party, or they are only able to attend certain hearings throughout the case. Some states extended all the same rights enjoyed by victims of adult crimes to victims of juvenile offenders, including the right to attend and participate in all aspects of the case.

**Confidentiality of Juvenile Court Proceedings.** Like laws governing victim participation, some states laws around juvenile court proceedings are more open, or closed, than others. According to Sickmund and Snyder (2006), 14 states have laws that “generally open” delinquency proceedings, 21 states are “open with restrictions,” and one state (OH) is not presumed open or is closed. Fifteen states are “generally closed.” States where proceedings are closed to the public would generally be considered to be protective, not punitive in orientation.

**Specialized courts.** An X indicates that the state has legislation establishing at least one of the following specialized courts: teen court, juvenile drug court, truancy courts, or mental health courts; the legislation represents a threshold of support that is different from a county starting a specialized court on its own initiative). Legislation establishing a juvenile reentry court resulted in an X in the Aftercare/Reentry column. Specialized courts are generally viewed as a progressive measure that supports rehabilitation.

## Summary

In general terms, broad policy areas that run counter to the traditional mission of juvenile justice, such as juvenile curfew, parental accountability laws, reduced confidentiality of juvenile court proceedings, and transfer to adult criminal court, serve as indicators of punitiveness. A quick glance at the matrix indicates more states have punitive measures on the books than progressive measures like specialized courts. This suggests that, overall, the policy landscape remains oriented toward punitive measures. Of course, it bears mentioning that this analysis and inventory of “laws on the books” are not meant to be exhaustive or definitive, but rather illustrative of the range of policies in place, and the variation in those measures. Both have repercussions for individual juveniles, as well as the system.

## IMPLICATIONS FOR POLICY AND PRACTICE

This analysis of legislative activity among the states and inventory of laws on the books lends itself to several observations, each of which has implications for juvenile justice policy and practice, including

- Observation 1. The amount of variation observed in the measures proposed and enacted during the study period raises questions about how unified or coherent state-level juvenile justice policies are in general; furthermore, it is not clear whether states track legislation, if lawmakers know the contents of their states' respective portfolio of juvenile justice policies, or the extent to which the measures enacted advance stated goals (i.e., as articulated in the purpose clause of the system).
- Observation 2. Attempts to identify trends in policy reform are complicated by the variation in composition of the provisions enacted. The amount of variation in policy and practice is considerable, and hampers definitive comparison and evaluation.
- Observation 3. It is unclear why so many proposed measures did not pass, what this may signify about the policies proposed, and the larger policy context. Likewise, it is hard to know what factors contribute to why any state legislates juvenile policy – what is the driving factor? Who is proposing the legislation, and why?
- Observation 4. Policy trends, though important to note, do not address the issue of effectiveness. Presumably, policies are adopted or legislated because they are thought to produce an intended effect. The effectiveness – i.e., the ability to produce the desired outcome – of some of the most popular juvenile justice policies implemented have yet to be adequately evaluated. The cumulative effect of implementing so many untested approaches should concern policymakers, practitioners, and researchers, alike.
- Observation 5. Little is known about the degree to which laws are implemented as designed, or the extent to which these policies are enforced. Although we can identify the state statutes governing various juvenile justice policies, there is little information about how these laws are being implemented on the ground. A law or policy must be implemented to have an effect; measures must be carried out as designed to achieve desired outcomes.
- Observation 6. While there is a trend among many states that seemingly reaffirms the necessity and relevance of the juvenile justice system, the measures are mixed and, therefore, likely reflect the tension inherent in balancing rehabilitation, due process, and public safety objectives. In short, it is hard to say with any real certainty whether juvenile justice is returning to its original mission or correcting imbalances in policy. In either case, it would appear that many states are working to strike a balance that advances the welfare of its charges, accountability, and safety. Arguably, these goals are inextricably intertwined and only policies designed with these three objectives in mind will likely achieve sustainable gains.

- Observation 7. It bears repeating that state laws should not serve as the sole indicator of a state's orientation toward policy and practice. Because matters of sentencing and punishment involve issues of due process and the rule of law, they will, by virtue of that fact alone, be legislated and, therefore, easier to systematically identify. We acknowledge that researchers need to look for other policy indicators. Whether youth-serving systems have articulated a commitment to implement evidence-based practices or adopted specific treatment standards may also constitute valid indicators of a state's demeanor toward juvenile justice policy.

## 5 Conclusions and Recommendations

The primary objective of the APO study was to provide policymakers, administrators, and practitioners with information about how to improve the operations and effectiveness of the juvenile justice system. This report, therefore, concludes with a summary of key findings and then offers several recommendations.

### CONCLUSIONS

Survey findings suggest a great deal of consensus among juvenile justice professionals from across the justice spectrum, and with arguably differing agendas, with respect to “what works,” what doesn’t, and critical needs facing the juvenile justice system.

Generally, and overwhelmingly, practitioners identified treatment (mental health, sex offender, and substance abuse), reentry services and planning, and coordination of juvenile justice wraparound services as the most effective in promoting the fundamental goals of the juvenile justice system: offender rehabilitation, accountability, and public safety. Measures precluding these goals, or which emphasized the latter two goals over the welfare of young offenders, generally garnered little support from survey respondents. These included reduced confidentiality, transfer, setting time limits on delinquency proceedings, specialized prosecution of gang-involved youth, and parental accountability laws.

Interestingly, our cursory review of recent juvenile justice legislation suggests states are gravitating away from such punitive measures and toward those supporting rehabilitation (transfer, of course, being the exception). As notes in Chapter 4, funding for mental health and substance abuse treatment and community-based programs, as well as mandates for evidence-based approaches figured prominently on state legislative agendas between 2005 and 2007, as did measures that seemed to more fully acknowledge the developmental differences of young offenders. The wealth of measures enacted by state lawmakers suggests juvenile justice policy issues enjoy a reasonable amount of support among policymakers and arguably the public, despite practitioner concerns to the contrary.

As highlighted in Chapter 3, practitioners across all four groups identified many top priorities in their jurisdictions, but the need for alternatives to secure detention including more community-based alternatives, policymakers support for rehabilitation, and developmentally appropriate services topped the list as critical needs facing the juvenile justice system. And, along these lines, practitioners noted a decided gap between issues that should be a priority in their jurisdictions and those issues they perceive as in fact being a priority. Although notable gaps were identified for all 13 issues in the practitioner survey, the greatest “ought-is” gaps were for rehabilitation of young offenders, system capacity to measure performance and evaluate programs, and gender responsive services for young offenders.

Not surprisingly, practitioner recommendations for improving the juvenile justice system largely focused on addressing those critical needs. Reflecting practitioner perceptions about effective practice, as reported earlier, most practitioners called for adequate funding, a collaborative approach to administering juvenile justice, development of evidence-based practices and

programming, and a more balanced approach to juvenile justice that includes prevention as well as intervention.

## **RECOMMENDATIONS**

**1. Inventory State Juvenile Justice Legislation.** States should consider creating an inventory to track legislative changes to their juvenile codes, as well as other laws enacted that may affect the operations and achievement of juvenile justice goals. Given the striking amount of juvenile justice legislation crafted and enacted in recent years, there is a high probability that states are passing laws with contradictory provisions or conflicting mandates. Adopting a basic matrix approach to catalogue the various legislation proposed and enacted each year, and to document the crucial components of those laws would afford policymakers, practitioners, and the public with a quick reference for determining the number of like-minded laws already in place (reduce potential duplication), as well as identify issue areas requiring additional development. Such a tool would also offer an objective measure of the system's overall orientation toward juvenile justice policy (are the juvenile justice laws in place primarily punitive, rehabilitative, or is a relatively balanced set of policies in place conducive to accomplishing the diverse and sometimes conflicting objectives of the juvenile justice system?).

**2. Systematically Analyze Juvenile Justice Policies.** The variation in state laws and statutes, such as juvenile transfer, highlight the need for systematic analysis of state-level juvenile justice policies and the key provisions of those policies. Organizations like the National Juvenile Defender Center, Juvenile Law Center, the Center for Policy Alternatives, and the National Center on Juvenile Justice have made great strides in documenting and cataloguing legislative activity across the states. Systematic analysis of these policies will provide a platform for appropriate comparison of intended and actual outcomes, and thus, more accurate measurement of policy effectiveness.

**3. Focus on Juvenile Justice Administration Across the States.** A fourth recommendation is to conduct a more extensive examination of the strategies, structures, and policy context in which juvenile justice is administered across and within the 50 states and the District of Columbia. It bears mentioning here that juvenile justice is not administered in a unified, standardized manner across the United States, but rather in 51 different systems with their own unique history, laws, and policies (Schwartz 2000; King 2006). Documenting the differences in how juvenile justice is administered and the extent to which policies are implemented not only underscores how vastly different the landscape of juvenile justice is across the US, but is essential to foster innovation and improvement. States are the laboratories for innovation. Many states, in response to local constraints (fiscal, policy), have adopted innovative and positive approaches to juvenile justice, but there isn't a uniform or widely-acknowledged mechanism for disseminating such information or a single forum for practitioners to discuss what's working and why. Juvenile justice professionals want to know both what works and how other jurisdictions are handling issues that they may be struggling to negotiate. A more systematic focus (by researchers and study sponsors) on how juvenile justice is administered with an eye toward documenting and disseminating state and local innovations would likely benefit the larger field.



#### **4. Evaluate Implementation, Compliance, and Impact of Juvenile Justice Policy and Practice.**

Practitioners and policymakers, alike, long to know “what works.” A final recommendation, therefore, is to evaluate the impact of legislated policies and practices at the local level. Do these practices and policies lead to intended outcomes, such as increased public safety, reduced crime and recidivism, or more pro-social youth behavior? While these questions are reasonable, in and of themselves, the first question to address, is whether these policies are being implemented as intended. A companion question, of course, which this study seeks to answer, is whether these measures enjoy practitioner support. If practitioners view the measures as unnecessary or ill-suited to their daily experience of juvenile justice administration, there is a good chance the measures will not be implemented, or may not be implemented as designed. An important first step, therefore, in evaluating the effectiveness of a practice or policy is to determine the degree to which it has been implemented, and the manner in which it has been implemented. Evaluation may proceed after these have been determined.

In summary, numerous issues are legislated annually and the provisions of those measures vary, as do their directives. Some laws are permissive, others contain mandates. In reality, we know very little about: the manner in which practitioners stay abreast of legislative changes in policy and practice, which of course affects implementation; the length of time it takes to fully implement new laws; and the extent to which new measures are actually implemented. Little is known, for example, about how states implement or enforce DNA collection from juveniles, or whether practitioners generally support this policy. In turn, some laws and policies are designed to affect multiple and, in some instances, conflicting objectives. All these factors affect the extent to which a policy or practice may achieve its stated outcomes.

**5. Solicit Regular Practitioner Input.** Perhaps the key recommendation is that juvenile justice practitioners should be consulted on a regular basis as a source of information for evaluating prominent juvenile justice reforms. Juvenile justice practitioners—including probation officers, public defenders, prosecutors, judges, and court administrators—constitute a crucial source of information about the implementation and impacts of juvenile justice reforms. Yet, on a national basis, there is no single, up-to-date directory for identifying and contacting these individuals. As a result, there is no simple way to tap into this important source of information. The current study represents one attempt to create such a directory for the counties encompassing the nation’s most metropolitan areas, but the challenges were considerable and disproportionate across groups (meaning the “voice” of some groups were less likely to be heard; the implications are that the views of the most vocal or best represented groups may dominate the debate). A critical way to monitor and assess the implementation and impact of key juvenile justice reforms, especially those that are implemented nationally, would be to create a county-specific list of juvenile court practitioners, one that is updated annually, that in turn can be used to conduct paper-and-pencil or online surveys about the reforms.

With the last proposition in mind, we offer policymakers the following practitioner-generated recommendations. We do so with the hope that this list, drawn from the insights of knowledgeable “insiders,” will facilitate greater practitioner participation in the policy debate as well as provide direction for future discussions.

- Focus on treatment and rehabilitation, in addition to appropriate punishment. On the whole, practitioners consistently identified issues of treatment and rehabilitation as critical and effective elements of the juvenile justice system. Treatment approaches targeting the specific needs of young offenders, including mental health and substance abuse treatment, and specialized approaches such as restorative justice and specialized courts were consistently ranked by practitioners as effective on a number of key measures. Likewise, developmentally appropriate services and alternatives to secure detention were identified as critical needs facing the juvenile justice system. The growing body of empirical evidence regarding the efficacy of these approaches should also be consulted to ensure the most promising practices are implemented (resources include OJJDP's Model Programs Guide available online at <http://www2.dsgonline.com/mpg/>; Blueprints for Violence Prevention: <http://www.colorado.edu/cspv/blueprints/>; and the Macarthur Foundation's Models for Change initiative <http://www.modelsforchange.net/index.html> and Research Networks for Adolescent Development and Juvenile Justice at <http://www.adjj.org>).
- Provide adequate resources to implement appropriate treatment and programming. Another top practitioner recommendation for improving the juvenile justice system was the provision of increased and consistent funding to properly equip staff and to deliver a range of appropriate treatment and programming to young offenders. Practitioners lamented the lack consistent funding with which to train, compensate, and retain talented staff, and to provide a range of interventions and treatment that address the unique needs in their respective jurisdictions.
- Administer juvenile justice in a collaborative manner. Practitioners consistently called for a more collaborative, cross-system approach to further the rehabilitation of young offenders. Essential elements identified by practitioners included developing a shared vision of the purpose and objectives of the juvenile justice system and coordinated strategies for reform; and involving not just other youth-serving systems in this dialogue but also family members.
- Use a range of sanctions to provide meaningful and effective consequences. Another consistent recommendation offered by practitioners was the use of graduated sanctions and programming that reflect a balanced and restorative approach. Calls to strengthen juvenile probation services and aftercare options were also common among practitioners.
- Develop policies and practices based on evidence and practitioner input. Practitioners clearly want to be more involved in the policy debate as evidenced by the enthusiastic response to this study's survey. Policymakers should consider ways to leverage the considerable insight and first hand experience of practitioners and involve these stakeholders more fully in the policy debate. Practitioners had several suggestions for accomplishing the latter such as involving practitioners in the process of reviewing and revising juvenile justice statutes and creating forums in which practitioners from across the system are offered a voice in the debate. Practitioners also reiterated the need for evidence-based policies and practices, and external evaluation of programs to determine

effectiveness. The latter was identified by survey respondents as a critical need facing the juvenile justice system.

Ultimately, the findings and recommendations of this report and the APO study highlight how little is known about juvenile justice reforms and underscore the need for additional research and evaluation at both the state and local policy levels.

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## **Appendix A: List of Potential Topics**



The Urban Institute (UI) is developing a national survey of juvenile justice practitioners with funding from the National Institute of Justice and support from the Office of Juvenile Justice and Delinquency Prevention. The goal of the survey is to provide an empirical foundation for assessing a range of the most important policy changes, issues, and needs in juvenile justice today. Since the practitioner survey must be short and to-the-point, not all topics affecting the juvenile justice system can be investigated.

We need your help! The first step in the survey development process is to identify those topics most meriting investigation. As an expert in the field of juvenile justice, you are uniquely qualified to assist us in this effort.

The following document includes an extensive list of potential topics for the practitioner survey. **Please review this list of topics and think about which items most merit investigation.** In an upcoming phone interview, we will ask you to select the 5 policy changes, 3 issues, and 3 needs that you believe are most important to the juvenile justice system today. For the items you identify, we also will ask you to specify the reasons for your selections. Possible reasons are listed below.

## **REASONS**

## **IMPACT**

**Prevalence:** How prevalent is the policy, issue, or need? .....Prevalent or Not Prevalent

**Impact on Crime:** Is it likely to affect crime? .....Increase or Decrease

**Impact on Individuals:** Is it likely to affect individuals? .....Help or Harm

**Impact on System:** Is it likely to affect system operations? .....Help or Harm

**Mission Compliance:** Is it likely to affect the original mission of JJS? .....Uphold or Undermine

**Fairness:** Is it likely to affect equitable or fair processing? .....Improve or Worsen

**Use of Resources:** Is it likely to affect effective use of resources? .....Improve or Worsen

**Please note:** You do not need to return this list to UI. Instead, we will contact you by phone to gather your views regarding the policy changes, issues, and needs that you identify as most important.

If you have questions about this study or the list of potential topics, please contact Janeen Buck at (202) 261-5746 or [jbuck@ui.urban.org](mailto:jbuck@ui.urban.org).

**RECENT POLICY CHANGES** (PLEASE CHOOSE 5)

1. Use and impact of **curfew laws**
2. Expansion and enforcement of **parental accountability laws**
3. Impact of **school policies** on juvenile justice (e.g., zero tolerance, No Child Left Behind Act)
4. **Targeting violent crimes**, drugs, and weapons offenses through enhanced penalties
5. Reduced **confidentiality** of court records and proceedings (e.g., limits on sealing of records; photographs and fingerprints; creation of offender registries and statewide data repositories)
6. Increased **information-sharing** between jurisdictions and agencies, including schools and courts
7. **Centralized intake processing**
8. Increased **victim participation** in juvenile proceedings (notification of disposition hearings and release from custody; submission of victim impact statements; services for victims)
9. Use of **restorative justice** programs and policies
10. Expansion and enforcement of **case processing standards**
11. Use of **specialized courts** (e.g., family, drug, teen courts)
12. **Unification** of juvenile and adult justice systems
13. Use of **parallel terminology** in juvenile and adult court
14. **Transfer** of juveniles to adult court
15. **Blended sentencing**
16. **Sentencing guidelines**, mandatory minimums, and graduated sanctions
17. Increased use of **risk and needs assessments** to inform juvenile justice system decisions
18. Enhanced **correctional programming**, with emphasis on treatment
19. Increased **integration of juvenile justice efforts** with social services and treatment programs
20. **Wrap-around systems of care** for meeting individualized needs of youth
21. **Family-centered treatment strategies**
23. Changing practices to meet the need for **substance abuse treatment**
24. Changing practices to meet the special needs of **sex offenders**
25. Changing practices to meet the special needs of **gang-involved youth**
26. Changing practices to meet the special needs of **dually-involved youth**
27. Changing practices to meet the special needs of **mentally ill youth**
28. **Detention alternatives**
29. **Day-reporting centers**
30. **Aftercare services and planning**

**CRITICAL ISSUES**

(PLEASE CHOOSE 3)

1. **Disproportionate minority contact**
2. **Gender-responsive programs and approaches**
3. **Culturally relevant programming and approaches**
4. **Developmentally appropriate policies and programs**
5. **Prevention, intervention, and rehabilitation services**
6. **Public support for rehabilitative measures**
7. **Public support for “get tough” measures**

**CRITICAL NEEDS**

(PLEASE CHOOSE 3)

1. **Resources for training**
2. **Professional staff certification**
3. **Quality of representation**
4. **Quality of prosecution**
5. **Financial burdens faced by counties versus states**
6. **Use of detention alternatives to reduce overcrowding**
7. **Information technology and automation issues**
8. **Better research capacity (e.g., institutionalized support for research)**

Are there **additional policy changes, emerging issues, or critical needs** relevant to the juvenile justice system that should be added to the practitioner survey?

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**Thank you for reviewing this list!**  
**We look forward to speaking with you soon!**

## **Appendix B: APO Practitioner Survey**



## **Assessing Policy Options in Juvenile Justice**

# National Survey of Juvenile Justice Professionals

Sponsored by  
The National Institute of Justice (NIJ)  
with support from the  
Office of Juvenile Justice and Delinquency Prevention (OJJDP)

The Urban Institute  
Justice Policy Center  
2100 M Street N.W.  
Washington, DC 20037





## Assessing Policy Options in Juvenile Justice

### A Practitioner Survey Conducted for the National Institute of Justice (NIJ)

Questions/Comments: Contact Janeen Buck, (202) 261-5746, [jbuck@ui.urban.org](mailto:jbuck@ui.urban.org)

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## INSTRUCTIONS

The Urban Institute (UI) is conducting this survey for the National Institute of Justice (NIJ) with the support of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the collaboration of juvenile justice researchers from Florida State University and the Chapin Hall Center for Children at the University at Chicago. It is part of the Assessing Policy Options (APO) project, a larger study designed to identify critical state-level policy changes and examine how they contribute to or detract from juvenile justice goals.

The survey should take about 15 minutes to complete. Please answer every question as best as you can. Even when you are unsure about an answer, select the one answer that comes closest to your views. Once you have completed the survey, please return it to the Urban Institute using the enclosed self-addressed envelope.

Your participation in this survey is completely confidential and voluntary. Your name will never be used in any report about this survey and nobody outside the study team will ever know how you answered a particular question. Findings from the study will combine all survey responses; individual responses will never be reported.

Thank you for participating in this important survey.

**Background Information**

How Many Years Have You Worked in the Juvenile Justice Field? \_\_\_\_\_ years

Your Current Professional Position:  
(check one box)

- ☐ Judge, magistrate, or other judicial officer
- ☐ Prosecutor, states attorney, district attorney
- ☐ Defense attorney, public defender
- ☐ Court administrator, chief probation officer
- ☐ Probation officer, court services worker
- ☐ Other (describe:\_\_\_\_\_)

How Many Years Have You Been in Your Current Professional Position? \_\_\_\_\_ years

Your Previous Professional Position(s) Within Juvenile Justice:  
(check all that apply)

- ☐ None (current position only)
- ☐ Judge, magistrate, or other judicial officer
- ☐ Prosecutor, states attorney, district attorney
- ☐ Defense attorney, public defender
- ☐ Court administrator, chief probation officer
- ☐ Probation officer, court services worker
- ☐ Other (describe:\_\_\_\_\_)

### Current Issues in Your Jurisdiction

Please indicate your views on the current issues facing the juvenile justice system in your jurisdiction. First indicate whether the issue is currently a top priority in your jurisdiction for improving juvenile justice. Then, regardless of whether it is already a top priority, indicate whether you think it should be a top priority.

	In my jurisdiction, this issue <u>is</u> a top priority for improving the juvenile justice system.					In my jurisdiction, this issue <u>should be</u> a top priority for improving the juvenile justice system.				
	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Staff development and training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender responsive services for young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Culturally relevant services for young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Developmentally appropriate services for young offenders (e.g., services geared to a youth's level of social, emotional, and intellectual development)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Resources for non-English-speaking youth and families (e.g., bilingual staff, translation services, materials in clients' primary language)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Policymaker support for rehabilitation of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public support for rehabilitation of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effective juvenile defense counsel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effective prosecution of juvenile offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alternatives to secure detention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disproportionate minority contact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information technology (e.g., access to and availability of personal computers, shared networks, automated records)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
System capacity to measure performance and/or evaluate programs and services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Policies and Practices

Please indicate your views on the following policy or practice issue in the juvenile justice system.

#### Juvenile curfew laws promote...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Parental accountability laws (e.g., punishing parents for children's behavior) promote...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Reduced confidentiality of juvenile court records and proceedings promotes...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Policies and Practices (*continued*)

**Victim participation in juvenile proceedings** (e.g., providing victims with the right to make statements in court) promotes...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Restorative justice programs and policies** (e.g., providing offenders with the opportunity to restore harm they cause or to make restitution to victims) promote...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Statutes or court rules that set time limits on delinquency proceedings in juvenile court** promote...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Policies and Practices (*continued*)

#### **Specialized courts** (e.g., juvenile drug courts, mental health courts) promote...

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>don't know</b>
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### **Transferring juveniles charged with certain offenses to criminal/adult court promotes...**

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>don't know</b>
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### **Graduated sanctions** promote...

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>don't know</b>
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Policies and Practices (*continued*)

**Using risk and needs assessment tools to assist with decision-making** promotes...

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>don't know</b>
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Coordination of juvenile justice with social services** (e.g., wrap-around programs, "systems of care") promotes...

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>don't know</b>
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Effective substance abuse treatment** promotes...

	<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>don't know</b>
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Policies and Practices (*continued*)

#### Effective sex offender treatment promotes...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Effective mental health treatment promotes...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Targeting gang-involved youth for special prosecution and enhanced penalties

promotes...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



### Policies and Practices (*continued*)

#### Community-based alternatives to secure detention for certain offenses promote...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Reentry services and planning (e.g., aftercare services and interventions) promote...

	Strongly Agree	Agree	Disagree	Strongly Disagree	don't know
Less crime in the community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less recidivism by young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate punishment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fair treatment of young offenders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Efficiency of the justice process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Traditional mission of juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



## Assessing Policy Options in Juvenile Justice

### A Practitioner Survey Conducted for the National Institute of Justice (NIJ)

Questions/Comments: Contact Janeen Buck, (202) 261-5746, [jbuck@ui.urban.org](mailto:jbuck@ui.urban.org)

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#### Demographic Information

Are You Male or Female?      ☐ Male      ☐ Female

Your Birth Year:      \_\_\_\_\_ (1950, 1965, etc.)

#### Recommendation for Improving Juvenile Justice

What is the main recommendation you would give to policymakers for improving the effectiveness of the juvenile justice system?

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Userid: \_\_\_\_\_

Thank you for participating in this important survey.

A report incorporating your views and those of other juvenile justice professionals will be available online.

Please visit the Urban Institute website (<http://www.urban.org>) for survey results and other juvenile justice research findings.