



The Moss Group

Standards and Challenges in the Effective Process of Post-Disposition  
Juveniles: A Literature Review

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Points of view or opinions in this document are those of the authors and do not necessarily represent the official position or policies of The Moss Group.

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## **Introduction**

Today the juvenile justice system is facing unique challenges. While the number of youths incarcerated has declined 77% between 2000-2020, the system is currently facing unparalleled challenges related to the hiring and retention of front-line staff (Council of State Governors, 2023a; Rover, 2023). The challenges to efficient and successful case management are many and emerge at various points within the complex systems of police, courts, and corrections that make up the juvenile justice system. The last four decades of research sheds light on many of these processing challenges, and consequently, guidelines and recommendations have been developed to address these issues. However, noticeably less research exists regarding the examination of processing of juveniles' post-disposition (through potential placement in a facility, and onto the receipt of aftercare services). Thus, solutions or standards to address delays or challenges during this phase may be challenging to identify.

While the extant literature is less robust for post-dispositional youth than for youth in other stages of the system, this review explores contemporary research and reports to summarize the standards, guidelines, and best practices regarding juveniles, with a focus on post-disposition. This includes post-disposition placement (e.g., community, juvenile/adult facility), provision of services and programs while incarcerated or under community-based supervision, and access to aftercare services. General challenges and barriers to effective processing that may occur earlier in the system but influence post-disposition youth will also be examined and discussed.

## **Relevant Juvenile Justice Challenges and Recommendations**

### ***Delays***

The effectiveness of the juvenile justice process depends partly on its timeliness, and yet delays at various points along the juvenile justice system have long been recognized as an issue (Butts, Cusick & Adams, 2009; Butts & Halemba, 1996, Foschio, 1973). One concern regarding court and correctional processing delays voiced by the National Councils of Juvenile and Family Court Judges (NCJFCJ) is that delays may increase the likelihood of delinquent behavior (NCJFCJ, 2018). While this is a very real concern, the impact of system delays on recidivism is an understudied issue. In terms of addressing and resolving delays in case processing, this can be quite challenging as delays may be the result of larger systemic issues related to management, staffing, resources, and organizational culture (Butts, et al., 2009; Butts & Halemba, 1996; Foschio, 1973).

However, it is important to note that case processing delays do not always represent larger systemic problems. Case characteristics associated with case complexity can lead to what some would argue are appropriate delays. For example, research has found cases involving serious offenses, juveniles with lengthy records, greater number of motions filed, dispositions that do not include a guilty plea, and youth released pretrial have lengthier case processing times (Neubauer & Ryan, 1982; Swigert & Ferrell, 1980).

Attempts to address case processing delays led to the development of professional standards and guidelines. In fact, dating back to the 1970s, judges and court administrators supported the implementation of “aggressive case flow management systems” to address systemic delays. By 2008, forty-five states (including Virginia<sup>1</sup> and D.C.) had developed time standards for juvenile case processing (Butts et al., 2009, pg. 36). One common guideline across states includes the recommendation for shorter processing times for detained juveniles in comparison to those who have been released pretrial.

While research on the subject of delays and standards span over the past 5 decades, most of this work has focused on the adult system. Of research examining juvenile case processing, most have focused on delays and processing standards from pretrial to disposition. It is challenging to find research that examined the processing of juveniles from post-disposition to placement (Butts et al., 2009; NCJFCJ, 2018). This is likely related to the fact that there is little information reported on the time between disposition and placement or receipt of services in the processing of juveniles.

### *Guidelines for Reducing Delays*

In 2018, the National Council of Juvenile and Family Court Judges (NCJFCJ) released an update on their influential 2005 publication presenting guidelines and best practices for courts searching to improve the handling of juvenile delinquency cases. This publication covers all aspects of the court’s involvement with processing youth, and includes a section on post-disposition review.

The NCJFCJ (2018) recommends several different methods for post-disposition review including progress reports, progress conferences, case staffing, and dispute resolution alternatives in addition to juvenile justice court progress hearings. For youth adjudicated as delinquent and in need of intensive services, NCJFCJ recognizes there may be a delay in out-of-home placement or receipt of services for juveniles placed in-home. During this time, youth may not receive any services and this valuable time is lost. As a result, NCJFCJ recommends that if access to court ordered service is expected to take more than a few weeks, youth should be provided fewer intensive services until matched with appropriate and available services.

Once youth are placed or engaged in services, post-disposition review should occur within the first 60 days. In the case of intensive home-based services (or wraparound services), a case plan must be approved within 60 days of youth beginning the services, and reviewed within six months. In addition, NCJFCJ guidelines recommend subsequent reviews should occur every 90 days until no longer needed. Regarding permanency hearings, the court must hold a permanency hearing within 12 months of youth beginning services.<sup>2</sup> Finally, the NCJFCJ guidelines recommend that only judges or judicial officials should have the authority to place youth in detention. In 2009, Butts and colleagues developed a table comparing the time limitations regarding standards for adjudication and disposition established over time as well as across agencies (See Table 1) (Butts et al., 2009). What is missing are any time limitations or recommendations regarding post-disposition youth.

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<sup>1</sup> <https://www.vacourts.gov/courts/jdr/resources/manuals/jdrman/chapter03.pdf>

<sup>2</sup> The objective is to provide a goal (e.g., returned home) for dependent youth.

**Table 1. Time Limitations in Juvenile Proceedings as Suggested by Professional Standards** (Butts et al., 2009, pg. 45).

	Maximum days from referral to adjudication	Maximum days from adjudication to disposition	Total days from referral to disposition
<b>Detained Juveniles</b>			
IJA/ABA (1977–80)	15	15	30
NAC/OJJDP (1980)	18	15	33
ABA Std. 252 (1984)	15 <sup>a</sup>	15	30 <sup>a</sup>
NDAA Std. 19.2 (1989)	30	30	60
NCJFCJ/OJJDP (2005)	10 <sup>c</sup>	10	20
<b>Released Juveniles</b>			
IJA/ABA (1977–80)	30	30	60
NAC/OJJDP (1980)	65	15	80
ABA Std. 252 (1984)	30 <sup>b</sup>	15	45 <sup>b</sup>
NDAA Std. 19.2 (1989)	60	30	90
NCJFCJ/OJJDP (2005)	20 <sup>c</sup>	20	40

a. Deadline triggered by detention admission.

b. Deadline triggered by filing of delinquency petition.

c. Deadline triggered by initial hearing.

In 2019, The Council of Juvenile Justice Administrators released a toolkit<sup>3</sup> to address staffing issues by developing strategies for recruiting, hiring, and retaining staff. This toolkit addresses topics such as agency and facility culture, recruiting and hiring staff, retaining qualified staff, working with labor unions, and using data. In summarizing some of the issues that motivated the creation of this toolkit, the authors note that research has shown how a reduction in therapeutic interactions lead to disappointing outcomes and failure. This may occur when staff vacancies weaken the therapeutic nature of staff-to-youth interaction. With this in mind, it is also reasonable to consider how staffing shortages in juvenile settings may influence delays. However, no research officially documenting this relationship could be found. In turn, while there is a wealth of information on staffing and turnover in the adult system, the research on juveniles is much smaller. What is known about staffing issues (e.g., turnover, retention) is informed by research conducted by the Council of State Governments (CSG) (2023a, 2023b), as discussed below. These findings reveal a very concerning belief among correctional staff that staffing shortages are currently impacting *all aspects of the juvenile system* including supervision, service delivery, and operations; issues that are all likely intertwined with delays.

<sup>3</sup> <https://cjja.net/wp-content/uploads/2022/04/CJJA-Staff-Retention-Toolkit.pdf>

## ***Hiring and Retention***

Juvenile justice agencies have been facing unparalleled challenges with recruitment and retention among front-line staff (CSG, 2023a). While the juvenile system may be viewed as reaching a crisis point in the last few years, the issues behind this crisis are not new (CSG, 2023a; American Correctional Association, 1966). For example, effective recruitment and retaining of staff, particularly within juvenile residential facilities, has been a concern for more than a decade (Tipton, 2002; Wolff, Limoncelli & Baglivio, 2022) and was characterized by some as an epidemic as far back as 2002 (Tipton, 2002). Understaffing or high turnover can lead to overcrowding, waiting lists, and youth not receiving needed services (Council of Juvenile Justice Administrators, 2019).

Research finds that staff turnover in juvenile correctional settings is influenced by age of staff, race, levels of support, job satisfaction and level of stress (Lambert, Hogan & Barton 2001; Mitchell, Mackenzie, Styve & Gover, 2000; Wells, Minor, Lambert & Tilley, 2016). Job satisfaction and commitment also predicted staff intentions to leave the job (described as “turnover intent”) (Matz, Wells, Minor & Angel, 2013; Mikytuck & Clearly 2016).

Prior research also found that greater levels of satisfaction with coworkers and supervisors were associated with lower levels of voluntary turnover decisions among juvenile correctional employees (Griffin, Hogan & Lambert, 2012; Minor, Wells, Angel & Matz, 2011; Mitchell et al., 2000, Tipton, 2002). On the other hand, a decrease in correctional officer perceptions of safety was associated with increased stress, turnover, and the intention to leave (Matz et al., 2013; Tipton, 2002). Wells and colleagues also found that low wages and low job satisfaction had a negative influence on staff commitment to the job (Wells, Minor, Angel, Matz & Amato, 2009).

In 2023, the Council of State Governments (CSG) released findings from a study that entailed surveying over 200 individuals as well as conducting listening sessions from state and local juvenile agencies across the US regarding hiring and retention issues within correctional facilities and probation agencies. Analysis of survey responses found that approximately 90% of all corrections agencies reported moderate or severe challenges with hiring and retaining front line facility staff, and more than 60% of probation agencies reported moderate or severe challenges with hiring staff. Explanations for issues with hiring and retention included staff burnout, emotional burden, low salaries, inadequate salary increases, inadequate training or wellness support, working conditions, lack of flexibility, generational divides, mission confusion, skill mismatch, and bureaucratic barriers (e.g., cumbersome hiring process, outdated job descriptions, and lack of flexibility) (CSG, 2023a). More than 50% of respondents reported that hiring and retention challenges had a negative (moderate to severe) impact on nine aspects of operations, supervision, and service delivery including: staff morale, service availability, consistency and quality of supervision, adherence to research and best practice, adherence to agency policy, youth and family engagement, staff and youth safety, reform implementation and sustainability, and conditions of confinement. The following summarizes the key findings from the survey and listening sessions (CSG, 2023b):

- Hiring and retention challenges are severe and multifaceted nationwide
- Cause for the staffing crisis is also multifaceted and does not allow for quick fixes

- Consequences of the staffing crisis affect all aspects of operations, supervision, and service delivery

These findings were aptly summed up by respondents who described the persistent vacancies and turnover as “causing a cascading set of harmful consequences.” (CSG, 2023a, pg. 4).

Safety is also a pressing concern. The Prison Rape Elimination Act (PREA) requires facility to have a 1:8 staff-to-youth ratio during the day and 1:16 ratio during the night. If too many staff positions are left vacant, the responsibility of maintaining these ratios falls on the same staff members, leading to double shifts or being called in on a day off. This can lead to staff member burnout and fatigue, leading to potential safety issues (CSG, 2023b).

What is most notably missing from the extant research is an examination of how staffing issues impact youth outcomes within a correctional setting (e.g., treatment progress, changes in risk during residential placement, and future involvement in criminal behavior). There is concern that staff turnover, vacancies, and/or daily absences can negatively influence the quality, safety, and stability of services provided within a juvenile facility (Wolff, et al., 2022). In 2022, Wolff and colleagues found that unscheduled absences (but not vacancies) were associated with the amount of time spent in out-of-home placement, as well as changes in dynamic risk. More staff absences were associated with smaller changes within the dynamic risk score of juveniles, and longer placements.<sup>4</sup> In addition, while staff *vacancies* were not significantly associated with recidivism, analysis did show that the *absence rate* was significantly and positively associated with recidivism. In other words, youth in programs with a higher rate of absences were significantly more likely to be rearrested within one year of arrest. However, when change in dynamic risk score and length of stay were included in the analysis, the association lost significance. This suggests a possible mediating or indirect effect, meaning that the relationship between staffing issues and youth outcomes, like rearrest, are more complex and required further research.

### *Recommendations to Address Staffing & Management Issues*

In 2023, CSG, with support from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), released a brief<sup>5</sup> identifying four key opportunities where juvenile justice agencies can improve staff recruitment, retention, public safety, and juvenile outcomes.

1. **Establishing a statewide workforce development strategy.** This includes standardizing qualifications, salaries and administrative hiring requirements; creating shared systems and applications for job applications; developing relationships with universities, colleges and vocational schools to establish internships, apprenticeships and certification programs that will create a career pipeline into youth services and the juvenile justice system; developing a statewide professional certification related to youth development that can serve as a gateway to career opportunities; and ensuring the topic of staff

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<sup>4</sup>Longer placements were negatively associated with rearrest, meaning youth with longer placements were less likely to recidivate within one year of being released.

<sup>5</sup>[https://projects.csgjusticecenter.org/systems-in-crisis/wp-content/uploads/sites/16/2023/10/Systems\\_in\\_Crisis\\_Key\\_Steps\\_Policymakers.pdf](https://projects.csgjusticecenter.org/systems-in-crisis/wp-content/uploads/sites/16/2023/10/Systems_in_Crisis_Key_Steps_Policymakers.pdf)

recruitment and retention is on the agenda for all relevant committee meetings and forums.

- These recommendations target reduction of interagency competition for staff, reduce administrative burdens, expedite the hiring process, allow for sharing of applications and reviews between agencies (cross-agency); and creates incentives to participate in certification opportunities by connecting them to salary increases, tuition reimbursements or discounts.
2. **Ensure competitive salaries are commensurate with job requirements, and fund necessary staff supports.** Conducting a market analysis on staff salaries to ensure salaries are competitive; funding salary increases are based on inflation/cost of living increases; requiring agencies to establish detailed budget line items for staff hiring, retention, training, wellness, and organization culture; and mandate staffing ratios lower than federal requirements.
  3. **Reduce structural and administrative barriers to hiring and staffing innovations.** Permitting some level of flexibility in hiring requirements (e.g., experience, education credentials); establishing time limits for the hiring process; removing statutory barriers that restrict people who have a criminal/juvenile record from working in the field; and standardizing job applications and websites to remove language that discourages possible applicants.
  4. **Promote goal setting, data collection, reporting, and accountability related to staffing.** Requiring agencies to establish performance measures for hiring and retention; requiring youth justice centers to collect and report hiring and retention progress at a standardized time with remediation strategies if not meeting goals (metrics); implementing exit interviews for all departing staff and agencies; and developing a position within the state ombudsman offices with the goal of focusing on staff wellness as well as staff abuses (CSG, 2023a, p 1-2).

CSG presented a webinar in 2023 (CSG, 2023b) which detailed the findings of their research project<sup>6</sup>. They noted that participants in listening sessions identified the lack of community-mental health and substance use services as the greatest challenging for improving outcomes for youth. One attributing factor is likely the limited number of behavioral health providers available to work with juvenile populations. CSG (2023b) recommends considering how to partner with community providers and figuring out how to scale capacity, as well as ways to leverage grassroots programs and prosocial supports that already exist in communities.

In 2018, the National Reentry Resource Center (NRRC) released a document with eight recommendations for ways to support staff with the understanding that this support would in turn reduce recidivism (CSG, 2018)<sup>7</sup>. While this not directed towards leaders and staff specifically within the juvenile system, the recommendations are system-based and applicable to the juvenile environment. The eight recommendations to set staff up for success include:

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<sup>6</sup> [https://csgjusticecenter.org/wp-content/uploads/2023/09/Systems-in-Crisis\\_CSG\\_UCCI\\_Accessible-1.pdf](https://csgjusticecenter.org/wp-content/uploads/2023/09/Systems-in-Crisis_CSG_UCCI_Accessible-1.pdf)

<sup>7</sup> [https://csgjusticecenter.org/wp-content/uploads/2020/02/July\\_2018\\_strengthening-correctional-culture.pdf](https://csgjusticecenter.org/wp-content/uploads/2020/02/July_2018_strengthening-correctional-culture.pdf)

1. Assess the organizational climate (find out what staff think of the organization);
2. Demonstrate commitment from the top (leaders should be engaged in implementing initiatives);
3. Provide staff the tools they need (use surveys to identify areas where staff need more training);
4. Promote clear and consistent internal and external messaging (through organizational change, leaders should present a consistent message);
5. Show staff that the initiative is here to stay (perceptions by front-line staff of new initiatives respond);
6. Use enthusiastic staff as a resource to encourage buy-in from peers (staff play an important role in showing support for new initiative and influencing others' perceptions);
7. Offer positive reinforcement early and often (recognize and celebrate small successes); and
8. Measure and report outcomes (data can be used to promote a positive culture).

### ***Challenges with Organizational Culture***

Research shows that important aspects of the case processing system, as well as the success or failure of reform efforts, can be influenced by the legal and correctional culture (Church, Carlson, Lee & Tan, 1978, Farrell, Young, & Taxman, 2011; Heldman, 2022; Lehman, Greener, & Simpson, 2002). Implementing new policies or reform that involve changing organizational culture within juvenile justice agencies can be challenging for a variety of reasons (Farrell et al., 2011). One ever-present challenge is the transition from policy to practice. Like many organizations, those on the frontline of the juvenile justice system (e.g., service providers, correctional staff) hold a key position in either facilitating or resisting change (Rudes, Lerch, & Taxman, 2011). At the same time, organizational culture is developed by both management and frontline staff. Managers play an influential role in garnering buy-in from frontline staff. It has been noted that skepticism towards change, like the implementation of evidence-based practices, can lead to resistance; without welcoming leadership and organizational structure, dedication to program fidelity may weaken (Fixsen, Naoom, Blase, Friedman, & Wallace, 2005).

Additionally, organization culture can influence the ways in which risk/needs assessments are used. While use of these tools has spread throughout the U.S., there remains challenges in successfully implementing assessment tools with fidelity. Part of this may be explained by an organizational culture that is resistant to reform or change. Challenges to implementing tools with fidelity include if staff have a preference for more traditional practices, if there is a lack of buy-in, and/or there is limited understanding of the assessment or programming efforts, which can lead staff to deviate from the proper use of risk/needs assessments. In these events, the outcome can be null or worse, resulting in an increase in the likelihood of delinquency.

Finally, there are widespread efforts today to transform organizational practices and culture to address racial inequalities within the juvenile justice system (Lai, Hoffman, & Nosek, 2013). In 2020, Esthappan and colleagues analyzed Annie E. Casey Foundation (the Foundation) reform efforts (Esthappan, Laco, Zweig, & Young, 2020). This included a review of juvenile probation

officers involved with Juvenile Detention Alternative Initiative (JDAI), which started in 2002. Reform efforts included provision of direct technical assistance, analyses and tools, peer-learning, and conferences in order to facilitate the reduction of youth detention in multiple sites. Between 2012 and 2014, the Foundation recruited 13 out-of-home placement JDAI sites to participate in additional reform efforts, referred to as “deep end” reforms. These sites were chosen for their demonstrated promise in implementing and sustaining reforms. The goal of the deep end reforms was the reduction in the number of out-of-home placements by providing support to sites with a focus on youth of color. Deep end reforms entailed probation officers and supervisors receiving tailored training and technical support regarding engagement strategies for youth and family, and developing partnerships with community-based agencies (Esthappan et al., 2020). Training for probation officers included teaching five key principles and practices associated with individualized case planning, engaging youth, engaging families, engaging communities and racial and ethnic equity, and inclusion. The researchers compared 10 JDAI only sites to the 13 deep end sites, and found that changes in principles and practices at the deep end sites were larger. Some principles and practices were employed more than others. These efforts shows that while culture change is possible, it can be challenging.<sup>8</sup>

### *Recommendations for Improving Organizational Culture*

For any organization to successfully implement new programs or policy that is designed to influence the culture, it is vital to have frontline buy-in and support. To accomplish this, at a minimum, leaders must demonstrate that they understand and are committed to evidence-based practices. This includes organization leaders investing funds into these practices, as well as providing adequate time for staff training (Love, Harvell, Derrick-Mills, Gaddy, Liberman, Willison, & Winkler, 2016).

As noted above, the NRRC publication, released by CSG in 2018, outlined eight ways corrections leaders can support staff and improve culture. These recommendations, while not specifically designed for the juvenile population, are applicable and provides practical guidance for this effort.

### *Challenges with Risk Assessments*

As discussed above with respect to organizational culture, the use of risk/needs assessments tools is commonplace in the juvenile justice system; emerging during the 1970s and 1980s (Bureau of Justice Assistance, n.d.) Assessment tools are used to categorize a youth’s risk of recidivism as well as identify needed services and treatment, in order to appropriately classify and match youth to supervision and treatment services. Assessments are used at various points along the juvenile system to inform decision making – including courts, probation, parole, and detention.

One concern regarding the use of risk assessments includes the possibility of bias, which may occur when incorporating a juveniles age, race, ethnicity, and/or gender when determining the risk of reoffending (Vincent, Guy & Grisso, 2012). In addition, offense history is frequently used in assessments to measure risk, however, research shows that minority youth are more likely to

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<sup>8</sup> Note that these findings are based on self-report surveys and not observation.

come into contact with, and remain in, the Juvenile Justice System compared to white youth (Huizinga et al., 2007). This can lead to offense histories that are more likely based on disproportionate contact with police, and fail to capture accurate offending behaviors across race and ethnic groups (National Research Council, 2013). In other words, risk assessments may reflect systematic inequalities (Butcher & Kretschmar, 2020).

There are a variety of tools developed for youth (e.g., Youth Assessment and Screening Instrument, Structure Assessment of Violence Risk in Youth, Youth Level of Service/Case Management Inventory). While all are intended to serve as a standardized tool to guide decision making, they differ in various ways, emphasizing the point that “one size does not fit all” (Vincent et al., 2012). One of the most important findings derived from research on risk assessments and youth outcomes is that only high-risk youth should be placed within a facility, and low-to-medium risk youth respond better within community settings. For example, research has repeatedly found that when low-risk youth are placed in facilities, or ordered to participate in intensive programs, their likelihood of failure and future recidivism increases. Research has shown that in terms of juvenile probation, when risk assessments are properly used to identify the needs of youth and those needs are addressed, probation services are effective (Carey, van Wormer, and Mackin, 2014). However, since the creation of risk assessments, there have existed risks of misclassification, disregard of assessment results, and lack of tailored or targeted supervision and services.

### *Recommendations for Using Risk Assessments*

Not surprisingly, one of the first recommended steps in selecting and implementing a risk assessment is establishing stakeholder and staff buy-in (only preceded by the recommendation to form a steering committee that includes stakeholders like judges, probation administrators defense attorneys and prosecutors). Once there is buy-in, the next recommendation is to select and prepare a validated risk assessment tool. Steps include training, implementing a pilot test, beginning the full implementation, and working towards sustainability (e.g., providing booster training and “ongoing data monitoring that is shared with stakeholders, administrators and all staff”). (Vincent & Guy, 2013, p.58).

As mentioned above, while agencies may have the ability to identify the risks and needs of youth, agencies may also have restrictions in their ability to match youth to their particular risk and needs. This can be due to a variety of factors including decisions to divert from the assessment results, and/or the lack of available resources, training, or staff.

### *Challenges with in- and out-of-home placement*

After a juvenile has been adjudicated delinquent, the next step is to schedule a disposition hearing where they will receive their sanction. Typically, a large percentage of juveniles will be placed on probation where youth are allowed to stay in the home. Sanctions that involve in-home placement may also include conditions that require restitution or community service. Alternative sanctions include out-of-home placement that may be a residential facility or other residential programs (e.g., treatment) (National Academies of Sciences, Engineering, and Medicine, 2001). Placement in residential facilities can vary from one state to the next depending on the age of

juvenile that remains under juvenile court, as well as laws regarding transfer or waivers to adult criminal court.

### **In-home placement**

In-home placement conditions can vary based on a range of factors including, but not limited to, the juvenile's history, current offense, and family stability. Conditions for in-home placement often include supervision, treatment, and educational and/or occupational requirements. In many cases the juvenile is placed on probation. Depending on the youth's jurisdiction, they may have access to a range of programs including restorative programs (e.g., restitution and mediation), counseling, treatment, skill-building, and coordinated services (Office of Juvenile Justice and Delinquency Prevention, 2017).

Research shows that youth are best served by their own communities. In-home placement programs that entail a holistic approach to the family and the juvenile, have shown positive outcomes related to caregiver stress, family functioning, child behavior, parenting, and access to resources (National Research Council, 2013).

### **Out-of-home placement**

Youth may be sent to a public or private facility, and facilities may range from a detention center, training school, diagnostic or reception center, treatment center, shelter, group home, half-way house, or wilderness program. Options and services can vary greatly from state to state, but what is consistent is the need to properly match juveniles to the appropriate supervision and service level/type.

In addition, a bulletin on juvenile resident placement in 2019 reported that 46% of youth held in residential facilities were held for 30 days or more awaiting adjudication, a disposition hearing, or placement (Hockenberry & Puzanchera, 2022).

### *Guidelines and Recommendations for improving Juvenile Justice Placement and Processing*

Juvenile case processing standards were developed in the 1980s and 1990s. These standards focused mostly on juvenile case processing up to disposition (Van Duizend, Steelman, & Suskin<sup>9</sup>, 2011; National Advisory Committee on Juvenile Justice and Delinquency Prevention, 1980). Currently, around 27 states and D.C. have time standards for juvenile delinquency cases (Van Duizend, Steelman, & Suskin, 2011).

With respect to standards for transferring youth from post-disposition to placement, the NCJFCJ guidelines do not recommend one specific system, but rather recommend identification of a designated case manager (whether probation officer, child protective agency caseworker, or state youth authority corrections or parole officer). This individual is then responsible for placement,

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<sup>9</sup> In 1983, the Conference of State Court Administrators (COSCA) provided a 180-day time standard for felony cases, while the 1992 ABA Time Standards provided that 90% of felony cases should be disposed within 120 days after arrest, 98% within 180 days, and 100% within 365 days.

reentry planning, plan execution, and sending progress reports to the juvenile justice court (NCJFCJ, 2018).

The National Juvenile Defender Center (NJDC) provides guidelines to attorneys whose juvenile clients await placement. These recommendations state that the juvenile's attorney is responsible for pursuing efforts to keep the youth in the least restrictive environment prior to placement. The attorney should also be ready to advocate for youth held in secure confinement while awaiting placement. In particular, if the client is low risk, the attorney should work to secure the youth's release. If this is not successful, the attorney must advocate for the youth to receive educational programs and other services to meet their needs. Finally, when there are long waits for placement in residential facilities, the attorney should advocate that these placements are costly and ineffective, and advocate for an alternative (e.g., house arrest) (Sterling, 2009).

Many in-home placements include a sentence of probation. Beyond the information gathered from the use of risk/needs assessments which have assessment specific standards and guidelines, there are no standards or research-informed objectives established to guide juvenile probation officers (Harvell, Love, Pelletier, & Warnberg, 2018). Ward and Kupchik (2010) conducted a survey of juvenile court probation offices to explore "factors related to officers' self-reported orientations toward the goals of punishment and treatment" (p.36) and found that most probation officers adopt goals that vary from rehabilitation to compliance. Without standards to guide them, juvenile probation officers are influenced by their perspectives of the youth's moral character (including attitude and demeanor, drug involvement, and family stability); offense severity and the rights of the victims.

### ***Challenges in Accessing Treatment & Services***

In order to facilitate juvenile success (i.e., reduction of recidivism) youth need access to services and treatment that match their criminogenic risks and needs. This is supported by a wealth of research studies and evaluations. For example, a meta-analysis conducted by Lipsey and Wilson (1998) which analyzed 200 studies found a reduction in recidivism was predicted by longer duration of treatment, higher levels of attention to program fidelity and implementation, and the provision of treatment by mental health professionals (Lipsey & Wilson, 1998). However, having this knowledge does not always lead to implementation of best practices. As Jones & Wyant stated in 2007 (and still applies today), the challenges for the juvenile justice system "is not to establish what works but to identify ways to successfully implement and sustain programs that we know will work" (Jones & Wyant, 2007, pg.763).

Furthermore, less is known about how the amount of exposure to or involvement in a program or service (i.e., dosage) influences recidivism, although there are a few studies that speak to this issue. In 2009, Loughran and colleagues published a study in which dosage was examined as a possible influence on recidivism (rearrest) (Loughran, Mulvey, Schubert, Fagan, 2009). Participants were adolescents (ages 14-17) found delinquent of a felony and participating in the Pathways to Desistance study in Arizona. Dosage was operationalized in relation to length of stay in an out-of-home placement. In order to create the length of stay measure, the number of months in out-of-home placement was broken into quintiles (0-6 months, 6-10 months, 10-13 months, and more than 13 months). The authors also established an alternative dosage measure

establishing categories based on 3-months intervals. Both methods could be interpreted in a similar fashion— the longer the length of stay, the larger the dose. In addition, intensity of service exposure was measured by utilizing self-reported utilization of mental health and social services during placement.<sup>10</sup> The analysis found no significant effect on rearrest.

Other studies of dosage included the examination of the influence of dosage on violent offenders ordered to state correctional facilities. Haerle (2016) found that a strong dose of Violent Offenders Treatment Program (VOTP) significantly lowers the likelihood of recidivism. Those who received a weak treatment dose were found to recidivate more than those who received no treatment.

Baglivio and colleagues (2018) examined the effectiveness of matching juvenile’s criminogenic needs to interventions while also accounting for dosage on recidivism. The study found that service matching and meeting the minimum level of dosage (identified as successful completion of program) was found to reduce risk and the likelihood of future convictions (Baglivio, Wolff, Howell, Jackowski, & Greenwald, 2018). In Lipsey’s 2009 meta-analysis, he identified the most effective types of interventions for institutionalized and noninstitutionalized youth. Among the interventions that were demonstrated to have a positive effect (with more or less consistent evidence) were interpersonal skills, behavioral programs, and multiple services.

While there are a range of evidence-based practices and programs available today to address the variety of criminogenic risks and needs, these interventions will not be effective (and could be damaging) if not matched appropriately with the risks and needs of youth. Even if the matching process is correctly implemented, an equally important aspect is *how* programs are implemented. Even research-informed programs with strong support must be conducted with fidelity or they will not be as effective as intended. One example was born out when Washington state implemented three evidence-based programs (Aggression Replacement Training, Functional Family Therapy, and Multisystemic Theory) but failed to find expected outcomes due to poor implementation (Barnoski, 2004).

### *Guidelines and Recommendations for Ensuring Access to Effective Treatment and Services*

Key Principles associated with juvenile success (Andrews, 2006):

1. Utilize validated risk/needs assessments to collect information on criminogenic needs of youth.
2. Limit intensive services for moderate to higher risk juveniles. Avoid including low-risk juveniles, even if requested by referral sources.
3. Always target the predominate or relevant criminogenic needs.
4. Attend to the competence of service delivery staff.
5. Make program monitoring, feedback, and corrective action requirements of program design, operation, and funding.

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<sup>10</sup>Intensity of services measure was developed by dividing the total frequency of services reported by the total number of days in out-of-home placement.

## *Challenges in Aftercare Services*

Aftercare services entail the provision of reintegrative services before and after a juvenile's release from out-of-home placement. These services were established to reduce a juvenile's length of stay in placement, support juvenile reentry into the community, and improve juveniles' connections with school, work, and reduce recidivism (Dewar, 2009; Nellis & Wayman, 2009; OJJDP, 2017). The provision of aftercare has been recognized as a critical component for juvenile reentry success for decades (Altschuler & Bilchik, 2015). Aftercare includes a wide range of services in which collaboration between residential facility staff, probation and parole officers, mental and behavior health providers, schools, and community members are the key to success (OJJDP, 2017) It is important to provide a smooth transition with clear communication between stakeholders, however this can be challenging when there are many diverse stakeholders involved (Platt, Bohac, & Wade, 2015). Another aspect that cannot be understated is the appropriate matching of youth's needs to the appropriate services and programs. The risks and needs of the juvenile should be a crucial component when tailoring their transition back into the community.

Bouchard and Wong (2017) examined 10 studies and found that juveniles who participated in reentry services were significantly less likely to be charged or arrested upon release from custody compared with those who did not participate. However, there was no significant effect on how likely juveniles were adjudicated for an offense.<sup>11</sup> Two earlier meta-analysis, while diverging on the influence of reentry services on recidivism, agreed that reentry services were more effective for juveniles with violent offenses – providing additional support to the importance of the risk-needs-responsivity principles (James, Stams, Asscher, De Roo, & Van Der Lann, 2013; Weaver & Campbell, 2015).

In 2016, Calleja and colleagues published a study that entailed an experimental design comparing the effectiveness of traditional reentry services to specialized services (developed using funds provided by the Second Chance Act). In a 2-year follow-up, Calleja found that youth in the control group (traditional services) were more than twice as likely to recidivate in comparison to youth receiving specialized reentry services (Calleja, Dadah, Fisher, & Fernandez, 2016). In 2019, Calleja introduced a model design of a specialized juvenile reentry program, based on program implemented in Wayne County, Michigan. This program is discussed in the following recommendations section.

While there is evidence that aftercare services can help reduce recidivism, there is also evidence that youths' needs are not always met while on probation. Peterson-Badali and Colleagues (2015) found only 43% youths on probation who had been identified as having education or employment needs were actually matched with these services. In turn, only 21% of the youth were identified as having substance use needs were matched with services (Peterson-Badali, Skilling, & Haqa, 2015). The following section briefly identifies and describes recommendations for improving access to aftercare services.

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<sup>11</sup> One notable challenge for the meta-analysis was the variations in the definitions of interventions.

### *Recommendations in Improving Access to Aftercare Services*

Common recommendations for improving access to appropriately matched aftercare services include greater engagement with family and community, and breaking down silos in order to establish cross-system coordination. More specifically, Nellis & Wayman (2009) identified eight principles for effective reentry, including:

1. Pre-release planning at least one year before release;
2. Reentry services provided in the communities where the returning youth live;
3. Reentry services must proactively address developmental deficits;
4. Focus on permanency and housing;
5. Access to mental health and substance abuse treatment;
6. Recognize diverse needs of returning youth;
7. Structured school attendance, workforce preparation and/or employment; and
8. Better use of leisure time.

As noted above, in 2019 Celleja published a proposed model, based on a specialized juvenile reentry program implemented in Wayne County, Michigan. This initiative included a three-month planning period and a 21-month implementation phase. The fundamental principles identified important factors needed for treatment and include:

- Objectively assess criminogenic needs and risks;
- Enhance intrinsic motivation;
- Target high-risk offenders;
- Focus on the greatest criminogenic needs; and
- Use Cognitive Behavioral interventions and determine dosage and intensive of services.

Consistent with his 2016 research findings, Celleja (2019) emphasizes the importance of matching youth to appropriate services based on a risk/needs assessment and most notably dosage. As noted earlier, dosage is an important component of juvenile success, but knowledge regarding dosage is limited.

The next section provides examples of several notable juvenile justice reform projects.

## Notable and Recent Juvenile Justice Reforms

### *Reclaiming Futures*<sup>12</sup>

Reclaiming Futures (2002-2007) was a 10-site demonstration project that sought to develop a model system and organizational reform to enhance responses to substance use programs for youth. The goal of the project was to improve the integration of substance use interventions involving community-wide responses in order to facilitate the reduction of substance abuse among justice-involved youth.<sup>13</sup>

The project entailed a six-phase model of service delivery that included screening, assessment, treatment delivery and the coordination of community resources (family and “natural helpers” known to the family and multi-disciplinary service teams) (Roman, Sundquist, Butts, Chalfin & Tidd, 2011). An evaluation found that sites made significant changes focusing on systematic change and interorganizational coordination. The result facilitated effective partnerships across agencies and with community partners (improvement in 12 of the 13 system change measures were statistically significant). These changes enhanced the strength of agency networks (Roman, Butts, & Roman, 2011).

In turn, an analysis showed a reduction in substance use and delinquency over time (Korchomarov, Stevens, Greene, Davis, & Chalot, 2015). Korchomarov and colleagues identified seven program characteristics that must be employed in order to successfully reduce substance use and delinquency:

1. Having a defined target population and eligibility criteria;
2. Imposing sanctions to modify non-compliance;
3. Conducting random and observed drug testing;
4. Coordinating with the school system;
5. Providing gender-appropriate treatment;
6. Employing policies and procedures responsive to cultural differences; and
7. Training personnel to be culturally competent.

While Reclaiming Futures targeted substance abuse among justice-involved youth, the focus on, and investment in, system change is informative and applicable to more general efforts of enhancing system delivery of program and services.

### *Models for Change*

The goal of the Models for Change Initiative was to disseminate best practices and create models of reform that could be adopted across the nation (Johnson, 2009). Four states (Pennsylvania, Illinois, Louisiana, Washington) were involved in the initiative and developed “action networks”

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<sup>12</sup> <https://www.reclaimingfutures.org/our-model>

<sup>13</sup> Thirteen System Change measures included: Resource management, agency collaboration, data sharing, partner involvement, client information, targeted treatment, treatment effectiveness, Alcohol and other drug abuse screening and assessment, family involvement, cultural integration, access to services and pro-social activities (Nissen, Butts, Merrigan & Kraft, 2006),

to facilitate reform on specific issues. These issues included dipropionate minority contact, mental health/juvenile justice, and juvenile indigent defense (Johnson, 2009).

Recently, Mielke (2023) released a study examining the impact of the Models for Change Aftercare initiative in Pennsylvania. Mielke compared five counties that participated in the reforms to those that did not participate. Pennsylvania reforms focused on reducing the length of stay in facilities, supporting reentry, improving connections to schools, work, and other resources, and reducing recidivism (Dewar, 2009).

As part of these reform efforts, Philadelphia implemented the Reintegration Reform Initiative (Mieleke, 2023). This entailed the involvement of multiple agencies to begin planning transition from out-of-home placement three months before release. This planning also included a committee that met with youth and family after a violation, as well as organizing levels of supervision and services (standard, intensive) based on results from risk assessment tool (Mieleke, 2023). Initial efforts to examine the initiatives' impact on recidivism were not possible due to a lack of data, and a lack of standard definition for recidivism. This issue led to efforts to organize the data previously collected, as well as improve data collection methods going forward. Consequently, Mieleke (2023) conducted an analysis of changes in recidivism between 2000 and 2012. However, analysis found no discernable differences between participant and non-participant counties on recidivism or other reforms. Mielke (2023) noted that some of the issues found in the prior aftercare meta-analyses were also present in several of the Pennsylvania participant counties, indicating that fidelity to the program model were lacking.

### ***Youth Justice Reform in Milwaukee***

The Youth Justice Reform effort undertaken in Milwaukee was evaluated by The Urban Institute (Harvell, Derrick-Mills & Hull, 2023). This initiative sought to change the approach to supervision, reimagine staff roles, and adopt a trauma-informed, developmentally responsive model. This effort utilized implementation science to guide changes in policy and practice.

Interviewees for Milwaukee reform, noted that strong reform leaders needed to be able to:

- Effectively communicate, articulating a vision and plan that also entails educating the diverse stakeholders involved in the reform effort.
- Possess self-awareness and the ability to receive feedback and accept criticism and educate effectively.
- Understand and apply implementation science principles in all aspects of reform.
- Understand racism as a foundation of the juvenile legal system.

Lessons learned from Milwaukee's reform efforts included (pg. 5-18):

- The need to have a team committed to quality management that can provide the infrastructure to support reform.
- Implementation science offers a framework for encouraging & supporting change.
- Effective leadership is critical.
- Investing in the organizations infrastructure and staff development is critical for long-term success and sustainability.
- Establishing internal support and buy-in for reform is essential.

- Developing tailored, targeted, and effective messages about reform is essential for expanding and securing external legal partnerships.
- Centering community is critical to reform effort.
- Expanding funding structures can support transformative change.

While all of these lessons are important, investing in staff and infrastructure is particularly relevant. In order to successfully implement reform, a significant investment was needed to build an organizational infrastructure and to recruit and train staff. However, Milwaukee is not immune to staffing issues and found turnover to be a challenge. In turn, interviewees note that without adequate staffing and resources, completing basic job functions was challenging (Harvell, Derrick-Mills & Hull, 2023).

### *The Missouri Model*

Missouri's juvenile justice system started garnering attention as a successful national model in the early 2000s. Starting in the 1970s, Missouri began to transform its' juvenile justice system, including an emphasis on rehabilitation, and a shift to smaller regional facilities for youth (Missouri Department of Social Services, n.d.). This culminated in the closure of the last training schools (reformatory institutions) in 1983.<sup>14</sup> Since the early 2000s, officials from more than 30 states have visited the Division of Youth Services and juvenile facilities to learn more about Missouri's model. The Missouri model has also been recognized by stakeholders as a successful model.

The Missouri Model entails a multi-layered treatment and youth development approach that support behavioral change and successful reentry into the community (Mendel, 2019). The model has six characteristics:

- 1) Small and non-like prisonlike facilities, close to home;
- 2) Individual care within a group treatment model;
- 3) Safety through relationships and supervision, not correctional coercions;
- 4) Building skills for success;
- 5) Families as partners; and
- 6) Focus on aftercare.

Greater engagement with, support, and inclusion of the family is key to Missouri's program. The program works to establish a connection with the family or caretakers from day one. The program offers family therapy and works to involve family/caregivers in planning the juvenile's release from the custody of the Missouri's Division of Youth Services (DYS). In addition, skill-based interventions are provided in home (Mendel, 2019). Program evaluations have shown that participation in the model is associated with higher satisfactory discharges and law-abiding rates as well as lower recidivism (Mendel, 2019). For example, out of the 640-youth discharged in 2016, approximately 27% were found to have recidivated after three years. While it is difficult to compare recidivism rates between most states due to differing measures of recidivism, researchers compared Missouri with Maryland, Indiana, and Arizona (which utilize

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<sup>14</sup> <http://missouriapproach.org/history/>

similar measures of recidivism) and found Missouri to have the lowest rate among the four states. (Missouri Department of Social Services, 2019).

The Missouri model is not without its critics or areas for improvement. Recommendations include increasing the involvement of family members in the juvenile's treatment plan as well as blending out-of-home residential care with family based in-home aftercare services (Kuborn, Kellison, Sobba, & Robins, 2020). As the services provided by DYS rely largely on intensive surveillance, individual youth guidance, and check-in, Kuborn et al., (2020) recommended that DYS increase the use of family based in-home aftercare services, and that DYS provide intervention services to the families as well as the youth. While the Missouri model currently offers family services including addressing discipline, anger management, and preparing for the youth's return, these services are voluntary. Research has found that less than 30% of participants accessed these services. (Kuborn et al., 2020). Based on this finding, Kuborn and colleagues recommend the program enhance their intensive family reunification services and intensive in-home reunification services.

## **Conclusion**

For more than 40 years a wealth of research has examined the various components of juvenile processing, program participation, and recidivism. This research clearly informs us on "what works." However, we continue to face challenges throughout the juvenile justice system including a stubbornly-consistent recidivism rate. This literature review highlighted particular areas in need of further research and evaluation and include:

- Juvenile placement processes and delays during the post-disposition phase
- How staff vacancies, turnover and chronic absenteeism influences case processing, juvenile placement, receipt of appropriate treatment and services (including dosage) as well as recidivism;
- How dosage (exposure to involvement in treatment, programs, and services) influences recidivism and other juvenile outcomes

An important final note. One thread throughout many of the studies and reports shared in this document is the essential role of data collection and analysis. We cannot understand nor address a problem if we are unable to examine the data. Barriers to collecting, analyzing, and reporting data are very real and remain a critical issue when trying to implement reforms.

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