

CHAPTER 5

DETERMINING A TARGET POPULATION AND DESIGNING A REFERRAL PROCESS

INTRODUCTION

The target population refers to the group(s) of youth a program is designed to serve. In order for a program to remain focused and to deliver effective services, it must clearly define its target population and establish a referral mechanism that will ensure it receives the appropriate cases. The purpose, goals, and objectives of the program should be the driving force behind the selection of a target population. Once defined, a written policy should be established that states the identified population to be served, the criteria used to assess youth during the referral process, and the person or agency responsible for assessing youth according to this criteria.

Teen court programs provide services to a wide range of youth, including offenders and volunteers. However, for the purposes of this chapter, guidelines and issues to be considered will be outlined for defining an offender target population for a teen court program. Targeting as it relates to volunteers is discussed in Chapter 8.

At the conclusion of this chapter, readers will have the information needed to

- ◆ define an offender target population for a teen court program;
- ◆ design a streamlined referral process; and
- ◆ develop a method for interagency awareness and training between teen court programs and referral agencies.

DEFINING A TARGET POPULATION

To remain focused and deliver effective services, a program must define the population at which its services are aimed. A written policy that outlines the offender target population for the program should be provided to program staff

and to referral sources to aid in the determination of who should be referred to and accepted in the teen court program. The more specific the program is in defining this population, the easier it will be to solicit appropriate referrals. Consideration should be given to starting with a narrowly defined target population and, if necessary, expanding later.

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The following are examples of some questions that should be considered when determining the types of offenders and offenses to target:

- ◆ Will the program accept first-time offenders only, or will it also accept youth with prior offenses? Are there stipulations on the types of prior offenses that the offender may have had?
- ◆ Will the program accept misdemeanor, felony, and/or status cases?
- ◆ Will the program specify the types of offenses it will accept (e.g., shoplifting, underage drinking) or will it accept all offenses within a broad category, such as nonviolent misdemeanors?
- ◆ Will the program accept violent offenders?
- ◆ What ages of youthful offenders will the program accept?

According to results from the American Probation and Parole Association (APPA, 1994) teen court survey, the ages of youthful offenders accepted into teen court programs range from 7 to 19. The vast majority of responding teen court programs (97 percent) target first-time offenders, but approximately 58 percent also will accept offenders with prior offenses. Approximately 97 percent handle misdemeanor cases and 20 percent will handle some felony cases. Twenty-nine percent of the programs

responding indicated that they accept status offenses in addition to public offenses. Table 5-1 shows a breakdown of the types of offenses handled by survey respondents.

Table 5-1: Types of Offenses Accepted by Teen Courts

Offense	Percentage of Programs Accepting
Theft	97%
Alcohol/Drug Offenses	95%
Vandalism	92%
Disorderly Conduct	90%
Assault	83%
Traffic	59%
Truancy	48%
Violent	20%
Other	27%

Source: APPA, 1994

Offenses in the “other” category include

- ◆ loitering;
- ◆ trespassing;
- ◆ curfew violations;
- ◆ arson;
- ◆ robbery;
- ◆ breaking and entering;
- ◆ auto tampering;
- ◆ harassment;
- ◆ wanton endangerment;
- ◆ receiving stolen property;
- ◆ larceny; and
- ◆ criminal mischief.

These results indicate that, nationwide, teen court programs are being used as a response for a wide range of problem behaviors among youth. However, on a local level, programs should target offenses and offenders for services according to the unique needs of the particular community. Some important points to

remember when defining the target population of the teen court program include the following:

- ◆ It must meet an identified need.
- ◆ It must be related to the program’s purpose, goals, and objectives.
- ◆ It must be one to which services can realistically be provided.

A further discussion of these guidelines reveals how their application can enhance the credibility of teen court programs.

Examining Needs and Resources

Teen court programs should be developed to meet the needs of a youthful offender population in a community for which an adequate response or adequate services are not provided currently. This entails examining local needs and resources. As discussed in Chapter 2, input and information from key persons within the juvenile justice system and the community should be solicited in order to begin understanding the local juvenile justice system and to identify underserved populations of youthful offenders.

To identify underserved populations of offenders, program developers should meet with key representatives from juvenile justice agencies to ascertain the types of juvenile offenders with whom they come in contact and the areas in which they feel an alternative response is needed. Agencies from which teen court programs should solicit input include

- ◆ law enforcement;
- ◆ juvenile intake;
- ◆ prosecutor’s office;
- ◆ juvenile probation; and
- ◆ juvenile court.

Also, representatives from these groups can identify any state laws and agency policies and procedures that affect the manner in which

juvenile cases are processed within the jurisdiction. Figure 5-1 provides a list of sample questions teen court program organizers can ask juvenile justice system representatives when trying to determine an appropriate target population.

Figure 5-1: Sample Needs and Resources Assessment Questions

The following are sample questions that can be directed to juvenile justice system representatives when conducting a needs and resources assessment to determine the target population:

- ◆ Currently, how are juvenile cases processed through the system?
- ◆ What role do you and your agency play in this process?
- ◆ What are the main types of offenses that you perceive are being committed by youth in this jurisdiction?
- ◆ For what types of offenses and juvenile offenders do you feel there is an inadequate system response?
- ◆ Currently, what type of constraints are you and your agency under that hamper your ability to serve the juvenile offenders mentioned above (e.g., laws, policies, time, funds)?
- ◆ To what types of programs and services in the community do you and your agency refer clients?
- ◆ What do you feel the teen court program can do to help you and your agency respond to the needs of juvenile offenders in this community?

In general, law enforcement officers and professionals designated with intake responsibilities in the juvenile justice system have broad discretion when it comes to determining whether to process a case formally through the juvenile court system. According to

the National Center for Juvenile Justice (1991) other options available to them may include

- ◆ referring the offender to a community agency for services (e.g., counseling);
- ◆ referring the offender to a diversion program; or
- ◆ warning and releasing the offender to a legal guardian.

There may be certain guidelines and constraints placed on these agencies (either by statute or agency policy) to guide their decision making. For example, in some jurisdictions, certain ages or classes of offenders (e.g., repeat offenders, offenders who have violated conditions of probation) may be prohibited from diversion. In contrast, other jurisdictions may require all first-time offenders to be diverted unless the offense was against a person or serious in nature (National Center for Juvenile Justice, 1991). Teen court program developers should be aware of local laws and policies in order to avoid selecting a target population from which it would be difficult, if not impossible, to secure referrals in the local jurisdiction.

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In addition to understanding the needs of and the services available in the juvenile justice system, program developers should identify other diversion programs and community organizations that provide services to juveniles. Teen court programs are under considerable time and budgetary constraints. Coordinating with other youth-serving organizations in the community and searching for ways to use and complement each others' services will help avoid unnecessary duplication of services and competition for limited resources. Once these

programs are identified, information should be gathered on each program or agency about

- ◆ where the program is located in the community;
- ◆ who it serves;
- ◆ how it receives referrals and clients; and
- ◆ what services it provides.

This information can be used to piece together the options and services available in the community for responding to the varying needs of youth and identifying the types of services that may be lacking.

Relating Target Population to Program Purpose

All persons involved in the task of defining the type of offender population to be served must understand the purpose of the program and agree on the program's established goals and objectives (Carter, 1993). To remain focused and achieve results in line with the program's intent, a target population that supports those goals and objectives must be defined.

The needs of the proposed target population should be examined against the overall goals of the teen court program (e.g., accountability, competency development, and enhanced public safety). If compatible, additional goals and objectives can be defined more specifically to reflect the needs of the target population.

For example, if a program decides that part of its purpose should be to provide the community with an early intervention and prevention program for underage drinking and related offenses, then its target population should include first-time youthful offenders charged with misdemeanor alcohol and drug offenses. More specific goals and objectives related to this target population could be outlined as follows:

Long-term goal: **Decrease the number of youth in the community engaging in alcohol and illegal drug use.**

Short-term goal: **Intervene early, provide education to, and promote awareness among youth of the dangers of substance abuse.**

objective 1: During FY 1996, 95 percent of all teen court defendants charged with an alcohol/drug offense will attend a Mothers Against Drunk Driving (MADD) victim impact panel.

objective 2: Eighty percent of all teen court participants (defendants and volunteers) will successfully complete a four-week substance abuse awareness program.

objective 3: A pretest and three-month followup test (designed to assess change in knowledge and attitude about alcohol and drug use among adolescents) will be administered to all participants of the substance abuse awareness program. Eighty percent of participants will show a positive change in knowledge and attitude relative to alcohol and drug use.

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Determining If Services Can Be Provided to the Target Population by the Teen Court Program

The defined target population for the teen court program must be one for which the program can provide services. After analyzing the needs of

the community, program developers may find there are multiple types of juvenile offenders who are in need of services. However, teen court programs cannot address the needs of *all* youthful offenders. The task then becomes to look at the types of services the program will provide and determine whether the teen court program can meet the need(s) of the identified group(s) through its established goals and objectives. Program organizers may want to consult with juvenile justice, mental health, and youth services professionals to gain an understanding of the strategies that are best suited for the identified types of offenders.

ESTABLISHING A REFERRAL PROCESS

Once the target population has been defined, it is crucial that a referral mechanism be designed that is well thought out and streamlined to ensure that appropriate referrals are received by the teen court program. In designing a referral process, program developers should

- ◆ determine from where referrals will come from;
- ◆ establish the procedure to be followed by referral agencies when making a referral; and
- ◆ develop methods for promoting awareness and understanding of the program by referral agencies.

Determining Potential Referral Source(s)

Results from the APPA (1994) teen court survey indicate that overall, teen court programs receive referrals from a variety of sources, both from within the juvenile justice system and from the community at large. Referral agencies include

- ◆ law enforcement;
- ◆ juvenile probation;
- ◆ prosecutor's office;
- ◆ judges;
- ◆ schools;

- ◆ diversion programs; and
- ◆ parents and legal guardians.

However, on a local level, teen court programs must decide if they will accept direct referrals from multiple sources or if all referrals will be funneled through one referral source. Issues to consider when making this decision include

- ◆ how cases flow through the local juvenile justice system and how well the various juvenile justice components work together;
- ◆ the complexity of the criteria for screening referrals based on the target population; and
- ◆ the impact the referral procedure may have on evaluation efforts.

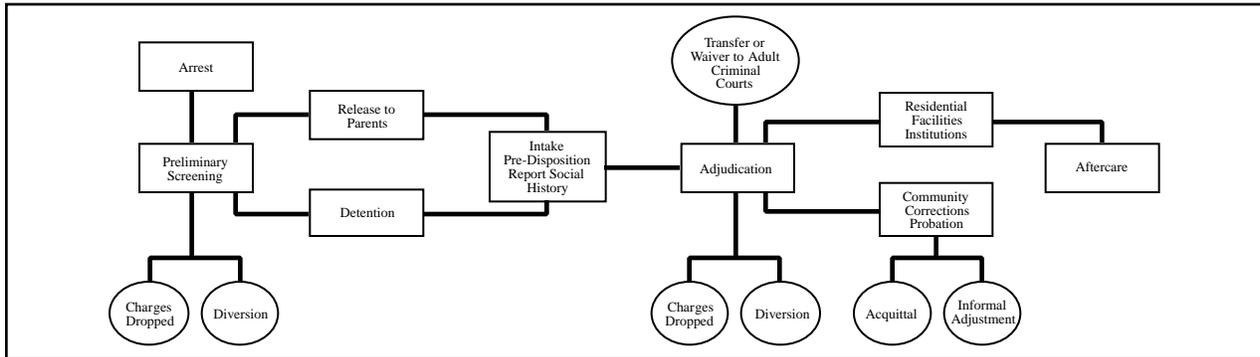
Analyzing the Local Juvenile Justice System

Internally, the juvenile justice system consists of various levels (i.e., complaint, detainment, intake, detention, adjudication). Depending on the jurisdiction and the case, different avenues of intervention may be taken with delinquent youth, such as probation surveillance, diversion to community programs, or institutionalization. Figure 5-2 depicts the typical flow of juvenile case processing. It should be noted that this is a general and simplified version of the system. Not all jurisdictions follow the same pattern; even similar cases are not handled in the same manner (Crowe and Schaefer, 1992).

The disparity among states and local jurisdictions as to the structure of the system and how cases are processed through the juvenile justice system makes it imperative that teen court programs analyze and understand where their program fits within the local system and design a referral process and procedure that is appropriate to their structure.

Also, as discussed in Chapter 1, teen court programs vary as to where they are located in the community. Some are located in juvenile justice agencies, such as probation departments and law enforcement agencies, while some are located in community-based organizations, such

Figure 5-2: Juvenile Justice Case Processing



Source: Crowe and Schaefer, 1992, p. 79

as private nonprofit agencies and schools. The administering agency of the teen court program can have a direct impact on the referral process. For example, teen court programs operated by police departments or probation departments already have an existing offender base from which teen court referrals can be selected. Therefore, it is likely that they will have different referral procedures than those operated by community-based nonprofit organizations, which are dependent on outside sources for referrals.

To adequately address the diverse needs of all youthful offenders in the community there must be a coordinated effort by all juvenile justice system and community agencies, including the teen court program. Soliciting insight from the various juvenile justice agencies on how cases are processed through the local system can help teen court programs develop an understanding of the needs and constraints under which these agencies operate daily. It also will provide program organizers with information on how well the various components of the system work together.

It is possible that turf battles will emerge, and program developers may receive conflicting information from the various sources. One way to address and counter this problem is to bring representatives from the various agencies together to (1) analyze the flow of cases processed through the juvenile justice system

from the point of detainment through adjudication; and (2) discuss system needs.

The ultimate goals of the teen court program should be to support and complement the needs of the current system and community. Through shared communication, steps can be made to avoid placing the teen court program in a position in which it is used as a tool to circumvent the role, processes, or services of other agencies.

Assessing the Complexity of Screening Criteria

Another issue that should be considered when designing a referral process is the complexity of the screening criteria used to assess offenders prior to their referral to the teen court program. One precept of the juvenile court and probation movement is that of individualized case assessment and treatment. The belief behind this concept is that the unique circumstances and surroundings of each youth should be examined on a case-by-case basis to ensure the appropriate intervention strategy is taken (Maloney, Romig, and Armstrong, 1988).

Program organizers should examine the defined target population for the teen court program and determine additional criteria upon which the offenders in this population should be assessed. For example, suppose a program determines it would be an appropriate early intervention

program for youth charged with first-time, misdemeanor alcohol or drug offenses, yet would not be a suitable response for youth with serious substance abuse problems. To receive appropriate referrals, criteria would need to be established and controls set in place that identify youth with serious substance abuse problems who should be targeted for more intensive services, rather than being referred to the teen court program. Professionals who assess juveniles on a regular basis, such as probation officers, intake workers, and mental health practitioners, can be helpful to program developers when defining additional screening criteria.

Another key question to examine at this point concerns who (or what agency) should be responsible for assessing juvenile offenders for their suitability for the teen court program. Depending on the complexity of the screening criteria, when determining the best course of action for an offender teen court programs may find it advantageous to have referrals screened initially by an agency that has trained staff and risk/needs assessment tools designed to consider multiple factors. The jurisdiction's juvenile intake agency may be able to provide this service for teen court programs. Teen court program developers should be aware of who performs the intake function in their local community. Typically, it is performed by either the probation department or the district attorney's office. In smaller jurisdictions, probation officers may provide both intake and supervision services, while in larger jurisdictions, a separate juvenile intake unit may be established to perform all intake services (National Center for Juvenile Justice, 1991).

Teen court program staff have many tasks and duties competing for their time and energy. Although teen court staff will have to examine the issues and circumstances of each case and make a final determination concerning an offender's appropriateness for teen court, much time can be saved if inappropriate referrals are

weeded out before they are sent to the teen court program staff for an intake session.

Considering the Impact of the Process on Evaluation Efforts

The method in which cases are processed and tracked through the local juvenile justice system can affect the ease with which future program evaluation of recidivism of can be conducted. To be able to measure program outcomes accurately, the system as a whole needs to be able to account for how the juvenile offenders were referred, what services were provided, and what the case outcomes were. Programs receiving direct referrals from multiple sources should ensure that these cases will be tracked at the system level and should know how this will be accomplished. Jurisdictions in which there is no formal tracking mechanism set themselves up for youth to be able to "play the system."

Establishing a Referral Procedure

After examining these issues and determining the source of referrals, a written policy needs to be established that outlines

- ◆ the organizations that will provide referrals;
- ◆ the individual(s) responsible for screening referrals and the criteria to be used;
- ◆ the process that referral sources are to follow when making a referral; and
- ◆ the rules for terminating (successfully or unsuccessfully) cases from the program.

Most teen court programs stipulate that they have final say over who will be accepted into the program (APPA, 1994). Therefore, a policy and procedure also should be outlined for how teen court staff should respond when inappropriate referrals are made to the program. As stated in Chapter 3 on legal issues, it also may be beneficial to have a written interagency agreement between the referring source(s) and teen court agency that outlines these conditions.

A referral form to be completed by referral sources and sent to teen court staff should be developed. At a minimum, it should contain

- ◆ name and contact information for the defendant;
- ◆ defendant's date of birth;
- ◆ name and contact information for the defendant's legal guardian;
- ◆ offense;
- ◆ prior offenses (if the program accepts offenders with priors);
- ◆ name and contact information for victim(s); and
- ◆ name and contact information for the person and agency making the referral.

Additional information the teen court program may want referral agencies to provide includes

- ◆ documentation of admission of guilt by the defendant (if required for participation in the program);
- ◆ copies of any statements, comments, or requests submitted by victims; and
- ◆ any additional information obtained during the screening process that could enhance the ability of the teen court program to serve the defendant.

Informing and Educating Referral Sources

First, referral sources must be made aware of when the teen court program is ready to begin accepting cases. Second, to be able to make *appropriate* referrals, referral sources must have a thorough understanding of the teen court program. Some representatives from the referral agency may have been involved in developing the program and policies, yet there will be others who are not familiar with the program and its processes.

Much of the program's success hinges on its ability to secure adequate referrals (both in number and in type).

Much of the program's success hinges on its ability to secure adequate referrals (both in number and in type). Because of the potential for high staff turnover and the ever-changing priorities in the juvenile justice system, teen courts must be visible, accessible, and open to input from agencies they rely on for assistance. Therefore, efforts to promote awareness and understanding of the program to referral sources should be an ongoing priority for teen court staff.

Initially, formal presentations should be made to referral agencies and should provide information on

- ◆ the program's purpose, goals, and objectives;
- ◆ the offender target population;
- ◆ the services that will be provided by the program; and
- ◆ the referral procedure.

Ongoing promotion of the program is necessary to communicate changes that take place within referral agencies and periodic changes that take place in the teen court program.

Referral sources who understand these elements of the program will be equipped to screen referrals more accurately and will be able to provide youth and their guardians with pertinent information to assist them in determining if the teen court is an option they want to pursue. Brochures and fact sheets on the teen court program should be provided to all referral sources, who can then give the documents to defendants and their families. Less time will

have to be spent explaining the program during the intake session if defendants and their legal guardians are furnished with detailed information at the time of referral.

Ongoing promotion of the program is necessary to communicate changes that take place within referral agencies and periodic changes that take place in the teen court program. Strategies for promoting ongoing communication and support include

- ◆ making periodic telephone calls;
- ◆ conducting luncheon meetings;
- ◆ writing newsletter articles;
- ◆ being placed on agendas of referral agency's staff meetings;
- ◆ acknowledging agency participation and support at annual recognition dinners and receptions; and
- ◆ issuing invitations for referral sources to attend a teen court session.

Whatever method or strategy is used, open communication between the teen court program

and referral agencies should be encouraged. All agencies should feel comfortable with sharing information about any concerns they have or any obstacles that may have been encountered with receiving referrals. Through coordinated communication and collaboration, role confusion can be eliminated, and the system can serve youth offenders and their families more effectively.

CONCLUSION

Nationally, teen court programs target a wide range of offenders. On a local level, teen courts should focus efforts on the population identified as being in the most need of its services. This chapter provided strategies to help program organizers analyze issues relevant to selecting an appropriate offender target population and to developing a referral procedure that will provide the correct types of referrals. By making the extra effort initially, programs can avoid being used as a dumping ground for inappropriate cases and can be in a better position to design and adapt needed services for the selected target population.

CHECKLIST FOR TARGET POPULATION AND REFERRAL PROCESS

Have teen court program organizers or staff —

- Defined the offender target population of the teen court program?
 - Solicited input from stakeholders who can help identify underserved populations of youthful offenders in the community?
 - Determined if there are there any guidelines or constraints (either by statute or agency policy) placed on potential referral agencies that would prevent them from referring certain offenders or types of offenses to the program?
 - Determined whether the program accepts first-time offenders only, or whether it also will accept youth with prior offenses? (Are there stipulations on the types of prior offenses that the offender can have?)
 - Determined whether the program will accept misdemeanor, felony, and/or status cases?
 - Determined if the program will specify what types of offenses it will accept (e.g., shoplifting, underage drinking) or if it will accept all offenses within a broad category, such as nonviolent misdemeanors?
 - Determined whether the program will accept violent offenders?
 - Decided the age range of youthful offenders that the program will accept?
 - Defined an offender target population that meets an identified need in the community?
 - Defined an offender target population to whom services can realistically be provided?
 - Defined an offender target population that is related to the program's established purpose, goals, and objectives?

- Established a referral procedure?
 - Mapped the flow of cases through the local juvenile justice system and determined how well the various juvenile justice agencies work together?
 - Identified potential referral sources?
 - Established criteria upon which referrals will be screened for participation in the teen court program?
 - Determined whether the program will accept referrals from multiple agencies, or if all referrals will be funneled through one referral source?
 - Determined how the referral procedure can impact future efforts at evaluation (i.e., recidivism)?
 - Developed a written policy that states from where referrals will be received, who will be responsible for screening referrals, upon what criteria referrals will be screened, and how referral sources are to make the referral?
 - Determined what information is needed from the referral source and developed a teen court referral form?

- Provided information to and educated referral sources on the referral process?
 - Notified referral source(s) of the teen court program's existence and readiness to receive referrals?
 - Educated all individuals who will be referring youth to the program on the purpose of the program, the appropriate offender target population, and the proper referral method?
 - Established a mechanism for maintaining communication and soliciting input from referral sources?