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THE IMPACT OF  
JUVENILE COURT SANCTIONS:  
A COURT THAT WORKS

EXECUTIVE SUMMARY

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ACQUISITIONS

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THE IMPACT OF JUVENILE COURT SANCTIONS:

A COURT THAT WORKS

EXECUTIVE SUMMARY

Background of the Study

The purpose of this study was to assess the impact of various juvenile court interventions on serious juvenile offenders. This inquiry is extremely timely because of the grave doubts currently being expressed about the efficacy of court sanctions. In particular, concepts such as individualized treatment and rehabilitation, cornerstones of the juvenile court's philosophy, are under attack from liberal and conservative critics. The juvenile court is accused of being too lenient with serious offenders and too punitive with minor ones. Calls for major reforms are being heard in legislatures throughout the nation.

This questioning of the juvenile court's basic philosophy coincides with the severe fiscal pressures known to all juvenile justice agencies. In turn, increasing demands are being placed on juvenile courts to accomplish goals commensurate with public revenue investments. Although a wealth of studies on the juvenile court exists, few have looked at the impact of court sanctions on delinquent and adult criminal careers, providing no answers to mounting challenges to the juvenile court.

The Second District Juvenile Court of Utah, serving the Salt Lake Metropolitan area with 700,000 residents, was selected for

the research site. Salt Lake City is experiencing many of the pressures felt by other urban centers with a Part I crime rate of 6,425 per 100,000 in 1985--a rate higher than Boston, Philadelphia or San Francisco.

Utah is one state which has developed a wide range of intervention strategies for delinquent youth. Sanctions include informal probation, fines and restitution and formal probation. Youth may also be sent to secure facilities, but that number has been drastically reduced since 1980. The number of beds in such facilities has decreased from 350 to 60. A number of community-based programs have also been developed.

Thus, the NCCD study tested the effects of several court interventions including short and long-term secure confinement, community-based placements and three styles of probation supervision during an 18-month period beginning in 1983. In order to evaluate the use of one of the most important dispositions, that of probation, a classic experimental design was utilized which randomly assigned youth to three levels of probation.

Data on the effectiveness of juvenile court interventions were gathered primarily from four sources: court intake records, youth questionnaires, bi-monthly supervision/service contact reports from youth workers and official data on court referrals.

### The Court

The subjects of this study were the most serious juvenile offenders processed through Utah's Second District Juvenile

Court. Attention focused on the youth at the point of their disposition, particularly those placed on probation or committed to the Utah Division of Youth Corrections. The youth included in this study represent only 11 percent of all referrals to the Second District Court. Yet, this caseload exerts a vastly disproportionate claim on judicial and correctional resources.

The Court's policy historically has emphasized the diversion of minor offenders and status offenders to informal probation, and the use of fines and restitution to handle less serious offenders. Probation was reserved for those youth involved in serious property crimes.

During the study period, the Second District Court judges agreed to permit virtually all youth eligible for probation to be randomly placed into one of three probation models: notification (no contacts), routine supervision and intensive probation supervision and treatment. (There were two other categories of probation to which individuals were not randomly assigned--informal probation, as mentioned above, and mandated probation.)

Youth Corrections placements were reserved for youth with extensive criminal histories of repetitive and serious property crimes, numerous prior probation placements and violent behavior. In turn, these youth received much more intensive supervision and control than probationers.

The primary determinants of the Court's decision-making were the nature and seriousness of the instant offense and, especially, the extent of prior referrals. Dramatic differences in

prior patterns of offending among youth assigned to probation compared to those sentenced to Youth Corrections were observed.

In addition to these legal factors, the Court identified drug abuse and severe family problems as key factors in the decision to commit youth to Youth Corrections. The majority of youth receiving probation and Youth Corrections dispositions did report drug and alcohol use and experimentation. Dispositional patterns were not related to inappropriate factors such as race or family economic status.

A summary of court-related findings of the study include:

- o Youth receiving the three major dispositions (informal probation, probation, youth corrections) vary dramatically in the nature and extent of their self-reported involvement in delinquency over the preceding 12 months. Court sanctions roughly correspond to the nature and extent of past delinquent behavior engaged in by youth.
- o Youth committed to community-based placements within Youth Corrections were charged with less serious offenses and had fewer prior court involvements than those sent to the secure facility.
- o The Court is extremely successful in its decision-making. It devotes considerable resources to thorough intake screening and regularly collects extensive client data prior to court decisions. The Court benefits from a sophisticated automated information system that allows easy access to the complete criminal histories of each offender.
- o On the average, youth in all groups positively evaluate their treatment by the Second District Court. Youth believed that the Court adequately protected their legal rights and that Court workers were genuinely concerned for their well-being.
- o Despite large differences in offenses and prior court contacts, the offenders share similar perceptions of the likelihood of future apprehension and the severity of punishment for a variety of offenses.

- o The Court received a favorable rating from youth sanctioned by the court, possibly attributable to the high caliber and extensive professional backgrounds of the judges appointed to the Court.

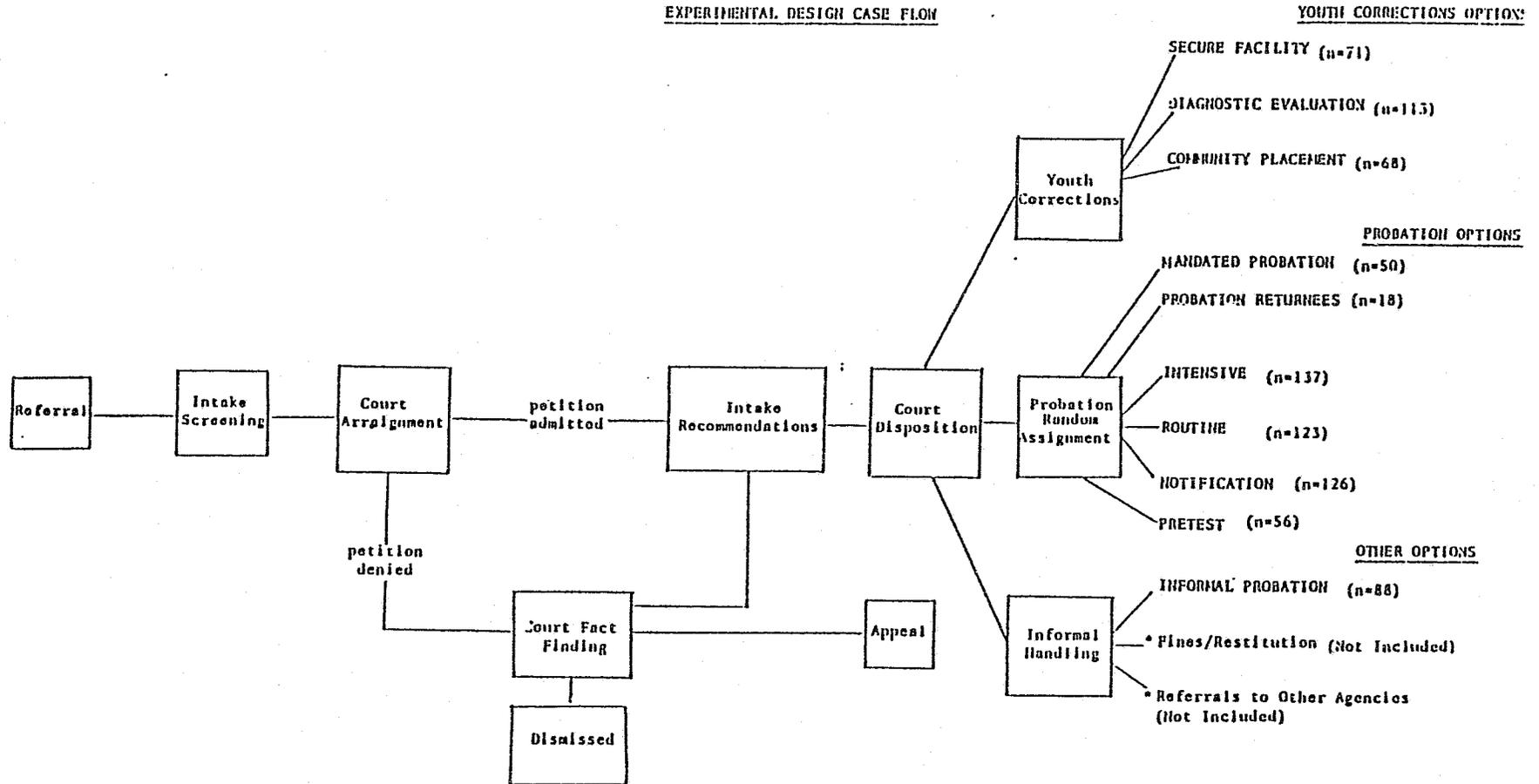
#### The Experimental Test of Probation Intervention

The experimental component of the study was designed to measure the effectiveness of probation intervention. Three factors -- differing levels of probation supervision, the provision of treatment services and differing types of agencies providing services -- were crucial elements of the experimental design.

The youth were randomly assigned to one of the following three probation groups (see Exhibit A):

- o The notification group consisted of youth placed on probation who were to receive no supervision or services from the juvenile court. Probation officers could modify this program if the youth was rearrested.
- o Youth in the routine supervision group were expected to receive a level of supervision commensurate with the norm of most probation departments. Clients requesting treatment services were referred to agencies other than the probation department for these services. There was also a minimum requirement of two face-to-face supervision contacts per month. Probation officers were allowed to modify this probation program but only after the first 90 days.
- o The intensive supervision group was to receive a minimum of one face-to-face contact and one phone contact per week plus discretionary use of treatment services. Unlike the routine condition, probation officers provided both supervision and treatment services and they were permitted to alter an individual's probation program after the first 90 days if appropriate.

EXHIBIT A  
EXPERIMENTAL DESIGN CASE FLOW



\* These court dispositions are not included in the study.

Overall, the data indicate that the experimental design was successfully implemented. The offenders assigned to the three groups showed no major differences in background factors or offense variables. While the levels of supervision obtained in each experimental condition were not precisely what was planned, the level of probation supervision and treatment varied directly with the form of random assignment.

#### Youth Corrections Interventions

The second component of the design entailed a follow-up study of offenders committed to Youth Corrections. Whereas juveniles were randomly assigned to probation conditions, placements were determined by correctional staff in consultation with the judges. The Youth Corrections disposition could be one of three types (see Exhibit A):

- 1) community placements where the youth was assigned to foster care, group homes or other community-based programs;
- 2) diagnostic placements, a short-term placement for evaluation and subsequent assignment to some type of intervention;
- 3) secure care placements or assignment to a secure facility for at least 6 months.

Upon release, youth sent to secure confinement often entered one of the community-based programs as part of their re-entry requirements.

Youth Corrections offenders, unlike probationers, possessed extensive and serious criminal histories. They received nearly

twice the number of weekly face-to-face contacts as youth in the intensive probation group. Nearly 80 percent of the offenders sent to Youth Corrections received short-term residential placements. Surveillance and services provided to these youth were highly individualized and were delivered principally by private vendors under contract with the Division of Youth Corrections.

#### Rearrest Rates

No significant variations were found among the three experimental probation groups in terms of (1) the proportion rearrested, (2) the frequency or incidence of new arrests, (3) the nature of the new offenses or (4) the time until the first arrest. Most arrests occurred during the first 120 days after court disposition for primarily Part I property crimes. Each probation group had an average of two arrests in the 12 months following their placement on probation. Even during the first three month period -- when differences among the experimental groups in terms of service and supervision were the greatest-- there were no statistically significant differences in various measures of recidivism.

Youth Corrections youth varied more between groups in terms of the proportion rearrested (Table 1). Community placement and diagnostic placement youth performed similarly to the experimental probation youth and slightly better than mandated probation and secure facility offenders. The secure facility group had the highest proportion of youth rearrested (79 percent), the shortest

period to first arrest (90 days), and the highest annual arrest rate (2.5 per year) although these differences are not very large. For these youth, a small proportion of the subsequent charges involved violent crimes (6 percent).

Although a large proportion of Youth Corrections offenders continued to be arrested, there were large declines in the rate of offending for all three Youth Corrections dispositional categories. The 247 Youth Corrections offenders in the NCCD study accounted for 1,765 arrests in the 12-months previous to their commitment to the Division. Once released into the community, these same youth accumulated 593 new arrests -- a drop of nearly 66 percent compared to the pre-Youth Corrections period.

If one considers the total number of charges involved in these arrests, the results are even more impressive. These Youth Corrections youth were charged with 3,215 offenses in the year prior to their court adjudication as compared to 884 offenses in the post-adjudication period. It should be noted that adjustments were made for the time spent in secure facilities versus time in community placement or diagnostic treatment. The follow-up period for secure facilities was 12 months after release. If the youth committed an offense for which he received an additional period of confinement, the follow-up period was subsequently extended. For the other two groups it was simply 12 months after the date of disposition.

TABLE 1

PERCENTAGE OF YOUTH  
REARRESTED AFTER ADJUDICATION

Item	P R O B A T I O N					Y O U T H   C O R R E C T I O N S		
	Informal	Notification	Routine	Intensive	Mandated	Diagnostic	Community	Secure
	(N=87)	(N=124)	(N=121)	(N=134)	(N=67)	(N=113)	(N=68)	(N=66)
<b>Time Period:</b>								
0-120 days	32.2X	46.0X	44.6X	46.3X	59.7X	49.6X	55.9X	63.6X
0-183 days	42.5X	55.6X	53.7X	59.0X	64.2X	60.2X	67.6X	68.2X
0-365 days	52.9X	66.1X	70.2X	70.9X	80.6X	69.9X	76.5X	78.8X
<b>Average Number of Days to First Arrest:</b>								
$\bar{x}$	124.8	116.6	114.4	110.9	91.1	121.1	116.8	90.1
SD	101.7	115.6	93.4	103.3	88.1	126.4	133.4	102.6
<b>Number of Arrests:</b>								
0 None	47.1X	33.9X	29.8X	29.1X	19.4X	30.1X	23.5X	21.2X
1 Arrest	17.2X	13.7X	10.7X	17.9X	14.9X	21.2X	27.9X	18.2X
2 Arrests	11.5X	13.7X	13.2X	7.5X	7.5X	17.7X	13.2X	21.2X
3 Arrests	6.9X	8.1X	9.1X	10.4X	11.9X	13.3X	8.8X	12.1X
4 Arrests	4.6X	4.8X	10.7X	6.7X	7.5X	7.1X	11.8X	12.1X
5+ Arrests	12.7X	25.8X	26.7X	28.4X	38.8X	10.6X	14.8X	15.2X
<b>Avg. Arrests over 12 months</b>	1.4	2.2	2.2	2.0	2.8	2.0	2.2	2.5

TABLE 1 (cont.)

PERCENTAGE OF YOUTH  
REARRESTED AFTER ADJUDICATION

Offense Types	P R O B A T I O N					Y O U T H C O R R E C T I O N S		
	Informal (N=172)	Notification (N=397)	Routine (N=388)	Intensive (N=434)	Mandated (N=280)	Diagnostic (N=377)	Community (N=255)	Secure (N=252)
Violent	3.5%	5.5%	8.5%	8.1%	10.0%	2.9%	9.4%	6.0%
Part 1 Property	37.2%	43.6%	37.4%	42.4%	30.4%	41.9%	46.3%	42.1%
Other Property	9.3%	11.8%	14.2%	12.2%	13.6%	11.9%	12.6%	15.5%
Drugs and Alcohol	12.8%	11.8%	11.6%	11.3%	15.7%	8.2%	10.2%	5.1%
Other	19.8%	17.6%	18.8%	19.6%	21.1%	28.9%	14.1%	29.3%
Status	17.4%	9.6%	9.5%	6.4%	9.3%	6.1%	7.4%	2.0%

Observed Suppression Effects

These results led us to employ an alternative and innovative measure to estimate recidivism. This measure -- the suppression effect -- focused not on the absolute cessation of delinquency, but rather, on the reduction in the frequency of delinquent behavior. Marginal gains in the reduction of the individual rates of offending were calculated by using the following formula:

$$S = \frac{(A_{po} - A_{pr})}{A_{pr}}$$

where S is the suppression effect,  $A_{po}$  is the post-intervention arrest rate and  $A_{pr}$  is the pre-intervention arrest rate.

Three separate analyses were completed to refine the conclusions drawn about the suppression effect. In the first analysis, twelve month pre and post intervention periods were used. From Table 2 it is evident that all groups showed some decrease in the post intervention period. There were no major differences between the experimental probation groups. The greatest reductions occurred for the Youth Corrections groups. Overall, the Youth Corrections offenders showed a 63 to 70 percent reduction in their rate of arrest.

An important observation was that of the high preintervention arrest rates of the Youth Corrections groups. This phenomenon helped to explain the dramatic decreases shown in the post-intervention period. Exhibit B graphically portrays the pre and post intervention criminal activity for the various groups.

TABLE 2

12 MONTH AT RISK TIME PRE AND POST INTERVENTION  
ARRESTS AND OFFENSES:  
THE SUPPRESSION EFFECT\*

Measure	PROBATION					YOUTH CORRECTIONS		
	Informal	Notification	Routine	Intensive	Mandated	Diagnostic	Community	Secure
	(N=87)	(N=124)	(N=121)	(N=134)	(N=67)	(N=105)	(N=64)	(N=64)
<b>Mean Number of Arrests:</b>								
Pre Intervention	2.3	3.5	3.6	3.5	3.4	6.3	5.4	7.0
Post Intervention	1.4	2.2	2.2	2.0	2.8	1.9	2.0	2.2
Difference	-0.9	-1.3	-1.4	-1.5	-0.6	-4.4	-3.4	-4.8
Suppression Effect	-39.1%	-37.1%	-39.0%	-42.8%	-17.6%	-69.8%	-62.9%	-68.5%
<b>Mean Number of Offenses:</b>								
Pre Intervention	3.4	6.1	5.7	5.5	5.5	12.1	9.2	12.5
Post Intervention	2.0	3.2	3.2	3.2	4.2	3.0	3.4	3.6
Difference	-1.4	-2.9	-2.5	-2.3	-1.3	-9.1	-5.8	-8.9
Suppression Effect	-41.1%	-47.5%	-43.8%	-41.8%	-23.6%	-75.2%	-63.0%	-71.2%

\* The Suppression Effect is the mean number of offenses postintervention ( $A_{po}$ ) minus the mean number of offenses preintervention ( $A_{pr}$ ) divided by the mean number of offenses preintervention ( $A_{pr}$ ) or:

$$S = \frac{(A_{po} - A_{pr})}{A_{pr}}$$

# Pre and Post Juvenile Court Intervention Arrest Rates

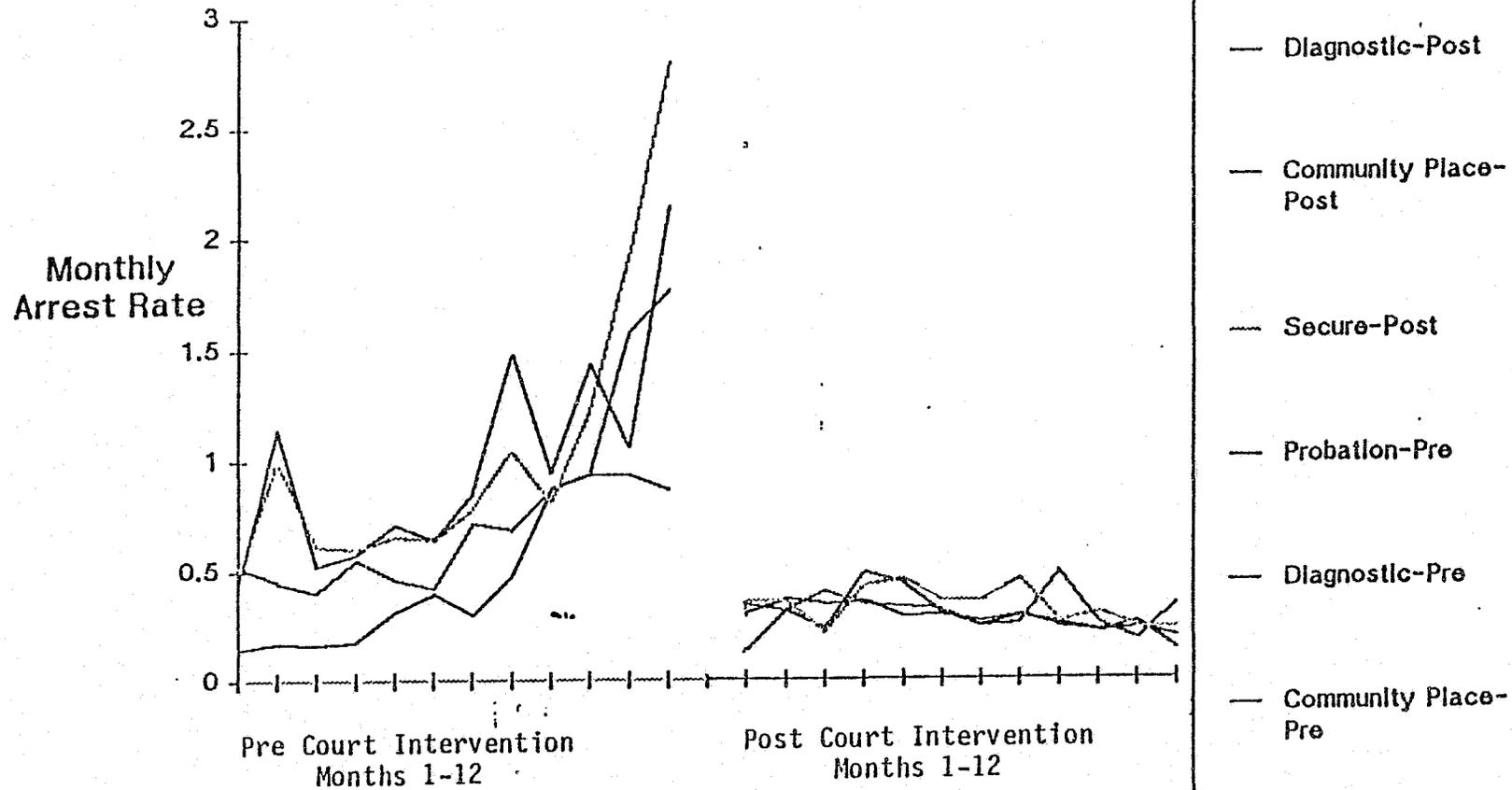


EXHIBIT B

The research design did not permit us to precisely estimate the contributions of treatment or simple deterrence effects to the observed declining rates of offending. The observed dramatic declines are partially attributed to maturation and to a natural decline that is predictable after very high rates of offending behavior. Maturation effects and an expected statistical effect, known as regression to the mean, reduce the magnitude of the suppression effect, but do not completely account for the observed reductions in delinquency.

The recidivism data for Youth Corrections offenders strongly indicate that the imposition of appropriate community-based controls on highly active serious and chronic juvenile offenders did not compromise public protection. Of course, some might assert that if Utah securely confined all these youth for the entire 12-month period they were supervised in community-based programs, the reduction in crime would have been even greater. While this argument is correct in the abstract, in practice it would have required massive additional expenditures for capital construction and for the operations budget of Youth Corrections. Considering that the vast majority of subsequent offenses committed by the Youth Corrections offenders youth were minor property crimes, these extravagant public expenditures do not seem warranted.

The NCCD study also provided some evidence that short periods of confinement were as effective as long periods of confinement. The Utah community-based programs are considerably more expensive than traditional probation, but less costly than

confining youth in training schools. Further research should replicate the Utah results by testing the impact of similar correctional interventions in other juvenile court jurisdictions.

#### Using Risk Assessment to Allocate Resources

The success of any program can be enhanced by choosing offenders most appropriate for the various types of intervention. In addition to the development of the community-based programs for serious and chronic juvenile offenders, the use of probation also can be fine-tuned. Other research findings from this study suggest that probationers do reflect varying risk levels in terms of future recidivism. These varying risk levels should be accounted for in deciding who should receive the more intensive forms of probation intervention. For example, one-third of the probationers were not re-arrested, whereas about one-fourth were re-arrested at least five times. The effectiveness of probation services might be improved if the high risk cases were properly identified and received higher levels of supervision whereas the lower risk cases received minimal probation intervention.

To facilitate improved caseload management, NCCD developed an objective risk-based instrument aimed at minimizing future delinquency (Exhibit C). This instrument employs empirical factors that are statistically associated with probation failure. These factors were then combined in a scale to categorize individual probationers in terms of their supervision and service needs. The Second District Court data revealed that variables

Exhibit C

NCCD PROBATION RISK INSTRUMENT

Risk Score

Risk Level	N	X	0-1 Arrests	5+ Arrests
Low	102	19.1%	78.4%	1.5%
Moderate	230	43.2%	44.4%	25.2%
High	201	37.7%	33.8%	36.3%
Total	533	100.0%	46.9%	26.1%

Risk Instrument Items

Items Used	Points
1. Age at first arrest:	
9-12 years	2
13	1
14+	0
2. Drug or alcohol associated with offense:	
Yes	1
No	0
3. Number of offenses in last 12 months:	
1 or 2	0
3 or more	3
4. Weapon used in the offense:	
No	1
Yes	0
5. Father's occupation:	
Blue collar profession	2
Other	0
6. Youth's employment status:	
Full-time/Part-time	0
Unemployed	2
7. Sex:	
Male	2
Female	0

Scale

Points	Supervision Level
0-6	Low
7-9	Moderate
10+	High

such as sex, youth's employment status at arrest, father's occupation, weapon usage during the instant offense, drug or alcohol use associated with the instant offense, age at first court referral, and the number of offenses occurring 12 months prior to the instant offense, are statistically significant predictors of future recidivism among probationers.

The use of improved risk screening to augment probation officers' clinical judgments could result in more rational allocation of existing probation resources. The study suggested that large numbers of probationers could be managed with minimal or summary forms of supervision. This would free up staff resources to concentrate very high levels of supervision and services on high risk offenders. Further, the data on risk factors point to programmatic options that should be built into specialized caseloads for chronic offenders.

Traditional juvenile probation services in the Second District were not particularly individualized. Probation staff focused upon satisfying court requirements (e.g., ensuring that restitution was paid to victims), but staff lacked unambiguous guidelines on how to evaluate the progress of their clients. These findings suggest that the Court must provide greater leadership in defining the goals of probation.

The NCCD research suggests that efforts to streamline probation operations and to more efficiently utilize existing budget allocations are much needed. But, the required reforms in juvenile probation practices should follow a careful period of demon-

stration and field testing. While NCCD does not recommend increasing the investment in conventional probation services, it would be equally unwise to reduce current levels of funding.

### Summary and Conclusions

The purpose of the study was to assess the impact of various juvenile court interventions on serious juvenile offenders. Specifically, the study tested the effects of the following juvenile court interventions: 1) experimental probation groups (randomly assigned to three levels of probation); 2) non-experimental probation groups; and 3) Youth Corrections groups. In addition, the study utilized a measure of the reduction in the frequency of delinquent behavior (the "suppression effect") and addressed the use of risk-assessment analyses to allocate juvenile court resources. The subjects of the study were the most serious juvenile offenders processed through Utah's Second District Court. Recidivism rates were used as measures of the effectiveness of the various court interventions.

### A Court That Works

This research has found a court that makes appropriate sentencing decisions commensurate with the needs of the youthful offenders and a concern for public safety. More significantly, the data clearly shows that youth with lengthy arrest records can be safely returned to the community after relatively short periods of confinement under a well-funded community corrections program. Although the findings with respect to probation inter-

vention were disappointing, they must be understood in the context of the offense careers of probationers in this court. Because judges selectively use the most severe sanctions available to them, probationers often represent marginal offenders, most of whom will soon cease their delinquent activities. The more powerful and costly sanctions are reserved for the more chronic serious offender. The court handles them in a firm manner but remains committed to the ideal of rehabilitation.

The study revealed the following major findings: 1) The vast majority (53% to 81%) of all youths involved in the study were re-arrested at least once during the follow-up period; 2) Although re-arrest rates declined for probationers generally, there were essentially no differences in the level or timing of re-arrest across the three randomly assigned probation groups which involved different levels of service; and 3) Although a large proportion of the Youth Corrections offenders continued to be arrested, there were large declines in the rate of offending for all three Youth Corrections dispositional categories.

From the analysis and results of the study NCCD drew the following conclusions:

- 1) The recidivism data for Youth Corrections offenders strongly indicate that the imposition of appropriate community-based controls on highly active serious and chronic juvenile offenders does not compromise public protection.
- 2) The evidence suggests that short periods of confinement may be as effective as long periods of confinement.
- 3) Risk-assessment analysis conducted in this study suggests that probationers do reflect varying risk levels

in terms of future recidivism. These varying risk levels can be identified and should be accounted for in deciding which offender should receive the more intensive forms of probation intervention.

- 4) The community-based programs of Utah's Division of Youth Corrections may well constitute an important new range of dispositional options for handling serious and chronic juvenile offenders. It is suggested that further research should be conducted to replicate the Utah study to test the impact of similar correctional interventions in other juvenile court jurisdictions.

This study provides strong evidence of the need for careful diagnosis and risk assessment and for the design of creative probation services that respond to diagnosed needs.