
Clearer By The Day

Dennis Maloney, Director

Deschutes County Community Corrections Department

Pattern of Successful Intervention Strategies Emerges in the Juvenile Justice System

One must wonder if the 1899 Illinois Legislative Assembly had any inclination of the great search the Assembly would cause by charging America's first juvenile court to dispose of court cases "in the best interest of the child". For during this past century, judges, attorneys, probation officers, corrections officials, and social study experts have experimented with and studied virtually thousands of efforts to curb delinquency. This "best interest" mission raises numerous questions and the questions appear to be timeless. Should the juvenile justice system hold as its primary goal the protection of our citizenry, or should we focus our primary attention upon helping juvenile offenders become competent, law-abiding individuals? In the same vein, should we hold youngsters directly accountable for their delinquent acts, or should we turn our efforts to correcting the social ills that play a substantial role in producing conditions ripe for youth crime and antisocial behavior, thereby excusing delinquents from primary responsibility? Further, does taking a position on these issues necessarily result in a basic, uncompromisable opposition to those persons who have sided somewhat differently in responding to the same questions?

In 1988, a team of authors, with extensive practical, academic and policy experience, stepped forward to reconcile these questions by bringing a definition to the "best interest" mission. The authors, in a journal entitled *Juvenile Probation: The Balanced Approach*, define the best interest disposition as a measure that results in delinquent youth becoming safer, more accountable and more competent. This narrowed definition has allowed practitioners to focus their intervention strategies on risk management and treatment that reduces recidivism (repeat crimes), 'that imposes accountability through community service and restitution, and delivers skill training that boosts offender competence. While corrections officials have made a virtual science of risk management and restitution/community service programs for nearly 30 years, it is the field of competency development that has recently demonstrated the greatest cause for enthusiasm. After nearly 100 years, it is becoming increasingly clear that all forms of treatment should result in youth becoming more competent as a result of the intervention.

The Evidence on the Effectiveness of Efforts of the Juvenile Justice System in Preventing Repeat Crimes

One of the most thorough collections of studies that validated the need to attend to skill development in juvenile dispositions was the work of Dennis Romig. Romig published his findings in *Justice For Our Children* (1978). After reviewing the results of 829 evaluation studies over a five-year period, he isolated a smaller set of 170 studies which he felt were worth citing. The remaining hundreds were dropped from his sample due to their failure to meet experimental design criteria. In his review and analysis of these studies, Romig identified specific program modes which were thought to have an impact on delinquency, presented available research which supported or discredited these assertions, and then selected key ingredients on which to build an ideal program. His program analysis covered findings on:

- ❖ Office casework supervision
- ❖ Intensive office casework supervision and intensive surveillance supervision
- ❖ Insight-oriented counselling
- ❖ Psycho-dynamic counselling
- ❖ Job placement and work experience
- ❖ Out-of-home placement
- ❖ Teaching accountability through restitution and community service

As summarized by Maloney, Romig, and Armstrong (1988), some of probation's past principles and practices have failed to live up to expectations.

Office Casework Supervision

Currently, the most commonly used juvenile probation practice is office/field casework supervision. This typically involves youth coming to the probation counsellor's office once a month for a short supervision visit. Frequently, the counsellor will substitute a telephone call or a home or school visit for the office contact. The number of contacts vary by the counsellor's caseload and the youth's risk level. The contacts generally last from 5 to 20 minutes with the main goal being to check whether the youth is obeying the order of the juvenile court and the probation rules. Probation rules and court orders usually require the youth to attend school, work, or obtain job training; prohibit the use of alcohol or drugs; prohibit any criminal activity; and mandate the youth to follow the super-

vision of parents or legal guardians. When compared to a control group, youth who received office casework supervision, either alone or combined with insight-oriented counseling, did not commit fewer crimes.

Intensive Office Casework Supervision and Intensive Surveillance Supervision

Increased supervision and surveillance is a means of protecting the community; at the same time, it keeps certain youth in the community instead of sending them to juvenile institutions or training schools. By reducing caseloads, intensive probation supervision programs require a minimum of four face-to-face contacts a week, and at least one telephone contact per day with the youth or the youth's family. Juvenile intensive probation also requires the youth to be under house arrest except when the youth is in school, on a job, completing community service or restitution, or at a required treatment program.

Based on several studies in the last three decades, increased office casework and/or intensive supervision did not increase protection of the community or reduce arrest rates or repeat crimes. In fact, it increased the rate of repeat crimes because there was a greater chance for the probation officer to detect youth breaking the law. Intensive supervision did not increase skill or competency programs for youth; the main probation practice was insight-oriented counseling.

A study in Arizona compared two programs of intensive surveillance with a third that combined intensive surveillance with treatment and competency development. The program that included treatment and competency development had lower rates of repeat offenses than the two surveillance only programs. As a result, Arizona mandated in 1986 that all adult and juvenile intensive programs include treatment and competency development.

Insight-Oriented Counseling

Insight-oriented counselors listen to a youth's concerns and problems, and lead him or her to gain insight into the causes of these problems; this insight, in turn, is expected to lead the youth to discontinue delinquent behavior. Sometimes the counselor also works with the youth to generate alternative solutions to the youth's problems. Insight-oriented counseling did not reduce the youth's likelihood of repeating crimes when compared to youth who did not receive this counseling.

Psycho-Dynamic Counseling

Similar to insight-oriented counseling, the counselor works with the youth to achieve insight into the cause of the behavior in an attempt to change attitudes

and personality. The main differences from insight-oriented counseling are the formality of the sessions, the time spent in counseling, and the training of the counselors. Psycho-dynamic counseling has 'not been effective in reducing subsequent crimes.

Job Placement and Work Experience

Job placement programs have failed to decrease youth crime. In addition, youth involved in the programs were unable to keep their jobs and exhibited poor money management practices after they received their first paycheck. Two main problems with job training programs have emerged from the studies: (1) poor interpersonal skills which contribute to problems with supervisors and co-workers; and (2) poor problem solving skills in such areas as work attire, transportation, and punctuality. In one study, job placement alone was compared to job placement accompanied by six to eight months of coaching by a counselor on problem solving, and money management skills; this more intensive approach resulted in better job performance and fewer arrests than job placement alone.

Out-Of-Home Placement

Out-of-home placement is often necessary for youth whose parents model illegal behavior and/or who despite treatment continue to physically or sexually abuse youth. Placing youth out of their homes, either to provide better control and supervision or to enhance emotional support, did not significantly reduce the youths' delinquent behavior compared to youth who remained in their own homes. Out-of-home placement is most often accompanied by insight-oriented counseling which may account, in part, for its lack of success.

Teaching Accountability Through Restitution and Community Service

Holding youth accountable for their actions is popular among 80 to 90 percent of community citizens and victims. To teach accountability, youth are required to pay back restitution and/or complete community service work hours. According to recent studies, 70 to 85 percent of youth complete these requirements. Success stories abound such as the one from the Lucas County Juvenile Court in Toledo, Ohio; youth paid back \$500,000 to victims and contributed over 100,000 hours of community service in the past 10 years.

Two studies were able to reduce repeat crimes with restitution, while two studies with excellent research designs did not. Several practices increase the likelihood that youth will complete restitution. For example, when youth understand that restitution is a consequence of their crime, they are more apt to follow through. Shortening the probation and court processing time to less than four months also helps youth see why they were assigned restitution or community service. Delin-

quent youth who attend school or work full-time are also more apt to complete restitution; in addition, school and work involvement also serve to protect the community and improve youth competence. Attending school or work decreases the amount of unsupervised time available to youth, a major risk factor for juvenile delinquents. When youth attend school or work, their free times decreases, and their criminal activity also decreases.

Factors Contributing to Program Failure

Unfortunately, as Romig showed, most of these commonly used approaches had either mixed results or no positive impact on delinquent behavior. In fact, in some cases, the intervention actually increased the likelihood of repeat crimes. Romig also identified those factors which seemed to be primarily responsible for program failure:

- ❖ The lack of clear goals
- ❖ Lack of specificity in treatment
- ❖ Low-level relevance of treatment to offender's needs for skills
- ❖ Low-skilled and non-empathetic staff
- ❖ Treatment unrelated to real life situations.

The Case for Competency Development as a Central Focus for Dispositional Orders

Competency Development

Most importantly, Romig gleaned out those elements of program design which seemed to produce favorable results. These programs features included: assisting youth in setting specific and measurable goals; objectively diagnosing the youth's skill deficits and concentrating on providing the youth with necessary and practical living, learning, and working skills. Romig who has since increased his study sample to include over 1,000 evaluations concludes;

The rehabilitation of juvenile delinquents should focus upon teaching them skills that have been documented as improving their subsequent community behavior. These skills are listed as: communication skills; daily living and survival skills; educational advancement and study skills to obtain a diploma or certificate that supports career goals,' and career skills, such as career decision making and career advancement. These skills represent general areas of rehabilitation content that can help all youths.

The underlying argument is that youth who have committed offenses are, with rare exception, not socially ill and morally deficient, but simply lack the necessary skills to become viable members of the community. Moreover, there is a growing awareness that probation practices are generally lacking in the area of skill development; adding the elements of skill development increases the effectiveness of probation in both community protection and accountability. Romig then developed principles for rehabilitation based on a skill streaming format; the format is illustrated below.

Principles of Rehabilitation

1. Get the youths' attention
2. Obtain input using staff who have empathy
3. Objectively diagnose
4. Set behavioral goal
5. Teach youths new behaviors using effective teaching methods
 - a. Individualized diagnosis
 - b. Specific learning goal
 - c. Individualized program based upon personally relevant material
 - d. Teach basic academic skills
 - e. Multisensory techniques
 - f. Sequential presentation, breaking complex skills into simple steps
 - g. Initially rewarding youths' attention and persistence
 - h. Differential reinforcement of learning performance
6. Teach skills in the following areas
 - a. Communication skills
 - b. Daily living and survival skills
 - c. Educational advancement and study skills that result in a diploma or certificate that supports career goals
 - d. Career skills, such as career decision making and career advancement
7. Practice skills in problem settings
8. Differentially reinforce
9. Family training in communication, problem-solving, and disciplining skills
10. Follow-up skill training and reinforcement

A Comparison of the Standard Treatment Paradigm and the Research Supported Competency Based Paradigm

Dr. Gordon Bazemore, National Director of The Balanced Approach/Restorative Justice Initiative, has developed the following table to illustrate and articulate the

differences between treatment services and competency training. Bazemore's work clearly differentiates the programmatic features of the two approaches.

Intervention Assumptions: Treatment/Services and Competency Development

Treatment Services

Program and initial focus on identifying deficits and relating ameliorative approaches to correct problems; youth as in need of services

For purposes of intervention, it is best to assume incompetence and disturbance

Remedial and reactive

Role of offender as recipient of treatment or services (passive)

Role of juvenile justice professional as "counselor" of "broker" or services

Emphasis on change in individual youth behavior

Offenders learn best through counseling and remedial training

Counseling as a primary modality

Competency Development

Primary and initial focus on identifying strengths and building on the positive; youth as resources

For purposes of intervention it is best to assume competence and capacity for positive action (active)

Preventive and proactive

Role of juvenile justice professional as developing new roles for young offenders which allow for demonstration of competency

Emphasis on change in community institutions and adult behavior

Offenders learn best by doing

Counseling as support for active engagement

A Program Context Warranting Attention

If it can be concluded that a competency based approach holds great promise as an effective intervention tool, then a thorough search should be undertaken to find a programmatic means to impart competencies as well as achieve other outcomes in the Balanced Approach mission. In this regard, community service and restitution programs warrant careful consideration.

Community service by its very nature offers tremendous potential to fulfill the objectives of the Balanced Approach mission. Considering the community protection benefits of community service, for example, we find that young offenders in community service work crews may be under the supervision of a conventional adult four, five, even six days a week for several hours a day. The adult supervisor not only observes the young person's work, but can detect if the person arrives for work intoxicated or under the influence of drugs. Further, because the young workers are most often working alongside others, staff can observe and monitor disruptive or violent tendencies that warrant more intensive supervision.

As to the accountability goal, it is at the very heart of the community service disposition. While the court may use encouraging, admonishing, or even coercive measures to see to it that offenders comply with orders, ultimately it is up to them to arrive at work sites on time and put in the effort to complete their assigned hours. This is not passive response; it is active response in which offenders are engaged in work that demonstrates at least some level of accountability for their crimes. A basic social contract is at work here:

If you commit a crime against your fellow citizens, you have damaged the peace as well as general quality of life of the community. You can expect to give up time, energy, and sweat by performing work that will provide restoration to the community for this disruption as well as for loss from more tangible damages (e.g., vandalism, police time).

While offenders may not always like being on work detail, those who complete service orders have nonetheless chosen to fulfill an obligation. This demands a more active personal commitment than reporting to a government office monthly to visit with a probation officer.

The potential for competency development is also strong with well run community service programs. The basic skills of reporting to work on time, cooperating with other workers, taking instruction and constructive criticism from supervisors, and finishing the job in a quality manner, can be carried over into life in the community. More sophisticated community service programs even provide vocational training opportunities that complement the basic program. Others reward workers who do a good job with a referral to a public/ private placement agency

for an employment opportunity. When offenders complete their community service hours at a nonprofit agency in the community, it is not uncommon for the agency to embrace these young workers and recognize work with positive reference letters, commendation gatherings, or even permanent employment.

If there is agreement that public safety, accountability, and competency are all important goals to be achieved during the dispositional phase of juvenile proceedings, then we may get results. In fact, it is difficult to find another approach that presents all these benefits in such a tightly organized package. Furthermore, if community service is inherently beneficial for delinquent youth, the added outcomes of achieving genuine gains for communities really set this requirement apart from any approach that simply seeks to control behavior of adjudicated youth.

Interestingly, seasoned community service program operators have learned to give primary emphasis to the nature and quality of the work itself rather than the needs and deficits of offenders; getting the work done well takes precedence over any concern with counseling or individual therapy. The more engaged the youth, the more hope for real behavior change. In this regard, the needs of the community for productive useful work and the needs of the youth are highly compatible.

Conclusion

The juvenile court has been searching for effective intervention strategies for nearly a century. During that search, results have been mixed at best and public concern about the effectiveness of the court has jumped sharply. One intervention strategy that has proven to be successful is comprehensive skill development. Skill development should be one of the outcomes sought by every treatment modality. Furthermore, community service programs offer an excellent mechanism for delivering competency based programs.

References

Bazemore, G. (1992). *Mission statements and reform in juvenile justice: The case of the Balanced Approach*. Federal Probation, September.

Maloney, D., Romig, D., & Armstrong, T. (1988). *Juvenile probation: The balanced approach*. Reno, NV: National Council of Juvenile and Family Court Judges.

Romig, D. A. (1982). *Justice for our children*. Austin, TX: Human Sciences Press.

Dennis Maloney is the Director of Deschutes County Community Justice. There he has initiated a variety of juvenile and adult corrections' programs that have gained national attention. Dennis has written two books and over a dozen published articles. The book he wrote on Probation is the most widely distributed journal in the history of the National Council of Juvenile and Family Court Judges. He has been honored with several awards, including the Sam Houston State Award for the Nations Outstanding Publication on Community Corrections. He was selected by former Governor Goldschmidt as one of six citizens in Oregon to receive the Governor's Award for Excellence.