

NATIONAL CONFERENCE
of STATE LEGISLATURES



Delinquency Prevention & Intervention

Juvenile Justice Guide Book for Legislators



Introduction



Engaging in delinquent behavior can lead to drug use and dependency, dropping out of school, incarceration, adult criminal behavior and injury. Early intervention and prevention of delinquent behavior can divert juveniles from the adverse consequences that can result from delinquency.

Risk and Protective Factors

There are identified risk factors that increase a juvenile's likelihood to engage in delinquent behavior, although there is no single risk factor that is determinative. To counteract these risk factors, protective factors have also been identified to minimize a juvenile's likelihood to engage in delinquent behavior.

The four areas of risk factors are: individual, family, peer, and school and community. Individual risk factors include early antisocial behavior, poor cognitive development, hyperactivity and emotional factors, such as mental health challenges. Family risk factors include poverty, maltreatment, family violence, divorce, parental psychopathology, familial antisocial behaviors, teenage parenthood, single parent family and large family size. Peer factors of association with deviant peers and peer

rejection are identified as risk factors. School and community risk factors include failure to bond to school, poor academic performance, low academic aspirations, neighborhood disadvantage, disorganized neighborhoods, concentration of delinquent peer groups, and access to weapons. Many of these risk factors overlap. In some cases existence of one risk factor contributes to existence of another or others.

Generally, protective factors—such as positive school attendance, positive social orientation or the ability to discuss problems with parents—are a buffer to minimize or moderate the effect of risk factors and their ability to bring about delinquent behavior. Protective factors seem to mitigate the influence of risk factors. Both risk and protective factors are discussed as part of delinquency prevention and intervention.



Risk Factors

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- 1 | Individual risk factors
- 2 | Family risk factors
- 3 | Peer risk factors
- 4 | School and Community risk factors

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Phases of Prevention and Intervention

Delinquency prevention and intervention efforts primarily are comprised of identifying the risk factors that contribute to delinquency, addressing those factors early, and building on protective factors to offset the risks. Although traditional delinquency prevention policies were targeted at school-age youth, more modern delinquency prevention and intervention efforts focus on pre-birth into childhood and adolescence.

“ The most recent research suggests that the earliest prevention should begin in the womb and in the first years of a baby’s life.

Pre-natal

For instance, research on brain development shows that neural connections regulating responses to stress are formed in utero and into the first 33 months of life (as noted in the “Adolescent Development and Competency” section). A child who grows up in a chaotic or abusive environment is more likely to have an over-reactive flight-or-fight reflex. Furthermore, someone who cannot maintain self-control under stress has a greater inclination to violence.

Early Childhood

Social research has shown a strong association between childhood abuse and neglect and delinquent behavior. A National Institute of Justice study showed that a history of child abuse and neglect increased the likelihood of juvenile arrest by 59

percent, adult arrest by 27 percent and violent crime by 29 percent. Other studies have shown that violence begets more violence. One study showed that children who were victims of violence were 24 percent more likely to report engaging in violence. One-third of the victims of child abuse or neglect are likely to subject their own children to abuse. In cases of extreme exposure to violence, children may develop post-traumatic stress syndrome, which makes it more difficult to form appropriate relationships, cause an increased tolerance for violence and lead to difficulty learning new information.

Quality early child care and education provide the bases for healthy growth and development, which includes physical well-being and structured early learning and educational opportunities. Nutrition, health care, parental involvement and interaction, and quality pre-school experiences also contribute. Positive early child care includes adequate staff qualifications and training, low staff-to-child ratios, adequate staff compensation and developmental curriculum.

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School Age

The next crucial phase of prevention and intervention occurs during the pre-teen years. During

this time, the strongest risk factor for delinquency is influence from a delinquent peer group. Other prominent risk factors for school-age children are involvement of family members in crime, academic failure and disinterest in school, family violence, drug use, and gang influence and membership.

Schools play a particularly important role during the school-age years. They provide a forum within which to promulgate programs and policies aligned with delinquency prevention and intervention. These programs can address a range of topics, such as drug and alcohol use, bullying, and gang prevention. In fact, most gang resistance programs are school-based. The school role also includes their discretion in disciplining and reporting juveniles, sometimes resulting in delinquency proceedings.

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Risk/Needs Assessments

Research shows the most effective interventions are those that target the right kids. Research by the Peabody Research Institute (2010) shows, in general, that intervention for high-risk delinquents, on average, more effectively reduces recidivism than when those interventions are applied to low-risk delinquents. Practically, juvenile justice systems will have more success in reducing recidivism if they focus interventions on higher-risk youth. The research

further shows that therapeutic programs—such as restorative programs, programs centered on skill building, and counseling—were more effective than disciplinary or deterrence philosophies. It is important that the program type match the youth’s needs.

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Evidence-Based Programs

Model prevention evidence-based programs such as multi-systemic therapy (MST) and family functional therapy (FFT) have shown positive effects on recidivism. MST is a family systems approach designed to help parents deal effectively with their child’s behavior problems. It is provided in the home, school and other community locations. FFT targets youth with substance abuse, delinquency or violence in their home environment. It focuses on improving the function of the family by increasing problem-solving skills and emotional connections and providing appropriate parental structure for children in the home. Many states, including Pennsylvania, Florida and Washington, have implemented evidence-based programs. Research also has shown the effectiveness of smaller, local

programs that follow principles similar to these successful programs.

Intervening with Status Offenders

Status offenses are non-criminal behaviors that constitute an offense only because the juveniles are minors. The most common status offenses are truancy, curfew violations, running away and alcohol violations. Preventing and providing structured and appropriate services for status offenders are key to preventing future delinquency.

Many youth service experts recommend that status offenders benefit from assessment and early intervention for family problems, as opposed to a disciplinary focus and adjudication. These providers advocate organized, early assessment by community centers in collaboration with local agencies. The community centers identify the needs of and provide the necessary services for the juveniles—and their family members, if necessary—to help prevent delinquency.

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Truancy

Truancy is absence from school that is not excused by the school or a parent; some states provide a statutory

age range within which students may be classified as truant. In general, research shows that truancy is a risk factor for other behaviors such as substance and alcohol use, dropping out of school, and involvement in the juvenile justice system. However, research conducted by Huizinga et al. also indicates that, although truancy can be a factor associated with delinquency, it is much less so than factors such as substance abuse or mental health problems.

When the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) evaluated seven national truancy reduction programs, it identified five elements of effective programs: parental involvement, a continuum of services, a collaborative effort (with law enforcement, mental health, mentoring and social services), school administrative support and commitment, and ongoing evaluation.

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Traditionally, habitual truants were suspended, expelled, and often referred to juvenile courts or the child welfare system. Now, research suggests that punitive policies only increase the likelihood of school dropouts. Studies suggest that the “positive youth development” approach—which creates a safe environment, enables connections with caring adults, and builds on strengths and assets of the



Truancy Reduction Strategies

The National Dropout Prevention Center/Network (Smink and Reimer, 2005) recommend the following strategies as effective in reducing truancy:

- School-community collaboration
- Safe learning environments
- Family engagement
- Early childhood education
- Early literacy development
- Mentoring/tutoring
- Service learning
- Alternative schooling
- After-school opportunities
- Professional development
- Active learning
- Educational technology
- Individualized instruction
- Career and technical education

youth involved—is more likely to be successful. Such truancy programs can result in a decrease in crime during school days, decreased drug and alcohol use, increased school attendance, fewer dropouts and improved school performance.

Community-based truancy reduction programs work to break down the barriers to high school graduation. Other truancy reduction programs are school-based and work to reverse patterns of truancy before high school; these programs are predominantly used in middle schools.

Cost Benefit of Prevention

Policymakers must consider the cost, as well as the effectiveness, of prevention and intervention programs to address juvenile crime. Today’s long-term investments in prevention can help to reduce crime and public spending well into the future. Efforts to address truancy, for example, represent policymakers’ interest in ensuring children stay in school and receive an adequate education, stay out of trouble, and out of the juvenile and criminal justice systems.

“ Cost-benefit analysis helps guide policy and investments that invest in the long-term future of delinquency prevention.

The National Center for School Engagement estimates that the lifetime societal cost for each high school dropout is about \$200,000.

The Washington Legislature uses cost-benefit analysis to evaluate delinquency prevention and other juvenile justice programs. Analysis of the Seattle Social Development Project, which uses

elementary classroom instruction to prevent later delinquency and substance abuse, is said to have saved \$3,268 per student in reduced criminal justice system expenditures and losses to victims. In addition, a 1998 study of nine early childhood intervention programs found that, when targeted to high-risk populations, the programs provided long-term savings through increased tax revenues and decreased outlays for criminal justice, welfare, special education and other public costs.

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State Activity

State legislatures have enacted numerous laws in recent years to address juvenile delinquency prevention and intervention. States such as Arkansas have passed laws that allocate more funding for community-based and juvenile delinquency prevention programs, including those aimed at gang prevention, or measures that provide a path for the further development and implementation of delinquency prevention programs. Meanwhile, other states have focused on creating a collaboration of stakeholders to address prevention issues.

Early Childhood Care and Education

Programs in many states focus on improving early childhood care and education, which includes

assistance to parents. Home visitation programs have been shown effective in reducing the incidence of abuse and neglect.

A Hawaii program provides new parents who are at risk of child abuse or neglect with child development training and health-related services; it has helped to significantly reduce abuse and neglect. Forty states have home visitation programs to prevent perpetuation of abuse or neglect at home.

“ States also have begun to invest more in earlier education. Thirty-nine states have a pre-school program, and 13 provide supplemental funding for Head Start, an early childhood education program for children in low-income families or those with disabilities.

States have earmarked state revenue from other sources to pay for pre-school education initiatives. Georgia for example, earmarked state lottery funds to offer free pre-school for 4-year-olds. Colorado designated a portion of its crime prevention funds for early childhood programs, and California added a 50-cent tax on cigarettes to support early child development services (as well as smoking prevention programs).

In 2008, Illinois created the Commission on Children and Youth and entrusts its Early Learning

Council with primary responsibility for developing a strategic plan for children from birth to age 24. A 2010 Nebraska law provided methods of early intervention for children at risk.

Truancy and School Dropout Prevention

Because truancy is a strong indicator of future delinquent behavior, many state legislatures have focused on addressing truancy and minimizing school dropout rates.

Some states have passed legislation that require data collection and research on school dropout and graduation rates. For example, California passed a pupil retention statute in 2009 to require the superintendent to submit an annual report on students who drop out.

Recently, Colorado began a prevention pilot program administered by the Department of Education to reduce drop out rates.

In 2009, Colorado passed three new laws related to truancy prevention. The state began a prevention pilot program administered by the Department of Education to reduce drop-out rates. Colorado also created an office of dropout prevention and student re-engagement within its Department of Education. The office focuses on reducing student drop-out rates and increasing graduation rates. Finally, Colorado created a residential youth challenge corps program

that caters exclusively to at-risk youth, including those who are habitually truant.

Some state policies provide various sanctions for truant behavior. Laws in 17 states require youth to remain in school or maintain a certain grade point average to earn or keep their driver’s license.

In Louisiana, a habitually truant teen’s driver’s license may either be suspended or denied. Louisiana, as well as several other states, also can hold parents of truant students liable by punishing them with fines, school or community service, attendance at parenting classes, family counseling and suspension of a state-issued recreational license. In Minnesota, parents of a truant child may be ordered to deliver the child to school, and in Oregon, authorities may issue a school attendance citation.

Connecticut’s truancy prevention initiative includes a special truancy docket, while Illinois allows the Chicago Board of Education to establish an Office of Chronic Truant Adjudication. Utah allows a school district to establish truancy support centers. In Nebraska, which requires its school districts to have a written excessive absenteeism policy, county attorneys are notified of habitual truancy.

There are many ways that states are approaching prevention of juvenile delinquency, crime, and

violence—including a 2009 Minnesota law regards youth violence as a public health concern; it coordinates prevention and intervention programs addressing relevant risk factors for violence. New service programs also were created. In 2010, for example, Missouri established a residential, military-based academy that focuses on training life skills, citizenship, life coping and academics.

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Utah uses parental responsibility in an attempt to further prevent gang participation. Parents or guardians who have legal custody of juveniles who participate in illegal behavior and inflict property damage in association with gang activity are liable for damages up to \$5,000.



Conclusion

Both preventing juveniles from ever engaging in delinquent behavior and intervening to prevent them from engaging in repeated delinquent behavior or criminal acts are essential components to administration of juvenile justice.

For references and additional resources, please see the **References, Glossary & Resources** section.





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