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Examining Juvenile Crime and Recidivism

Thesis submitted to  
The Graduate College of  
Marshall University

In partial fulfillment of  
The requirements for the degree of  
Masters of Arts in Sociology

By

Charles M. Watson

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Marshall University

May 2007

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## ABSTRACT

### Examining Juvenile Crime and Recidivism

By Charles M. Watson

High juvenile recidivism rates are a dilemma that is plaguing the juvenile justice system and the treatment facilities that operate within. There is little understanding of the causal relationship between recidivism rates, treatment types, and the demographics of the residents at the various treatment facilities. The purpose of this research is to identify the common flaws existing in current treatment practices and to utilize social labeling theory as a means of gaining a better understanding of this issue.

## ACKNOWLEDGMENTS

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My family and friends have been my rock through graduate school, ever pushing me to succeed and stay focused. Thanks to my Mom and Dad for their wisdom and financial support even through the hardest of times. My sister-in-law Candice went above and beyond with the many late nights of assisting me implement proper format, complete revisions, and providing me with the focus I needed to meet my deadlines. Finally, a very special thanks goes to my wonderful girlfriend Melissa. She has been my motivation to complete my studies and has supported me through thick and thin during the entire research process.

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## CHAPTER ONE: INTRODUCTION

While working with juveniles at a non-lockdown residential treatment facility for the past 14 months I have noticed that many flaws exist in the theoretical framework of delivering treatment to juvenile delinquents. I believe that treatment facilities are primarily to blame for such high recidivism rates and low success rates. My purpose is to discuss the causes of recidivism and the role of treatment facilities in juvenile re-offending.

The facility I work at currently is regularly at full capacity, providing services for 40 youths who stay on average five to nine months. This facility is a non-locked down residential re-education facility which is one of the three types I referenced throughout my research. The three types are:

- Juvenile Boot Camps
  - o Military Schools
  - o Wilderness Schools
- Residential Treatment Facilities
  - o Re-Education (RE-ED) programs
  - o Juvenile Group Homes
  - o Wraparound services model facilities
- Juvenile Lockups
  - o Juvenile Prisons

Each facility operates with different goals in mind and each has shown both strengths and weaknesses in their approaches at treating juvenile delinquents. The majority of residents residing at the facility I currently work for have some dependency related issues as well as many



diagnosed psychological disorders. Clients are wards of the state having been court ordered to participate and successfully complete the program in order for their parents to regain guardianship or be released into a prearranged permanency. I had extensive conversations with numerous professionals who worked with troubled youth – self-proclaimed “experts”, each with their own theory- and it seemed to me that none of their theories provided an accurate account as to why our society has such a plethora of repeat juvenile offenders. It was this quandary that enticed me to research the causes of juvenile crime and delinquency with an emphasis on recidivistic behavior and ways to prevent it. Recidivism is defined as the repetition of criminal behavior after having been treated or punished for previously committed criminal acts. An important first step in examining juvenile delinquency is deciding what behaviors are going to be taken into account when calculating recidivism rates for juveniles. I have broken down underage offenses into four categories:

- 1. Criminal offences
  - o Serious violent crimes such as assault, rape, robbery and homicide.
  - o Non-violent and property crimes such as breaking and entering (B & E), property destruction, and burglary.
- 2. Status offences such as truancy, underage alcohol consumption, running away, curfew violation, incorrigibility and overall ungovernability.
- 3. Drug use and dependency.
- 4. Juvenile sex offenses.

Criminal offenders play a very large part in the juvenile justice system. Many youths are adjudicated for assault and battery, but an even larger number of youths are incarcerated for

larceny-theft related offences. At the time I began my research, my employer had averages much higher than the national average with 80% of the youths having some violent or property crime in their recent history.

Status offences are those offences that are only illegal for those in a certain class of society. In this case, that class is juveniles under the age of 18. A large number of youths will commit a status offence at some point in their lives whether it is as minor as breaking curfew or as serious as running away. These offences were calculated into my research and, along with drug use violations, have the highest propensity for some sort of recidivistic behavior.

Drug use and dependency among juveniles has become an epidemic. At times more than 90% of the residents I work with are labeled with, or claim to have, a dependency problem. With numbers such as these skyrocketing out of control something had to be done in order to understand the value of providing proper treatment for these youths in order to prevent a reoccurrence of a dependant lifestyle. The first three categories are the three I focused on because they are identified specifically as illegal acts.

Although sex offences are equally illegal in both the adult and juvenile realm of criminology, it is viewed more as a sickness when dealing with juveniles. Facilities, like the one I currently work for, are not suited for the treatment of a juvenile sex offender. Valuable manpower and resources are often taxed when it is discovered that a youth is in need of more individualized treatment for a sexual disorder. For this reason they are often transferred to facilities more equipped and better suited to treat this type of offence. Most often these are specific treatment clinics or different programs funded by psychiatric treatment hospitals.

I believe that to understand why so many youths are participating in recidivistic

behaviors the behaviors they partake in have to first be identified. In chapter two I review current literature on juvenile crime, and provide statistical data and demographics to break down juvenile crime by age, gender, race, and location. I compare the difference between female and male offenders, as well as the differences that occur between racial and ethnic groups, all while looking for determining characteristics that would predispose one group when categorizing juvenile crime and recidivism. In chapter three I compare the different treatment facility types, their philosophies, and the statistics related to their effectiveness. My analysis and findings are described in chapter 4, and finally in chapter 5, I conclude using labeling theory to sociologically explain the alarmingly high rates of recidivism and the role that treatment facilities play in this dilemma.

## METHODS

For my research I relied on statistics available for juvenile crime rates and the secondary analysis of studies conducted evaluating the effectiveness of treatment facilities and the corresponding relationship they have on recidivism rates. I also implemented my own personal observations obtained while working with juvenile delinquents as a counselor and educator in the development of my research and theories. The 14 months of direct care I implemented while working in a treatment facility was the largest contributing factor of my interest in this topic. The data I collected and behaviors I observed were the most valuable tool available when developing my own approach to understanding the flaws in treating juvenile delinquents. This experience was obtained both hands on, by contact with the juveniles through conversation and observation, and by integrating the education and training I received through my company both officially, in classes and coursework, and unofficially through the multiple conversations I took

part in with administrative personnel and mental health professionals. I will be referring to, and using, the observations witnessed and conversations had throughout my research. The data obtained through both methods were of the utmost value in providing knowledge and helping to propose and answer the multiple array of questions surrounding this topic.

## CHAPTER TWO: LITERATURE REVIEW

### RESEARCH REVIEW

There were quite a few studies conducted evaluating the underlying cause of juvenile crime and the effectiveness of treatment facilities and their role in recidivism rates.

Wooldredge (1998) found in his study six key points when evaluating the effectiveness of juvenile sentencing. These are:

- Shorter terms of court supervision are more effective than longer terms for eliminating and prolonging recidivism.
- Longer terms of community treatment are more effective than shorter terms for eliminating and prolonging recidivism.
- Longer terms of detention can be counterproductive for eliminating and prolonging recidivism, and it may be harmful to supplement other “pure” sentences with these longer terms. The maximum benefits of detention (if any) appear to come at shorter intervals.
- Supplementing court supervision with restitution is no worse or better than supervision alone for eliminating and prolonging recidivism.
- Supplementing court supervision with a tour of a juvenile detention center is no more effective than supervision alone for elimination recidivism. However, these tours appear to maintain an advantage of prolonging recidivism. Given the cost of the tour of the court, it may be economically better off without it.
- The alternative to dismissing legally strong cases should be the implementing of one year of court supervision (given that it is probably the cheapest alternative)(pp. 292-

293).

You can see from Wooldredge's research that he has identified many factors that could affect the possible success of treatment for juvenile delinquents.

The effectiveness of “wraparound services model” for treating juvenile delinquents was evaluated by Carney and Buttell (2003). The wraparound service model was designed to be a more individualized and focus on one child at a time as to treat all facets of their behavior. This included the interventions needed at school, home, and the community. Carney and Buttell (2003) failed to provide empirical support for their hypothesis that those who received conventional juvenile court services were more likely than those who received wraparound services to have fewer episodes of delinquent episodes. They did, however, find that juveniles who received wraparound services did not miss school unexcused, get expelled or suspended from school, run away from home, or get picked up by the police as frequently as youth who received the juvenile court conventional services.

Tyler, Darville, and Stalnaker (2001) found that juvenile boot camps are overall ineffective both in terms of cost and reducing recidivism rates. They found that these programs could greatly increase their effectiveness by incorporating programs that provide youths with the skills, motivation and the resources needed to avoid the environments and lifestyles that contributed to delinquency in the first place. It was also found that “shock incarceration”, which is what most boot camps are trying to implement, is ineffective at undoing the inappropriate behaviors that have taken a life time to develop. Teaching new skills and instilling confidence is seen as far more important for a youth’s future than short-term strict enforcement of society and program rules. Finally, they found that even though some positive outcomes may result from

boot camp participation, youths couldn't be expected to change and partake in new lifestyles without support from family and aftercare programs once leaving boot camps.

While evaluating labeling theory as a method to explain recidivism in juveniles Bernburg, Krohn, and Rivera (2006) found that although official labeling may not directly influence delinquent behavior, it does tend to bring about conditions that are conducive to crime and delinquency. They found that official labeling for juveniles supported their hypotheses and tended to embed individuals into deviant social groups, thereby increasing the likelihood of subsequent deviance and crime. They found specifically that teenagers who experience juvenile justice intervention are substantially more likely than their peers to become members of a gang in a successive period. Their peer networks also tended to become increasingly non-conventional in the sense that they were more likely to be involved in peer networks that have high levels of delinquency. This indicated that official labeling played a significant role in the maintenance and stability of delinquency at the crucial period of early and middle adolescence. They feel that the exclusionary process triggered by deviant labeling may, in many cases, explain the individual's movement to a deviant group, as well as the isolation of deviant groups from mainstream life. The deviant label may not necessarily be a permanent status but can still have important consequences for the development of delinquency if it occurs at a critical period in the life course. Prior research indicates that official deviant labeling during adolescence may be a consequential event for the life course, pushing or leading youths on a pathway of blocked structured opportunities and delinquency in young adulthood.

Ganzer and Sarason (1973) found that only a slightly greater proportion of recidivists than non-recidivists came from broken homes. They also found that females were more likely

than males to come from broken homes regardless of whether they were repeat offenders or not.

Their study also found that there was no significant difference in the socioeconomic status of the youths who were repeat offenders. Their study did, however, find that 85% of classifiable families fell within the two lowest socioeconomic status categories. They found no correlation between parental education level and recidivism but did find that more males than females came from families whose head of the household held upper status positions. Finally, it was found that a greater number of females had families who had prior police contact. It was theorized to be related to the fact that the females in their study came from disorganized families who tended to be “more socially visible” in the community causing contact with the police, courts, and public assistance to be more frequent. This visibility is thought to lead to early detection and commitment into the juvenile justice system

In this section it becomes clear that many variables affect juvenile crime and many studies have been conducted, some showing contradicting results. Wooldredge (1998) found in his study that the length of stay and strictness of the sentence have little effect on the recidivism rates. His results were however, mixed and somewhat contradicting and confusing. It was shown by Carney and Buttell (2003) that although wraparound services didn't exclusively eliminate recidivism, it did have positive effects on the amount of deviance a youth participated in. Evidence is also presented that shows the effectiveness, or lack there of, of juvenile boot camps and Ganzer and Sarason (1973) presented interesting statistics as to the role of family, socioeconomic status, education, and social visibility as related to recidivism. Finally, Bernburg, Krohn, and Rivera (2006) laid some groundwork for readers on the role of social labeling and how labels are thought to predispose juveniles to the possibility of repeat offending.



## STATISTICS AND DEMOGRAPHICS

The types of crimes that are being committed by juveniles have a tendency to vary over time. It is hard to comprehend the seriousness of youths that are repeat offending unless some groundwork is first presented with the statistical data available on juvenile offences. Snyder and Sickmund (2006) found that there were many risk factors the predisposed a youth to violent crime. These factors were grouped into three categories:

- Individual characteristics (e.g., age, gender, race, lifestyle, and friendship patterns);
- Family characteristics (e.g., family structure, income, and level of supervision); and
- Community characteristics (e.g., crime and poverty levels and the age profile of the community's population.

Available data states that males are more likely than females to commit crime and more specifically a violent criminal act. Violent juvenile offenders are male 75% of the time. This is 3 ½ times higher than the proportion of crimes that victims attributed to females (Snyder and Sickmund, 2006). Based on arrest records the gap between the number of male and female offenders for all crime is decreasing. The Federal Bureau of Investigation (FBI) showed that 58% of crime was committed by males while females committed 42% in 2004. Data showed the total male population (males of all ages) showed a decrease of 8.9% from 1995-2004 and juvenile males (under 18) a 27.2% decrease for the same time frame, while total female population (females of all ages) actually rose 9.2%. Juvenile females did decrease but not as substantially as the rates for juvenile males; their change was only 7.3% for the same time frame (FBI, 2004). Juvenile males were most often arrested for larceny–theft totaling 12.3% of total arrest and drug violations were the second most recorded offence totaling 10.3%. Juvenile

females were also most often arrested for larceny-theft crimes totaling 20.7% of arrests, but for males disorderly conduct tallied the next highest number with a figure of 9.8% (FBI, 2004). The statistics on juvenile offending and race often vary and at times seem to be contradictory. The Bureau of Justice Statistics (2005) reported that white juveniles committed more crime by percentage only because the population of white juveniles is larger than black juveniles. In comparison, per every 100,000 juveniles arrested, African-American youths were statistically higher in every category but arson in 2003. These categories included violent crime, murder, rape, robbery, aggravated assault, property crime, burglary, larceny, vehicle theft, simple assault, weapons violations, and drug arrests.

Racial disparity in the juvenile justice system is declining. The black juvenile violent crime arrest rate in the late 1980s was six times that of white juveniles. By 2003, the rate had fallen to four times that of white offenders. At the same time the reports of drug abuse violations involving black juveniles had fallen from five times that of whites to less than double (Snyder & Sickmund, 2006).

RACE	YEAR		
	1985	1995	2005
BLACK	75 per 1000	125 per 1000	95 per 1000
WHITE	40	50	45
OTHER	30	40	30

Source: Snyder & Sickmund, 2006

In 2002 white youth made up 78% of the juvenile population but only 67% of juvenile delinquency cases. Black youths on the other hand, accounted for only 16% of the population

but accounted for 29% of juvenile delinquency cases. In 2002, the delinquency case rate for blacks was more than two times the rate for whites and just over three times the rate for youth of other races. (Snyder & Sickmund's adaptation of Stahl et al.'s Juvenile Court Statistics 2001–2002.) More than half of juvenile murder victims in 2002 were white, 45% were black, and 4% were either American Indian or Asian. Given that white youth constituted 78% of the U.S. resident juvenile population in 2002 and black youth 16%, the murder rate for black youth in 2002 was more than four times the white rate. This same disparity was also seen across victim age groups and increased with age (Snyder & Sickmund, 2006).

Research shows that black juveniles are disproportionately represented by the juvenile justice system in comparison to their proportions in the general population. Black youths make up only 13% of the general population but almost 25% of youth detained by the courts prior to sentencing. After hearings and sentencing is complete black youths make up over 40% of all youths in private and public facilities (Ray & Alarid, 2004). Although statistics indicate that black youths are arrested at roughly the same rate as white youths, juveniles who are black are more often referred to court intake, whereas white youths tend to receive warnings before release to a responsible adult (Ray and Alarid 2004).

<b>Table 2.2: Ten-year Racial Disparity trend for black youth in the juvenile justice system.</b>		
	<b>1992</b>	<b>2002</b>
Arrest to population.	2.4	1.8
Referrals to arrests	1.0	1.1
Detained to referrals	1.4	1.4
Petitioned to referrals	1.3	1.2
Waived to petitioned	1.8	1.1
Adjudicated to petitioned	0.9	0.8
Placements to adjudicated	1.3	1.2

Source: Sydney & Sickmund, 2006

When a juvenile is apprehended, a decision has to be made at each step hence forth in the adjudication process. Table 2.2 indicates the change in the Relative Rate Index (RRI) at different points in the juvenile justice system from 1992 to 2002. “The RRI tests for disparity at a series of decision points, typically arrest, referral to juvenile court, detention, petitioning, transfer to criminal court, adjudication, and out-of-home placement following adjudication” (Sydney & Sickmund, 2006). An RRI of zero indicates that there is not disparity based on race at each decision point in the juvenile justice system. There certainly are many reasons that may explain the disproportionate number of minorities in the juvenile justice system, one of the most influential and relevant to this study is the labeling of minorities, and the communities they reside in, by authority figures. Many African American juveniles live in areas of lower socioeconomic status which are more heavily patrolled by law enforcement. The police label these areas and its residents claiming there are large amounts of crime and drug trafficking occurring. Therefore, police heavily patrol these areas resulting in the statistically higher representation of juveniles from these neighborhoods in the judicial system. Proportionately, there are just as many white juveniles abusing substances and committing delinquent acts but

because many of these juveniles originate from areas of influence, which are not as heavily patrolled, there is a higher likelihood they will be able to avoid police contact resulting in their misrepresentation in the juvenile justice system.

Snyder and Sickmund (2006) showed that most delinquent crime, whether it is crime towards a person or property, a drug related crime, or a public order crime, increased with the age of the offender. Table 2.3 shows this increase with age; notice that these rates double for every age group from the ages of 10 to 13 then proceed to increase steadily by 20 more cases per year until adulthood.

<b>Table 2.3: Juveniles age at time of referral per 1000 youths.</b>	
<b>Age</b>	<b>Number of cases per 1000</b>
10	4.6
11	9.3
12	20.4
13	39.2
14	63.2
15	84.3
16	102.9
17	109.1

Source: Sydney & Sickmund, 2006

Table 2.3 shows that the number of youths who are referred to juvenile court increases at a steady rate as juveniles become older; from fewer than 10 cases per 1000 juveniles at age 11 to over 100 cases per 1000 juveniles at age 17.

<b>Table 2.4: Juveniles age at time of referral per 1000 youths by offence committed.</b>				
<b>Age</b>	<b>Offences per 1000 youths</b>			
	<b>Property</b>	<b>Public Order</b>	<b>Person</b>	<b>Drug</b>
10	3	1	2	0
11	5	2	4	0
12	9	4	7	1
13	16	9	12	3
14	26	16	17	6
15	32	23	20	10
16	38	27	22	16
17	39	29	22	20

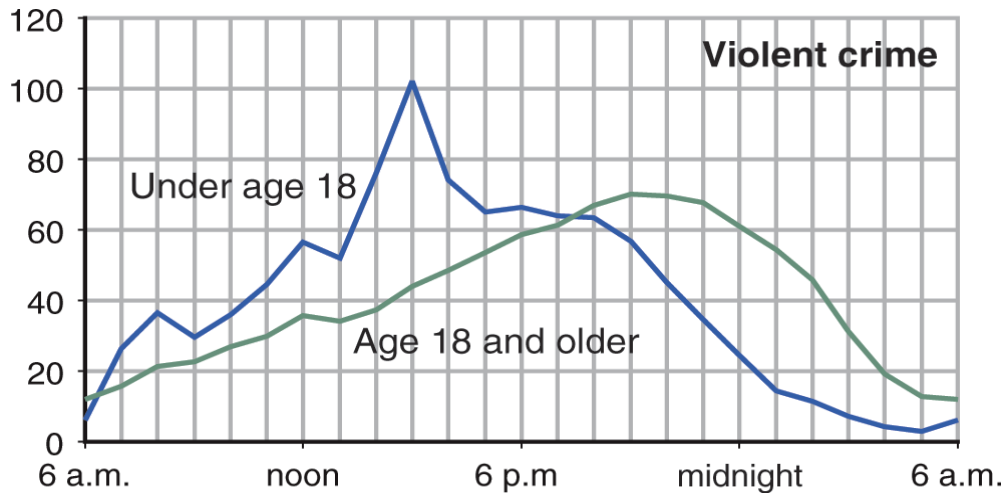
Source: Sydney & Sickmund, 2006

Table 2.4 shows the increase of the individual crimes listed as age progresses. This is mostly attributed to the fact that the older a youth becomes, the more prone he or she is to being introduced to deviant and delinquent activities and is more likely to be caught due the boldness of participation in criminal activity.

The location and time of day that delinquent acts occur is an important issue. Juveniles attend school typically 9 months out of the year, from approximately 7 a.m. to 3 p.m. Most juvenile crime occurs during times when school is not in session, such as summer break and right after classes are dismissed as Figure 2.1 portrays.

**Figure 2.1: Violent crime offences and time of day.**

Offenders (per 1,000 violent crime offenders in age group)



Source: Snyder & Sickmund, 2006

Research has shown that environment plays a significant role in juvenile offending.

Adolescence who live in rural locations commit fewer crimes than those that live in urban areas.

The statistical data shows that there has been a systematic decrease in juvenile crime overall with males decreasing delinquent activity threefold to that of females. It must be pointed out that even though this is a juvenile study, adult female crime showed a 9.2% increase over 10 years, while adult male crime decreased 8.9% over the same time period. These data are pertinent when you consider juvenile data because ultimately juveniles become adults. Whether or not the juvenile justice system has a negative or positive effect on repeat offending is evidenced by the shift in adult crime as well. If both juvenile male and female crime has decreased over the past 10 years then there are some positive aspects to the current juvenile justice system.

Even though numerically there are a far greater number of white juveniles committing crimes, it is only due to the greater population numbers of white juveniles compared to black juveniles. In actuality, African-American youths commit, or are more likely to be caught for, a greater percentage of the delinquent acts occurring today. The age of a juvenile plays a large part in whether or not he/she is involved in criminal activity. The data shows that the older a youth becomes, the more likely they are to have committed a measurable delinquent act. Also, the location and time of day plays an important role in the amount of crime being committed. Juveniles commit most of their crimes based on the school schedule. Meaning that when school is in session crime drops. Data showed that delinquency spikes at 3 p.m., immediately after most schools release, and begin to steadily drop there after. Finally, the larger the community the greater the likely hood of juvenile criminal behavior and gang related activity.

In 2005, adults accounted for approximately 85% of all persons arrested for violent crime. Even though it seems that juvenile crime gets a brighter spotlight, it is in fact adults who are committing the majority of criminal behavior. Youths were responsible for only 16% of the total crime distribution in 2004 and likewise the same amount of the total violent crime committed in 2004. On the other hand juveniles under the age of 18 accounted for more than 27.5% of the total property crimes committed in 2004. Furthermore, juveniles accounted for more than 50% of arson cases in 2004; of these, 60 % were committed by juveniles under the age of 15.

Many delinquents abuse drugs and alcohol. You will see from Table 2.5 below that a great majority of those arrested for criminal acts were, at the time of arrest, abusing some sort of substance. Even though many youths abuse substances, adults made up approximately 80% of



all liquor and drug arrest. Actually, adults were arrested most often for drug abuse violations while juveniles were arrested most often for larceny–theft offenses (FBI, 2004). There is an undeniable link between substance abuse and delinquency. Arrest, adjudication, and intervention by the juvenile justice system are eventual consequences for many youths who engage in alcohol and drug use. There are some studies that show strong correlations between substance use and criminal behavior. The Drug Use Forecasting (DUF) study (1998) found the highest association between positive drug tests of male juvenile arrestees and their commission of drug-related crimes (e.g., sales, and possession). However, a substantial rate of drug use also was found among youth who committed violent, property, and other crimes. This table shows the very strong correlations between drug use and violent and property offences. In Washington D.C. approximately 60% of property offenders and 50% of violent offenders were using substances at the time of arrest. This study shows the extremely high correlation between substance use and criminal activity.

<b>Table 2.5: Percentage of individuals who were reported to be using drugs while committing a criminal act.</b>					
<b>City</b>		<b>Drug Offence</b>	<b>Violent Offence</b>	<b>Property Offence</b>	<b>Other Offence</b>
Cleveland		85%	45%	40%	50%
Denver		70	50	55	50
Los Angeles		60	35	45	45
San Diego		75	50	50	60
Washington D.C.		75	45	60	55
St. Louis		70	40	35	30
Birmingham		65	45	35	45

Source: Office of Juvenile Justice and Delinquency Prevention, 1998

The 1997 National Parents Resource Institute of Drug Education (PRIDE) study found a significant association between crimes committed by adolescents and their use of substances (Office of Juvenile Justice and Delinquency Prevention, 1998).

**Table 2.6: Delinquent activity and substance abuse correlations.**

Type of substance used	<i>Percentage of students who:</i>			
	Carried a gun to school	Participated in gang activities	Threatened to harm another	Got into trouble with the police
Liquor	76.4	68.4	51.7	65.3
Marijuana	71.1	59.7	36.7	54.2
Inhalants	38.2	26.9	13.8	18.1
Cocaine	37.2	19.4	7.8	12.8

Source: Office of Juvenile Justice and Delinquency Prevention, 1998.

### JUVENILE SEX OFFENDERS

Juvenile sex offenders are being omitted from this study because of the characteristics of this behavior and specific treatment requirements for juvenile sex offenders. This type of offence is viewed as an illness in juveniles due to the uncertainty of cause and the origin of perpetration. There is no certainty to the number of juveniles who have been, or do, sexually abuse, but it is estimated that there are somewhere between 250,000 and 300,000 cases of child sexual abuse each year in the United States. It is also estimated that the number of sex abuse survivors in the United States is near 60 million (Children's Services Practice Notes, 2002). Nine out of ten juvenile sex offenders are male and most commit their first crime before the age of 15, some as early as 12 years of age. It is also believed that children who sexually abuse are far more likely than the general population to have been physically, sexually, or otherwise abused. Studies indicate that between 40% and 80% of sexually abusive youth have themselves

been sexually abused, and that 20% to 50% have been physically abused (Children's Services Practice Notes, 2002). Some believe that a history of victimization is virtually universal among sexual offenders. Sexual Therapist Robert Longo writes,

As I think back to the thousands of sex offenders I have interviewed and the hundreds I have treated, I cannot think of many cases in which a patient didn't have some history of abuse, neglect, family dysfunction, or some form of maltreatment within his or her history (Children's Services Practice Notes, 2002: pg. 1).

According to the Center for Sex Offender Management the following are common traits for juvenile sex offenders:

- Overall difficulties with impulse control and judgment.
- High Rates of learning disabilities and academic dysfunction (30% to 60%).
- Mental illness: up to 80% have a diagnosable psychiatric disorder (Children's Services Practice Notes, 2002).

Defining juvenile sexual offences can be difficult. There are two types of offenders: those who sexually abuse children, and those who victimize peers and adults (Children's Services Practice Notes, 2002). Each has clear-cut patterns as to the victims they select, offences committed, behavior patterns, social histories, and the treatment they require. Most youths engage in what is considered normal sexual exploration, however, abuse differs in that it is any sexually behavior, juvenile or otherwise, that is sexual in nature and that occurs without consent, without equality, and as a result of coercion, manipulation, game-playing, or deception (Children's Services Practice Notes, 2002).

I know from my personal work experience that it is very easy to brush off and ignore sexual behaviors from juvenile males with a harmless "boys will be boys" attitude. Youths often

exhibit “Grooming” behaviors toward their peers that seem harmless or innocent. For example, these juveniles would often attempt to wrestle with their smaller peers so that they would have an opportunity to have physical contact with them. If addressed for horseplay they often shrugged it off by saying “I was only goofing off” or “He is like a little brother to me”. At times I wasn’t even aware of what was occurring until a more experienced and qualified professional pointed potential problem behaviors out to me. For these, and other reasons, when a juvenile is identified as a possible sexual offender, they are placed in private bedrooms and staffing is increased to provide safety and supervision at all times. At first opportunity, juveniles are removed from the program and enrolled in extensive treatment programs aimed at isolating and specifically treating this illness.

### CHAPTER THREE: TREATMENT FACILITIES AND FINDINGS

The most common ways that states track and monitor recidivism is by using records on re-arrest, re-adjudication, and re-confinement. However, each method has limitations. For instance, using arrest records alone could produce high statistical averages of recidivism; but not everyone who is arrested is subsequently tried, convicted and incarcerated. The standard for studying recidivism is to isolate those cases on juveniles who commit crimes 6 to 12 months from their release. Treatment is the defining characteristic of recidivism. Treatment can be incarceration, residential placement, juvenile boot camps, or even probation as long as youths have been found guilty, sentenced, and completed a program of some sort between first and subsequent offences. This data is valuable when theorizing a hypothesis on recidivism. Currently, it is unclear as to exactly what social motivators and stressors are causing youths to regress to their antisocial ways. According to Ganzer and Sarason (1973) the most promising potential predictors of recidivism are associated with (a) several family background factors, (b) age of first offence and commitment, and (c) diagnostic classification. On the other hand, Lin (2007) found that sex and race are the best predictors of recidivism. He believes that boys are much more likely than girls to recidivate, and there are substantial differences by race, particularly with regard to violent felony recidivism.

The statistics show that age and sex both play a large part in whether or not a youth becomes a recidivist. Males are usually much older than females at the time of their first commitment, and the age of a perpetrator plays a large part in the frequency of subsequent recidivistic behavior. It was found that youths who become a recidivist commit their first antisocial behavior at a much earlier age. Most recidivists were found to have committed their

first act (vandalism, truancy etc.) by the age of 14, while non-recidivist were 15 or older before being identified. The type of crime committed was also evaluated and broken down into four categories (Ganzer & Sarason, 1973):

- aggressive-property (e.g., arson, vandalism)
- aggressive-personal (e.g., assault, forcible rape etc.)
- nonaggressive-personal (e.g., runaway, drug usage)
- nonaggressive-property (e.g. larceny, forgery)

In each of these categories substantial gender differences were found. It was found that 18% of males committed offences in the aggressive categories while none of the females had done so; 89% of all female cases fell in the non-aggressive personal category. It was also found that recidivists overall had a history of less severe delinquent activity than non-recidivists.

National recidivism statistics are not available. The only available statistics are those that are provided by states and private agencies. Having data that covered a national spectrum could prove to be very beneficial in calculating overall recidivism and difference trends. Varying differences in local and state judicial systems prevent this from being feasible.

Many states have chosen not to record recidivism rates at all but rather success rates of the juveniles who have participated in their programs. This approach still allows for the interpretation of recidivism with some simple math.

You can see from table 3.1 how recidivistic behavior has been broken down for each step of the judiciary process. Rearrest yielding the highest recidivism rates and reincarceration/reconfinement the lowest. This is due to the fact that as this process progresses youths are released, found not guilty, given lighter and community service sentences etc. Not all

youth who are arrested are subsequently adjudicated, tried and incarcerated as shown below.

<b>Table 3.1: Recidivism rates by process level in judicial system.</b>		
	Average rates across studies	
<b>Recidivism type measured for a 12-month follow up period.</b>	<b>Recidivism</b>	<b>Success</b>
Rearrest	55%	45%
Rereferral to court	45%	55%
Reconviction/Readjudication	33%	67%
Reincarceration/Reconfinement	20%	80%

Source: Snyder & Sickmund 2006.

Table 3.2 shows that recidivism rates and how they climb with age. You can see that the younger a juvenile is and the more often there are encounters with the juvenile justice system the more likely a youth will become a recidivist.

<b>Table 3.2: Percent of juveniles who return to juvenile court after each referral by age.</b>									
Number of prior juvenile court referrals									
<b>Age at referral</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>At any referral level.</b>
All Ages	41%	59%	67%	71%	74%	77%	77%	79%	56%
10	61	84	96	97	-	-	-	-	71
11	60	85	91	92	98	-	-	-	72
12	59	83	89	97	98	95	98	96	72
13	57	82	90	93	95	97	96	98	73
14	53	77	86	91	92	94	96	95	70
15	45	69	80	84	89	89	91	93	66
16	33	55	68	73	77	81	82	83	54
17	16	27	36	41	45	48	50	53	30

\* Among juveniles with no prior referrals, 4 in 10 returned to juvenile court but 6 in 10 did not. Among juveniles 14 or younger with at least 1 prior referral, more than three-quarters returned to juvenile court.

Source: Snyder and Sickmund 2006.

You can see from table 3.2 that by eliminating the 17 year olds, the overall chance of

repeat offending is much higher for the remaining group.

Chances are, many of the 17 year olds depicted in this chart are either tried as adults or have turned 18 by their second offence and have been moved to adult court.

When discussing treatment for juveniles the courts must decide what is the proper placement and does this youth stand a chance at success from this treatment. Youths are placed according to the seriousness of their crime and the discretion of the court. In West Virginia, youths are recommended based on a 5 level system: Level 1 being the lowest security, like foster care or a child shelter, and level 4 being high security lock down detentions and juvenile prisons. The level 5 facilities are dedicated entirely to mental health related issues. Most youths who are convicted of a violent crime against another person get sentenced to a lockdown level 4 facility; but juveniles who are labeled as being incorrigible, oppositionally defiant, having attention deficit hyperactivity disorder (ADHD), truancy, conduct disorder and substance dependency are referred to facilities similar to the one I work for that has both level 2 and level 3 programs.

These programs are unrestricted as far as physical restraint and have unlocked doors and windows in an attempt to maintain a “home like” atmosphere. Juveniles can earn monthly home visits, get to go for off-campus outings, and can attend public school without staff supervision pending their behaviors. The facility I work for fits the “wraparound services model” in which the goal is to prepare juveniles for an independent lifestyle with help from outside agencies while using the youth's preexisting personal support system. The popularity of these programs arose in response to the escalating violent juvenile offense rates of the 1980’s and 1990’s at which time many states amended their laws to make it easier to prosecute juvenile offenders and



treat them as adult criminals (Carney & Buttell, 2003). This made incarceration the preferred means of dealing with juvenile delinquents, the same as adults. Many youths, therefore, were being incarcerated for their crimes and removed from society. This poses the problem of what to do with juveniles once they are done serving their sentence. Incarceration only removes delinquent youths from the community, but does not address the issues that led to the delinquency (Carney & Buttell, 2003). When youths are released from such treatment options, they return to the same environment that initially created the opportunities for delinquent behavior (Carney & Buttell, 2003). By removing the youth from the community as a form of punishment, we haven't really addressed a problem, only stored it away waiting the time in which it must be dealt with again. When juveniles are removed from the community for punishment and the system is not attending to the environmental reinforcers of delinquent behavior, the youths are just removed from those individuals most likely to invest interest in their rehabilitation. This just perpetuates the delinquent pattern of behavior (Carney & Buttell, 2003).

The wraparound services approach is a comprehensive model, which joins the efforts of all significant individuals in the youth's life and the community. This joint effort attempts to identify and build on the strengths of the youth, and the family, and to encourage behavior that would reduce the likelihood of any further involvement with the juvenile justice system (Carney & Buttell, 2003). Drawing from other service models, the wraparound service model has built its foundation on two major fundamental beliefs, (a) families and the community need to be, and often want to be, involved in helping their family member and (b) maintaining community living is paramount (Carney & Buttell, 2003). These individuals can be a multitude of different people

including friends, family, school teachers, religious clergy, church members etc. Through wraparound services the entire family is treated, not just the juvenile. I stated earlier that research has shown that delinquent behavior is a product of multiple influences, community-based programs such as this typically offer interventions to improve whole family functioning, peer relationships, academic performance, and recreational opportunities (Carney & Buttell, 2003). The philosophy is to treat the cause of delinquency not just punish the act. Even if the youth has a flawed support system, the treatment opportunities are available to heal the entire family's dysfunction with this approach. Even though evidence was earlier provided that there is no substantial proof of the correlation between juvenile offending and parental behavior, it only increases the likelihood of success if the entire family is motivated and driven to change for success. If this is true, then we have to assume that a holistic approach to re-education would be effective. Entire families can be evaluated and given individualized treatment plans from professionals. The juvenile and families could use their existing support systems by taking advantage of their church, friends, teachers and then add the assistance of local and state services to increase their likelihood of success. There are many advantages to this type of community-based intervention because it is cost effective and comprehensive. When this model is appropriately utilized and juveniles are placed in an appropriate program the success rate is over 59% (Carney & Buttell, 2003).

There are some flaws with this method, however. First, it is hard to identify what type of community-based program is most suited for each youth's needs. For each offender, family environments, the severity of the crimes, and the number of previous contacts with the juvenile justice system differ. Just as each individual's age, race, and sex differs, so does the type of

youths that participate in the programs (Carney & Buttell, 2003). Through research, it has been determined that these juvenile programs often set unrealistic goals. There are also certain areas and communities that offer no services at all for delinquent youth and their families. These youths are often referred to participate in programs by the courts but fall through the cracks and escape the juvenile justice system without treatment at all. There are also times that referrals are made and services are started but with lack of community support, caseload size, and lack of funding services, are often cut without notice leaving both the family and the juvenile in treatment limbo. The Tri-State (KY, OH, WV) area alone has five different juvenile facilities that treat juveniles with a holistic philosophy, but juveniles are often bounced between placements without much consideration given to the location of the juvenile's families and the access to treatment for all parties involved. Many youths are also placed out of state due to overcrowding, making it especially hard for positive community members and family to play a part in the juvenile's treatment.

My company doesn't deal with violent criminal offenders or diagnosed sexual offenders. It is a Re-Education (Re-Ed) program with a philosophy based on a book by Nicolas Hobbes titled The Troubled and the Troubling Child (1994). In this book, Hobbes describes the multiple steps to "Re-educate" youths. Hobbes believed that delinquent children were educated in such a way that perpetuated their delinquent behaviors. He believed that since juveniles were educated in a delinquent manner that they could be Re-Educated in such a way to teach them proper social skills, coping mechanisms, and to live life in the present not the past. The program I work for isn't a designated drug treatment facility but does use the wraparound services model to help provide the best support and treatment possible to youths with not only dependency problems but

also other socially unacceptable behaviors. The success of these programs over conventional treatment approaches is hard to measure. It was found by Carney and Buttell (2003) that their study failed to provide empirical support for the hypothesis that those who received wraparound services would have fewer subsequent criminal offences as opposed to those who participated in conventional programs.

Studies have broken the data up for recidivism by comparing standard juvenile placements versus skill training and mentoring programs. One study by Blechman, Maurice, Buecker, and Helberg (2000) found that the average recidivism rate for U.S. juvenile offenders is around 50%. Skill training alone achieved a significantly better rate of 37%, while mentoring (51%) and the standard juvenile-diversion program (46%) performed a close to base rate. They also found that skill training delayed the time between release and re-arrest by over 4 months as compared to other placements.

Another program type used in place of residential treatment facilities is the juvenile boot camp. The idea of a boot camp is to use physical and disciplinary aspects to motivate delinquent youths into reform. There are three types of juvenile boot camps. “The military drilling style that focuses on strict discipline; the rehabilitative approach, and the educational/vocational model. Most of the current camps, while perhaps employing parts of the two latter styles, still concentrate on the military drill as their central theme” (Tyler, Darville, & Stalnaker 2001, p. 449). When you survey the limited available literature on juvenile boot camps there are basic conclusions that arise: (1) more states are trying this method of stemming the tide of juvenile delinquency;(2) the results, nevertheless are discouraging in terms of recidivism; and (3) boot camps are simply too expensive to serve as a means of controlling delinquency if they are not

effective (Tyler, Darville, & Stalnaker 2001).

The juvenile boot camp originated in Orleans Parish, Louisiana in 1985. Juvenile boot camps were unheard of in the mid and late 1980's but saw massive growth toward the end of the 1980's and into the 1990's. The National Institute of Justice reports that in 1987 only four state correctional system boot camp programs existed. Six years later, that figure grew to forty-six in the thirty states (Tyler, Darville, & Stalnaker 2001). It was estimated that at its current growth rate, that all 50 states would have juvenile boot camps by the year 2000. This anticipated growth was not achieved. In fact, approximately only 30 states currently maintain this type of juvenile facility. The primary reasons this rate was not achieved was the excessively high recidivism rates, ineffective treatment expectations, and the constant bombardment of accusations of brutality. Reliable research available on boot camps is limited because they have been around for less than a decade. Most studies conducted showed poor results when evaluating the cost and effectiveness of this method for juvenile rehabilitation and restitution. In 1998 the Texas Board of Juvenile Probation approved eighteen proposals to construct such facilities across their state. There are positives to this type of facility like teaching discipline, self control, and instilling the ability to think under pressure, but the majority of research on boot camps for juveniles comes across as negative, detrimental, ineffective, and inefficient. The U.S. Justice Department found in a study of one of Georgia's juvenile boot camps that the program both harmed youth physically and psychologically. It has also been realized that the "treatable age" of juveniles in this type of facility is limited to youths who are younger than 15 because older juveniles have been "deemed more resistant to rehabilitation" according to the Court-Ordered Residential Programs and Services (C.O.R.P.S.) of Waco, Texas (Tyler, Darville, & Stalnaker 2001).

Some states are trying out mixed methods with boot camps. One plan uses the discipline of a boot camp combined with the community-based services of residential treatment and probation. This is the focus of The Specialized Treatment and Rehabilitation Program (S.T.A.R.). S.T.A.R. was the first to integrate military style discipline with a primary purpose of education and counseling. Their goal is to diminish disruptive behaviors in the school setting while allowing youths to remain in their homes and schools. They claim to have great success in this program but don't provide any data to support this.

The effectiveness and cost of this type of treatment facility has long been under fire. It cost on average \$93 dollars a day for one juvenile to participate in a boot camp. Some camps like New Jersey's Stabilization and Reintegration program cost as much as \$188 a day to provide services. It's hard to justify this amount considering the average cost of supervised probation is only \$8 a day, juvenile detention for \$85 a day, and residential treatments similar to Re-ed with wraparound services for \$88 dollars a day. According to the OJJDP (The Office of Juvenile Justice and Delinquency Prevention) it costs boot camps an average of 10 times the cost of juveniles on probation. With such high cost of operation the expectations for success and reduced recidivism are extremely high. With the average recidivism rate for juveniles hovering at 50% and the best-recorded recidivism rate of 37% is from a residential treatment facility, costing \$88 a day, one could conclude that if cost equals success that boot camps should have extremely low recidivism rates (Tyler, Darville, & Stalnaker 2001). This seems to be a very reasonable hypothesis in all actuality. Providing juveniles with self-esteem, discipline, knowledge, and skills appears, from the outside looking in, as a plan for success. But in actuality, the recidivism rate for boot camps is a staggering 60% plus. There are very little

explanations offered for this rate short of general ineffectiveness. One factor responsible for these high recidivism rates lie in the very short standard length of stay juveniles endure. There are programs like Arizona's JAWS program (U.S. Marine Corps Juvenile all Weekend Supervision) that requires a juvenile to spend one full weekend with Marine instructors to learn obedience and discipline (Tyler, Darville, and Stalnaker 2001). Their results were initially very promising but even the researcher states that applying just one weekend of discipline and declaring success is hardly sufficient and that it should easily take more than a few days for youths to learn proper behaviors.

Some studies conducted by the National Institute of Justice showed that programs in Oklahoma, Texas, Georgia, Florida and South Carolina failed to reduce recidivism at all and suggested that boot camps alone are not enough to reduce repeat offending (Tyler, Darville, & Stalnaker 2001). This then leads back to the idea that the S.T.A.R. program has about combining strict boot camp style discipline with a wraparound services model to present the youths with not only the chance to learn obedience but also have community support, therapy, and total family treatment.

One thing is clear, there will continue to be a push for states to use boot camps as their preferred means of treating juveniles, even though research has shown they are ineffective. This persuasion from government and state officials to continue utilizing juvenile boot camps is due to the massive amounts of money that have been utilized for the start up and running costs of these programs. There will continue to be this pressure from government officials, and this treatment type will continue to be utilized, until proper studies can be conducted and it is realized that boot camps alone are financially ineffective and fundamentally causing more harm

than good.



## CHAPTER FOUR: ANALYSIS

Many authors have provided the scientific community with their version of verifiable data that explains juvenile delinquency, recidivism, and the effectiveness and faults of practicing treatment facilities in use today. Earlier, Ganzer and Sarason (1973) showed that family background, age of first offence, and diagnostic classification were the most promising potential predictors of recidivism. Contradicting research by Lin (2007) showed that the best predictors of recidivism were demographics such as sex and race. Both views hold value, however, with my experience in the juvenile delinquency field, I would contend that there is another approach that better explains this problem.

My research and observations have led me to conclude that recidivism rates cannot be blamed on one variable alone. Many researchers have tried to find downfalls in singular treatment types and the recidivism rates that result. My experience has led me to hypothesize that there are multiple focal points that need to be addressed when trying to understand treatment facilities. They are:

- All treatment facilities do have some measurable success, which is calculated by subtracting the recidivism rate from 100%.
- A mixed method approach that includes skills training, obedience training, and aftercare that involves a holistic approach to family treatment is ideal.
- Age and sex of juveniles play a large part in the propensity for recidivism.
- Recidivism rates are partially the response to the stigmas of labels received from institutionalization

Even though treatment facilities are evaluated by recidivism rates they can just as easily

be evaluated by success rates. With success rates that seem so bleak it is hard not to point fingers at different key areas in the judicial process. If you step back and evaluate this issue with an optimistic approach it becomes clear that even the worst rated facilities have a success rate of some sort. Juvenile boot camps have recidivism rates as high as 60%, however, this also means there are at least 40% of the juveniles that participated in this type of program that did not become a recidivist. Even though there are multiple reasons this type of treatment is hypothesized to be ineffective, the fact remains that they do have a success rate even if it is a low 40%. This can be viewed as a "some is better than nothing" approach to treatment.

This fuels the debate that a mixed methods approach is best for juvenile success. Each type shares the burden of not being perfect as well as each sharing in the success of excelling in a certain area. It is this idea that drove me to theorize an efficient method of preventing recidivism. With the concept of labeling aside, it has been shown that skill training, obedience, and wraparound services with holistic family therapy all show the ability to decrease recidivism in their own way. I believe that even though the "perfect" treatment facility doesn't exist, defining what it should be is important. Since a combination of these doesn't exist, an already existing model has to be assigned as the best approach. The research I conducted, combined with personal observation, tends to push me towards any treatment type that incorporates the community and family as part of the treatment option. This type of approach stands the best chance at identifying the most problem areas and providing support to correct them appropriately. Most important in this wave of thinking is the continuation of services via follow-up care. I provided examples earlier of youths that became recidivist simply due to lack of support and falling into their label. If the juvenile justice system could provide long term care

and therapy to help a juvenile maintain their heading through rough times, as well as support and advise them through the good, then a trust relationship could be built, and a juvenile could use their new found support system as a crutch in becoming a productive citizen by breaking out of the mold, and rejecting their label instead of feeling hopeless and pushed back into a left behind lifestyle.

The age of a juvenile is a greater issue than presented. You saw earlier, through charts explaining recidivism and the results of juveniles in boot camps, that both the younger and the older teenagers can find it difficult to succeed in their own right. Juveniles who enter the judicial system at an early age are quick to be labeled and have a greater amount of time to assimilate that label into reality, thus increasing the chance of recidivistic behavior. On the other hand, juveniles who enter the system later in age are harder to treat and are resistant to change as pointed out when identifying the faults in juvenile boot camps. Identifying an "ideal" age for a juvenile to enter the system seems counterproductive considering the ideal is not to enter the system at all. It seems necessary to account for the age of an offender when providing treatment and place them accordingly. Personal experience and observation has shown me that older youth respond better to skills training and the addition of responsibility to their treatment plans. This prepares these youths for a "real life" experience in which they will soon be self-supporting members of society. The younger youths tend to respond better to the discipline aspect of treatment. They are not yet as resistant as the older teenagers who have an "authority sucks" attitude, and they seem to thrive on pleasing those who control the means. This behavior of "pleasing practice" ultimately becomes habit instead of practice thus changing their behavior.

Many have used sociological theory to explain deviance and delinquency. After

researching and evaluating these views and integrating my extensive hands-on experience, I have presented my own list of problem areas where the effectiveness of juvenile facilities lie, what their faults are, and that Social Labeling Theory best explains this phenomena.

Social Labeling Theory labels individuals not as people; rather they are only viewed as the deviant act that they committed. Labeling Theory focuses on the informal and formal applications of stigmatizing deviant tags or “labels” on members in society. The deviant is one to whom that label has successfully been applied; deviant behavior is behavior that people so label (Akers 2000).

It became clear through my observation, that the behavior committed is less important than the label received from said behavior when calculating recidivism. Juveniles in general are extremely susceptible and quite aware of the labels they receive. They often attempt to avoid being labeled while in the justice system. They do this using “Neutralization Techniques”. David Matza and Gresham Sykes coined these techniques to explain how juveniles justify their delinquent behaviors by attempting to “neutralize” their feelings to their actions.

According to Matza and Sykes delinquents hold values, beliefs, and attitudes very similar to those of law-abiding citizens and they feel obligated to be bound by law. They learned “techniques” which enable them to "neutralize" such values and attitudes temporarily and thus drift back and forth between legitimate and illegitimate behaviors (Sykes & Matza). As you will see these five techniques are just parts of an attempt to eliminate fault and avoid the attachment of a label. These five techniques are:

- Denial of responsibility: Delinquents will propose that he/she is a victim of circumstance and that he/she is pushed or pulled into situations beyond his/her

control.

- Denial of injury: Delinquent supposes that his/her acts really do not cause any harm, or that the victim can afford the loss or damage.
- Denial of the victim: Delinquent views the act as not being wrong, that the victim deserves the injury, or that there is no real victim
- Condemnation of the condemners: Condemners are seen as hypocrites, or are reacting out of personal spite, thus they shift the blame to others, being able to repress the feeling that their acts are wrong.
- Appeal to higher loyalties: The rules of society often take a back seat to the demands and loyalty to important others.(Matza & Sykes)

Often juveniles will use these techniques to justify both the behaviors that they got incarcerated for as well as any behavior they are addressed for while in placement. I have personally seen juveniles use all of these to justify a range of behaviors from the serious, such as harming a family member, to the insignificant, such as being addressed for using profanity.

Juveniles often adhere to their label in the form of peer pressure. Juveniles feel the need to belong and are willing to do whatever is necessary to belong to a peer group, even if this group is a deviant one. Migrating to a deviant peer group over one that portrays a positive atmosphere can be explained using Charles Cooley's Looking Glass Self theory. Cooley states that we use those around us to help create our self-concept. This process begins by first picturing ourselves in some form. We then project this portrayal on to others and from their reactions we begin to adjust our self-concept to fit the image they return to us, thus fitting into the way we are socially viewed by others. This becomes a self-fulfilling prophecy for juveniles.

They may see themselves in one manner, but because they have little control as to the label they receive and how they are viewed by those around them, they begin to adjust their self-concept to fit the label that has been applied and subsequently act accordingly, as a recidivistic delinquent.

Based on my research and observations, I present these three problem areas as related to juvenile offenders in treatment facilities:

- Youths won't make significant long-term behavior changes on discipline alone. In fact, facilities that operate on the pretense of discipline alone stand a greater chance of negatively impacting the youths via the label they receive once released.
- Youths will only conform to the rules of society and the program expectations if they "choose" to be in their facility for a "reason". They will only work on this reason if they see it as beneficial and achievable.
- Recidivism rates are not solely the responsibility of juvenile facilities; rather juveniles have the best chance of success with a combination of approaches, most especially with the implementation of follow-up care after the completion of a program.

Discipline is a very valuable tool when teaching juveniles how to conform to societal norms. The problem with discipline is that it is not universal. As shown earlier when discussing the effectiveness of juvenile boot camps and shock incarceration, discipline alone, without the teaching of some social skills or follow-up treatment yields a very high recidivism rate. These juveniles often return to the same peer groups and delinquent behaviors they participated in when they left, only now, they are labeled as a "delinquent". When these juveniles return with their label they obtain a certain status in their peer group that entices them to live up to these

expectations and subsequently results in further involvement in deviant behavior. I have observed evidence of these labels first hand in two ways. First, I know many juveniles, especially the ones who were overtly "good" while in placement, who leave the facility and return to poor parenting and low family involvement homes, wind up re-incarcerated within six months for some offence. These youths often contacted us at work to discuss their poor choices and obtain guidance, mostly because it was one of the few places that provided stability in their lives. During these discussions they would often say that it became boring following the rules all the time. They have also told me that all their friends thought they were losers now because they wouldn't hang out and get into mischief with them anymore. They also reported being unable to find anyone positive to associate with because they were always seen as the "placement kid" and could never gain any trust due to their past. Because of this pressure, these youths feel loneliness, boredom, and as though they had few choices but to associate with any support available although it be from a deviant peer group that subsequently led them to deviant behavior. Secondly, I know kids that arrived on the Level 2 Facility where I work, as part of a court ordered step down process from a higher security placement. These youths always have a certain intrigue that tends to captivate the existing and less seasoned juveniles. These youths, on average, are not larger, older, stronger, more intelligent, or have any more power than the existing residents. The only difference between them and their peers is the attachment of a label. This label is a very powerful thing and becomes a status symbol to juveniles. I currently work with a youth that brags about the number of drugs he has taken and the amount of money he has made as a crack dealer on the streets in Charleston, WV. This "Godfather" type appearance entices other juveniles, especially males, to hold these peers at a higher status. This street

credibility replaces the void that these juveniles have failed to achieve through normal societal interaction. To these kids, embracing their deviant label is an act of power and prestige.

The resident psychiatrist at the facility often spoke to the youths about "choosing" to be here for "something". What he meant by this was that unless the kids have something to work for and they want to work towards that "something", there is no amount of help, begging, pleading or forcing that is going to entice a child to change. As odd as it sounds, unless a youth truly accepts that they are in placement and makes a conscious effort to change their antisocial behaviors, in order to achieve a goal, they will likely become a recidivist.

I have kids say to me "why change, I'm just a placement kid, I'll just end up in prison anyway". This is classic labeling theory. The juvenile has accepted his label and made it a realization not only in his mind but also as a projection onto those around him. For some youths there is no use, they only see a hopeless void in their future riddled with the stigmatization and ridicule from their label. You can see that statements like this proclaim that the juvenile justice system isn't perfect. Built into its very foundation is the quality of labeling. Even those juveniles who avoid negativity and delinquency once released are still left with the implanted stigma of being a "placement kid". With no fault of their own they have been labeled with a stigma that can follow them throughout adolescence. The authority figures and employees of such facilities also feed into this quality. I myself have stereotyped juveniles before even meeting them and knowing their diagnosis. A false label without value is thus attached. To help these youth we have to first put aside our own prejudices and begin to educate them about the positive possibilities that await them and encourage them with positive reinforcement in the areas in which they excel. The philosophy is to integrate the youth's strengths into their treatment



in order to counter their weaknesses. Some youths are given specified treatment plans that build on their cultural background and interest. Youths often receive rewards for positive behaviors and participation in program activities. I have even seen plans that incorporate personal interest such as rap music. One youth that graduated recently had a daily goal to journal about something positive and fun he had done in his life without using drugs or alcohol. If this goal was met, the youth was allowed five minutes at the end of the night to do a freestyle rap in front of the rest of the campus. Treatment options such as this are valuable for a multitude of reasons. For this youth it became apparent that the only way to get him to see that life could be lived and enjoyed without substances was to get him to realize activities he participated in and enjoyed in place of substance abuse. A not so obvious benefit of this approach was the way in which he took this activity seriously. Youths often are resistant to accepting that their past lifestyle was wrong and immoral. Presenting this juvenile with an opportunity to rap for his peers was just the motivation needed to obtain participation and provide this youth with the positive peer interaction and reinforcement that he was seeking.

I have shown the value of labels and how a youth can be stigmatized by the label they receive as a juvenile delinquent. In this regard the juvenile justice system isn't providing positives for the youths being served, but rather setting them up to fail due to unwanted negative societal stereotypes. This problem tends to be a necessary evil when considering the alternative to the juvenile process. Youths who are allowed to run unabated provide a far greater risk to societal harmony than a juvenile who participates in a treatment facility but subsequently receives a label.

## CHAPTER FIVE: CONCLUSIONS

There are multiple flaws in the available juvenile treatment centers today. Many different variables can and do play a part in high recidivism rates. Some are controlled by the system, such as follow-up care, and some are an unavoidable by-product such as the acquisition of the label "juvenile delinquent". Every treatment type in use today has a flaw, some have more than one, likewise every treatment type produces some positive results. Until there are some multifaceted research studies done to compile data and ultimately create a singular preferred treatment method these variances are going to exist.

I showed through my research that recidivism rates are the response to many social and institutional phenomena and that forcing a juvenile to change by force or discipline alone just isn't feasible. Rather providing youths with a listening ear and skills to make better choices proves to provide the juvenile with a better chance of not becoming a recidivist. I showed that although not all treatment types provide services with the same philosophy, they do all have some benefits and positive aspects in lowering juvenile re-offending. Although, some of these benefits often are outweighed by the harm caused, as in the case of the labels that juveniles receive as a "delinquent" and "placement kid". Labeling youths as "delinquent" plays a big role in their actions once leaving a facility, and these actions can often be avoided with the implementation of proper follow-up care services provided to the youth and entire family. Finally, I provided evidence that the age and sex of a juvenile plays a larger role in whether or not a youth will become a repeat offender than originally presumed.

It would be beneficial if my research could be expanded on in the future to further explain the over representation of African-American youths in the juvenile justice system.

Understanding the exact causes of their disproportionate representation in this system may ultimately prove beneficial to these juveniles and their families when attempting to treat the cause of their delinquency. Expanding on my findings to help understand the role of institutionalization and labels could help to alter the system to ensure that juveniles are provided with all the necessary services, both while in treatment and once released, in order to have every opportunity to succeed. If we can better understand all facets of the juvenile process then we can start providing proper services and support to assist juveniles in their specific areas of need.

If the resources were available and the time restraints allowed for me to conduct my research the way I ideally envisioned it then I would conduct a longitudinal study of juveniles from the time they are first adjudicated until they became adults. This process would include a random sampling of juveniles, both male and female, who are incarcerated for all different types of acts ranging from criminal to status offences. Ideally these juveniles would come from different neighborhoods and socioeconomic backgrounds. I would like to evaluate each youth's history and personally interview each juvenile and their family/support systems. From this data, and over a length of time, it could be possible to properly isolate factors that may predispose certain juveniles to labels and subsequently recidivistic behavior.

Evaluating the juvenile justice system, and the treatment facilities that operate within, is an area of utmost importance if we as a society expect our juveniles to succeed and not become adult offenders. The problem with evaluating the system is that there are so many jobs and funding sources at stake. For quite some time there has been a "don't ask, don't tell" philosophy when evaluating government funded organizations, more especially organizations under the umbrella of corrections. This area has long been criticized for its allocation of funds, hierarchy

of management, and the ineffectiveness of its programs. Until someone makes the choice to look beyond the bombardment of hide and seek tactics for the sake of saving face and thoroughly evaluates the role of correctional facilities, juveniles-- and adults-- are going to be done an injustice when it comes to their chances of effectively reintegrating into society.

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