# Methods For Combatting Juvenile Recidivism

## Abstract

Recidivism is a major issue in the juvenile justice system today and is difficult to track and combat due to deficiencies in recording and reporting standards. It is important for juvenile justice agencies to attempt to combat this problem and they have many tools at their disposal for this. Some of these tools include probation and pre-trial intervention programs. By using these tools they can help prevent juveniles from becoming reoffenders and become useful, productive members of society.

Juvenile Justice is a branch of the criminal justice system that deals specifically with matters related to minors. It has its own set of laws and procedures separate from that of adults that govern how juveniles are treated. Juvenile Justice is an important branch of the Criminal Justice system in this country and one of its most confounding aspects is the recidivism rate. Recidivism is the reintroduction of an offender back into the system after they have been adjudicated. Recidivism is very difficult to track and address because record keeping and reporting methods vary from state to state, however to keep these juvenile offenders from becoming adult offenders it must be addressed and there are several options for doing this.

Recidivism is an extremely important topic to address in the Juvenile Justice system. It is important to reach these juveniles, effectively, while they are still juveniles, so that they do not grow up to become adult offenders. If the juvenile justice system can find effective ways to prevent recidivism in juvenile offenders, then it can ease some of the strain on an already taxed criminal justice system. It is also important to prevent recidivism because it helps lower the cost for taxpayers. In 2009 there were approximately 93,000 juveniles incarcerated throughout the United States, 70% or which were in a state funded residential facility at the average cost of $240.99 a day per youth (Petteruti, A, Velázquez, T & Walsh, N. 2009, p.1). “States spend about $5.7 billion each year imprisoning youth, even though the majority are held for nonviolent offenses and could be managed safely in the community.” (Petteruti, et al, 2009, p.1)

Recidivism is hard to prevent in many ways, because it can be very hard to track. Currently there is no nationwide reporting system for juvenile offenses, as juvenile justice records are considered confidential. However, there isn’t even a nationwide system for recording and reporting recidivism within the juvenile justice system itself. (National Center for Juvenile Justice, 2014, P. 112) In fact, a survey of all 50 state and the District of Columbia found that 1 in 4 agencies does not even regularly collect and report recidivism data locally, and fewer than half use any type of reporting method that would paint any kind of picture of juvenile reoffenders (The Pew Charitable Trust, 2014). Each state has a different reporting and data collection method and there are some states that don’t even collect any data at all, making any type of statistical analysis or research extremely difficult (The Pew Charitable Trust, 2014).

Throughout the 1970’s there was much research that stated that rehabilitation and efforts at curbing recidivism were not working. Because of that research, many efforts were curbed. However after much analysis of new data in the 80’s, it was learned that rehabilitation was possible and recidivism prevention was possible. (Lipsey, 1999, pp. 612-613)

One theory that is common where juvenile delinquency stems would be the Biological Theory where some criminalists believe that if children grow up committing crimes, it is because they inherited the factors genetically and biochemically. Biological theory is only a small part of the equation when it comes to understanding what causes a juvenile delinquent. The founding father of the Biological theory is Cesare Lombroso; he believed that criminals have certain characteristics or features as well as abnormalities. Characteristics that could include a crooked nose or the shape of their skull is what Lombroso uses as information as to why he believes that criminals have certain characteristics. A large portion of society believes that children are born immoral and they believe this with evidence according to the theorists who have education or are experts in the field. However, there is the other part of society who believes that it is the parents fault as to why the child has become a juvenile delinquent. Children, in my opinion, are not born corrupt; they are simply raised poorly. In many instances where children have been raised in a household where crime is committed is what leads to them committing crimes as well. There are many issues that plague children who people claim are born criminals. What is a child to do when the house in which they live in, where there is obvious neglect, possibly physical, emotional, or sexual abuse, in areas of living which are high in crime rate, with parents who use and abuse drugs on a daily basis as well as the lack of educators in the school setting with no supervision and the scarcity of community programs aimed at children with delinquency problems? If biologically inheriting a criminal gene, so to speak, was accurate, why do some children not continue to commit crime?

Let it be known that not all juvenile delinquents come from broken households; a lot of juvenile delinquents actually come from very wealthy families and they are just acting out for attention. For example: the 16 year old Ethan Couch from Texas who suffers from “Affluenza” after he killed four people while driving while intoxicated. The young man who has lived a very privileged lifestyle claims that he did not know any better. The theories provided give an insight into what causes juvenile delinquency.

There are several methods for combatting recidivism, aside from the standard incarceration method, which many feel is an ineffective method. “Research shows that confinement, on average, has a limited and sometimes even negative effect on youth outcomes and is the most expensive intervention available” (Siegle, E, Walsh, N & Weber, J ,2014, p.11) “The most effective programs at reducing recidivism rates and promoting positive life outcomes for youth are administered in the community, outside of the criminal or juvenile justice systems. Some of these programs have been shown to reduce recidivism by up to 22 percent (Petteruit, et al, 2009, p.2). Two of these methods that will be investigated further are probation and pre-trial intervention programs.

The first method that will be looked into is probation. This method is where the juvenile is placed under close supervision in lieu of incarceration. They are required to meet certain conditions set forth by the court, and meet with their probation officer on a regular basis. They are prohibited from interacting with certain people, specifically criminals and those that can have a negative influence on them, and engaging in unlawful activities. If they break any conditions of their probation, they face the possibility of being incarcerated (Davis, J 1974, p.371). There are several positive aspects of juvenile probation. Juveniles are closely monitored and are required to meet certain criteria, which can include community service. They can also be required to attend drug and alcohol classes or counseling. They can also be screened for drug and alcohol use while they are on probation. They are required to meet with their probation officer on a regular basis and report on their activities, so there is an incentive to stay out of trouble.

However, there are some downsides to juvenile probation as well. Of course, with probation comes probation officers and these individuals must be trained and paid, with salary ranging from $30,000-$40,000 per year (Torbet, 1996, p. 3) There must be enough of these probation officers to handle to caseload of juveniles adequately. If a juvenile absconds from probation or fails to meet conditions, time and money must be spent to track them down and reintroduce them into the system for re-adjudication. Then there is the possibility that the conditions and length of probation were not enough to bring about rehabilitation within the juvenile and they will reoffend. However these cons are outweighed by the pros and make probation an effective method in fighting recidivism.

The last method to be investigated is pre-trial intervention. This is a blanket term for many different alternative sentences. They can include community service, counseling, restitution, continuing education and other alternative forms of punishment. (Panzer, 1997, p. 195) There are many positive aspects to these forms of punishment. They work especially well as deterrents to recidivism for lesser crimes, especially those where incarceration would be too harsh of a punishment. They give judges and probation officers a chance at creativity to mold a punishment to fit the crime. Many of these forms are little to no cost, in fact some bring money back into the community, like restitution. Programs like community service allow the juvenile to do some good in the community while paying for their crime. Punishments like counseling and continuing education pour something back into the lives of the juvenile so that they get something out of the sentence other than just a punishment. All of them cost less than incarcerating a juvenile. However, there are some drawbacks to these programs. Many of them still require the supervision of a probation officer (Panzer, 1997, p.189). Sometimes the sentence may be too light and the juvenile may feel like they have gotten away with their crime and the punishment has lost all effectiveness. Lastly, not all jurisdictions offer these programs, so they aren’t available in all areas.

Recidivism is a major aspect of the juvenile justice system today. It is difficult to track due to the fact that there is no nationwide reporting system and states use different reporting methods. There are many different methods for combating recidivism. Probation and pre-trail intervention programs are just some examples of these methods. By utilizing these methods, juvenile justice agencies can work with youth to prevent them from reoffending and help them become useful, productive members of their community.

## References


1. Davis, J. (1974) Probation. Arizona Law Review, Vol. 16, Issue 2, pp. 369-392
2. Hil, R.& Moyle, P (1992) A Day In Prison Alternative Law Journal Vol 17 No. 5, pp. 224-227
3. Lipsey, M. (1999), Can Rehabilitative Programs Reduce the Recidivism of Juvenile Offenders An Inquiry into the Effectiveness of Practical Programs. Virginia Journal of Social Policy & the Law, Vol. 6, Issue 3, pp. 611-642
4. The Pew Charitable Trust (2014) Measuring Juvenile Recidivism. Retrieved from http://www.pewtrusts.org/en/multimedia/data-visualizations/2014/measuring-juvenile-recidivism
5. National Center for Juvenile Justice, Office of Juvenile Justice and Delinquency Prevention (2014) Juvenile Offenders and Victims: 2014 National Report. Retrieved from https://www.ncjrs.gov/app/QA/Detail.aspx?Id=113&context=9
6. Panzer, C. (1997) Reducing Juvenile Recidivism Through Pre-Trial Diversion Programs:

A Community's Involvement. Journal of Juvenile Law Vol 18. pp.186-207
7. Petteruti, A, Velázquez, T & Walsh, N. (2009) The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense. Retrieved from http://www.justicepolicy.org/research/78
8. Siegle, E, Walsh, N & Weber, J (2014) Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System. Retrieved from https://www.ncjrs.gov/app/topics/Topic.aspx?topicid=146
9. Torbet, P (1996) Juvenile Probation: The Workhorse of the Juvenile Justice System. Retrieved from https://www.ncjrs.gov/pdffiles/workhors.pdf