



Reforming Juvenile Justice:
A Developmental Approach (2013)

National Research Council of the National Academies

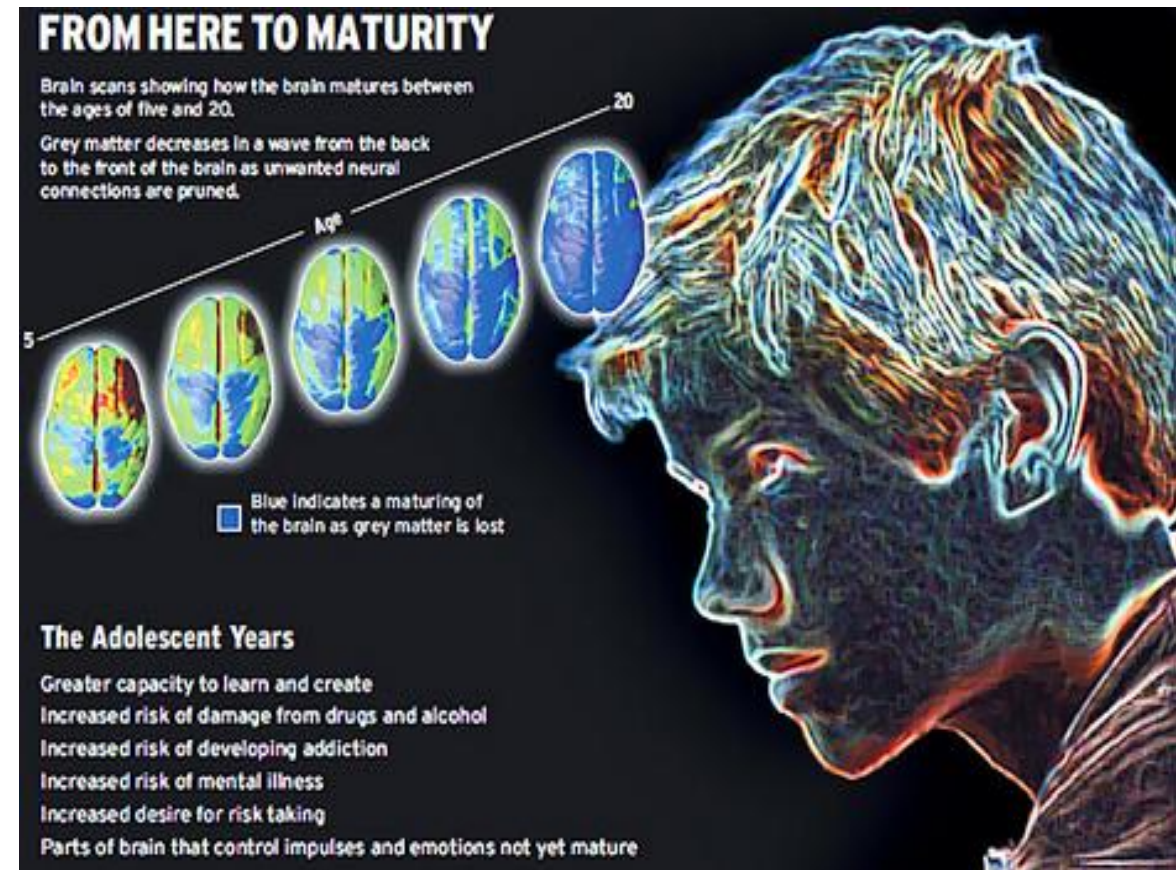
Age of Delinquency Task Force

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February 7, 2018

Summary

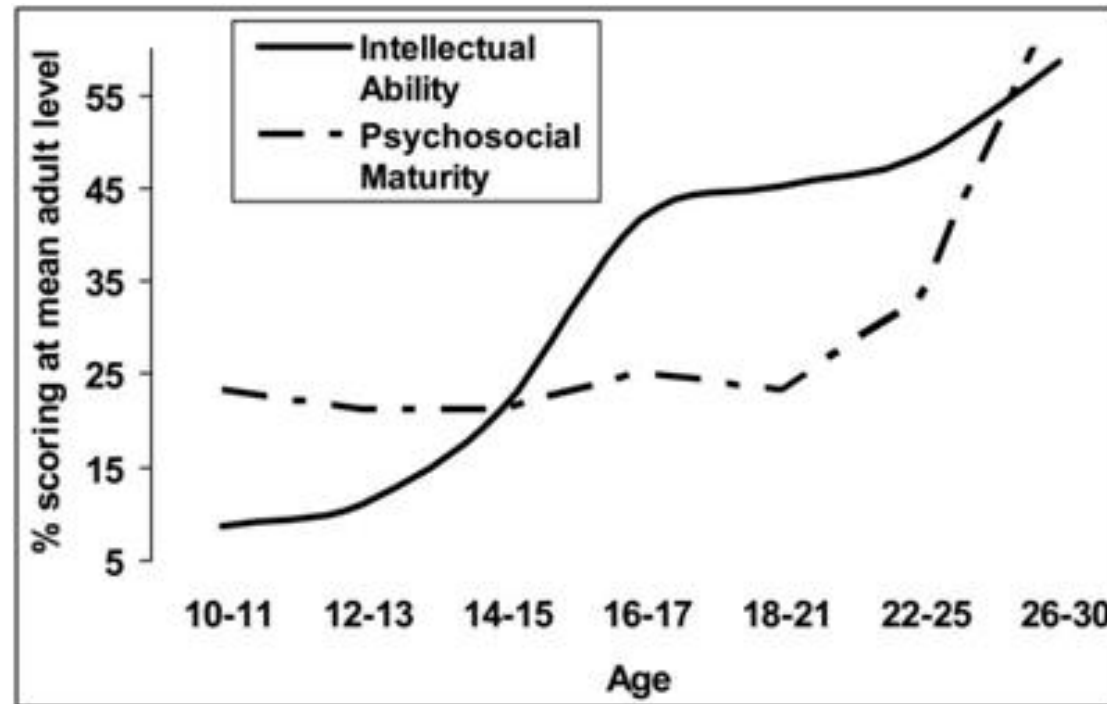
- Adolescence is characterized by
 - increased experimentation and risk taking,
 - a tendency to discount long-term consequences, and
 - heightened sensitivity to peers and other social influences.

- Much of adolescent involvement in crime is an extension of the risk taking behavior that is part of identity formation, and most adolescents mature out of these tendencies.



For adolescents

- The brain plays an enormous role in determining behavior
- Individual development is strongly affected by the interplay between brain and environment (parents, peers, schools, communities)



Source: Illinois Department of Human Services for the Illinois Juvenile Justice Commission

Risky behavior

- Adolescents act despite awareness of risks.
- Adolescents overestimate many risks, but they often also rate the potential benefits as very high—and thus the perceived benefits outweigh the perceived risks.
- it is important to understand the meaning that adolescents attach to risky behaviors in the social context in which they encounter them.

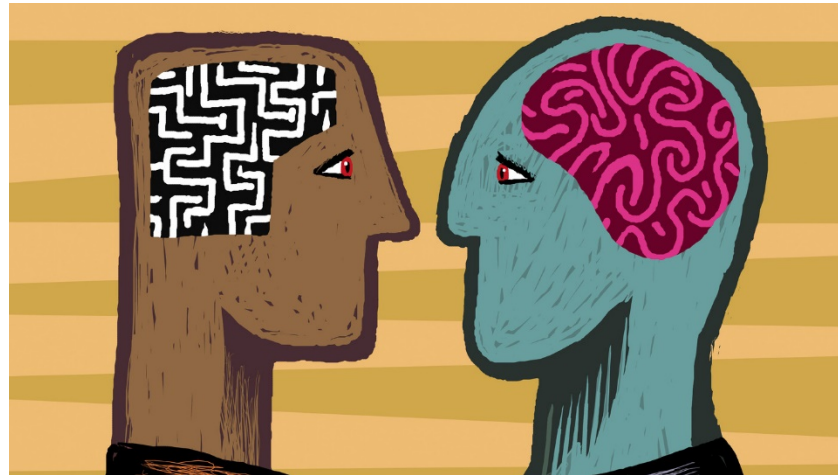
Dynamic mapping of human cortical development



Source: "Dynamic mapping of human cortical development during childhood through early adulthood," Nitin Gogtay et al., Proceedings of the National Academy of Sciences, May 25, 2004; California Institute of Technology.

Adolescents differ from adults

1. Less capacity for self-regulation in emotionally charged contexts
2. Heightened sensitivity to external influences—peer pressure, immediate incentives
3. Less ability to make judgments and decisions that are future-oriented



Healthy psychological development for adolescents requires three conditions

1. The presence of parent/parent figure who is involved and concerned about successful development
2. Inclusion in a peer group that values and models prosocial behavior and academic success
3. Activities that contribute to autonomous decision making, critical thinking skills, and self-efficacy

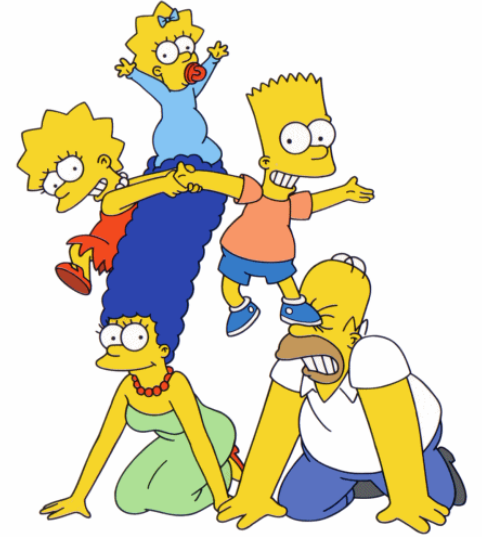


The juvenile justice system relies heavily on confinement, containment and control

- Removes youth from their families, peer groups and neighborhoods—the social context of their future lives
- Economically disadvantaged and minority youth are particularly affected
- Adults who work with or make decisions for kids must be trained to understand youth development and needs, as well as how those factors shape behaviors. This includes knowledge of
 - the effect and signs of mental health problems and trauma,
 - an understanding of how culture, systemic bias, intersecting identities (including gender and gender expression, race, and sexual orientation), and their own personal biases influence dynamics with kids.

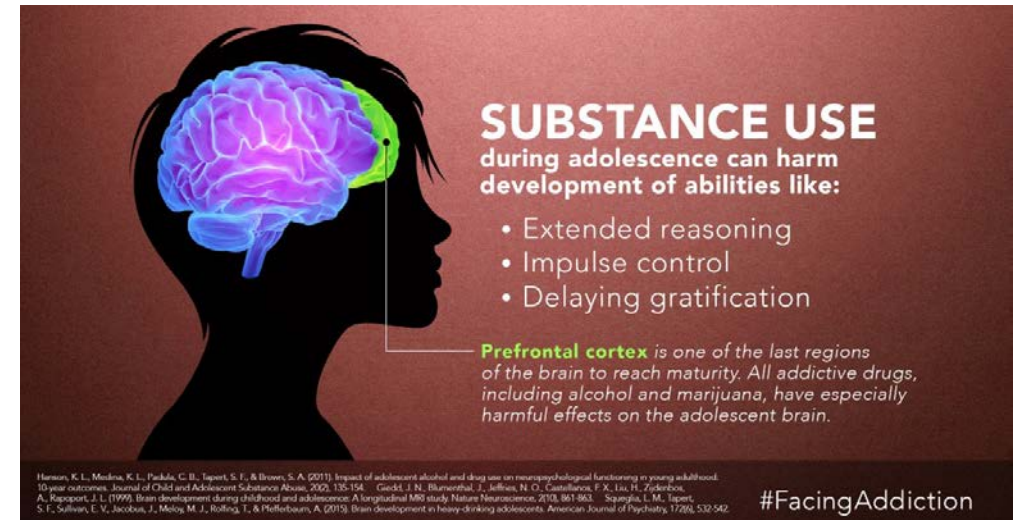
Youth and families part of the solution

- Youth are essential to identifying the underlying problems of their own misbehavior and developing an effective service plan that they believe in and are willing to be part of.
- Similarly, families (including biological, extended, and chosen family and anyone else who is an important support, as defined by the child) know their children best and are central to their children's well-being—usually for the long-run.
- Both parties should be key partners at each stage of the decision-making and service planning process—because they should have agency in shaping their own futures and because interventions are unlikely to be successful without their buy-in and influence.



Problem behaviors are correlated

- Delinquency is positively correlated with defiance, truancy, school misbehavior, problem sexual behavior, academic failure, high school dropout, teenage pregnancy, violence, and risky driving. And
- Substance use is positively correlated with early initiation of sexual behavior, low contraceptive use, delinquency, academic failure, violence, and risky driving.
- Both delinquency and substance use are also correlated with problem health behaviors related to dieting (anorexia), exercise, and wearing a seat belt.



Guiding Principles for JJ Reform (pages 10-11)

- Accountability
 - Preventing Reoffending
 - Fairness
- Encourage youth to take responsibility
 - Use confinement sparingly
 - Facilitate constructive involvement of family members
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- Use risk/needs assessments
 - Use interventions rooted in knowledge about adolescent development
 - Engage the family as much as possible
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- Ensure representation by counsel
 - Adjudicated only if competent to understand the proceedings and assist counsel
 - Intensive efforts to reduce MOR
 - Ensure that youth perceive that they have been treated fairly

Framework for Reform Chapter 5

1. Psychosocial factors (linked to development) are likely to contribute to adolescent involvement in criminal activity.
2. Most youth are likely to mature out of their tendency to become involved in crime, unless the JJS interventions themselves impede transition to pro-social adult life.
3. Three environment conditions are important:
 - authoritative parents or adult parent figures;
 - prosocial peer affiliates,
 - participation in pro-social activities that promote critical thinking.
4. Knowledge about adolescent development has important implications for fairness and accountability
 - Justice system should avoid excessive or disproportionate response
 - JJS must recognize that younger juveniles may be less capable than adults of participating in judicial proceedings (some may not meet minimum standards of competence)
 - Adolescents' tendency to question authority reflects a sensitivity to fairness and bias; experiencing a sense of fairness can promote pro-social development

7 Hallmarks of a developmentally informed juvenile justice system

Implementing Juvenile Justice Reform (2014) National Research Council

1. Accountability without criminalization
2. Alternatives to justice system involvement
3. Individualized responses based on assessment of needs/risks
4. Confinement only when necessary for public safety
5. A genuine commitment to fairness
6. Sensitivity to disparate treatment
7. Family engagement

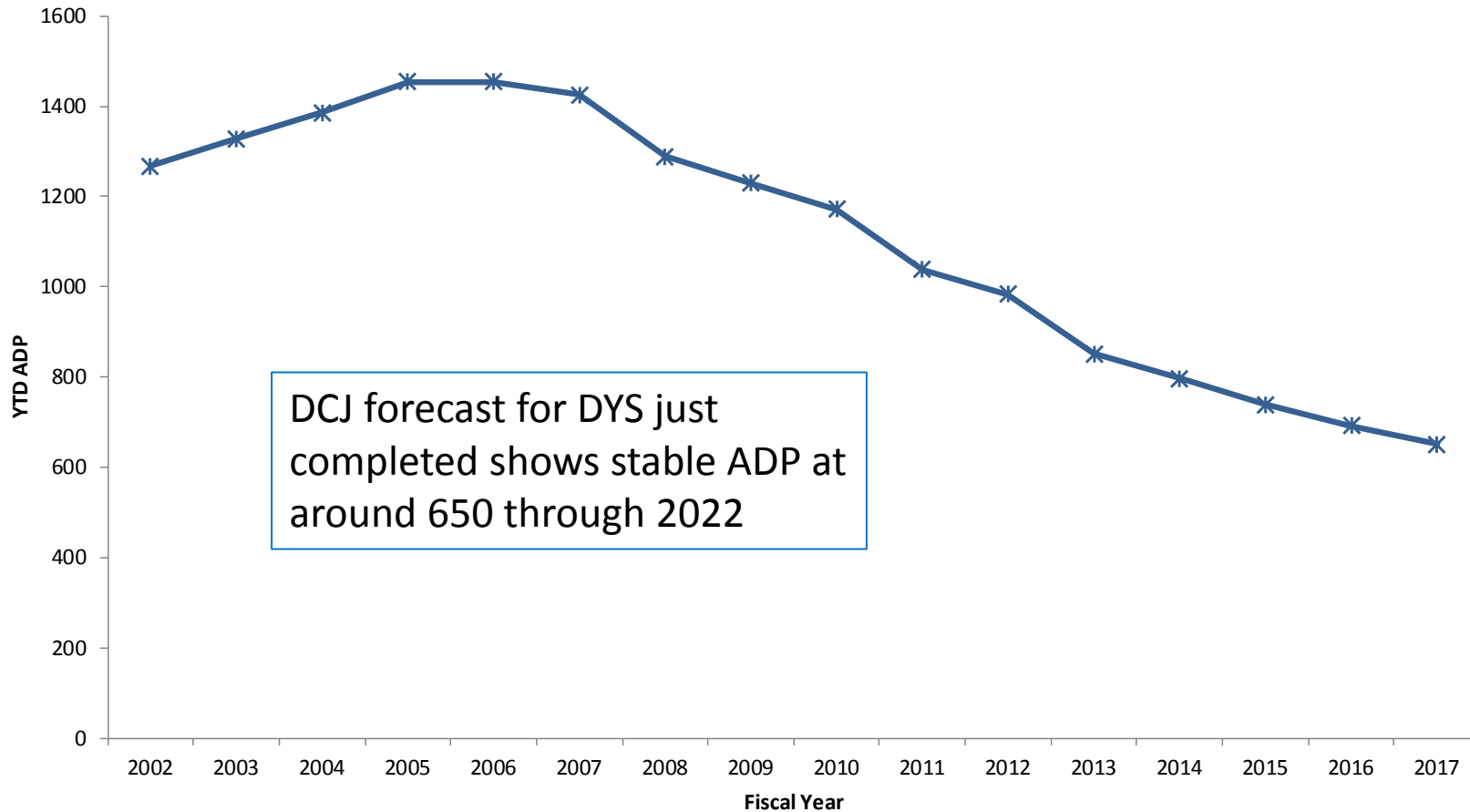
The Nine Essential Elements of Trauma-Informed Child Welfare Practice

- Maximize the young person's sense of safety
- Assist young people in reducing overwhelming emotions
- Help young people make new meaning of their trauma history and current experiences
- Address the impact of trauma and subsequent changes on the young person's behavior, development and relationships
- Coordinate services with other agencies
- Utilize comprehensive assessments of the young person's trauma experience and their impact on development and behavior to guide services
- Support and promote positive and stable relationships in the life of the young person
- Provide support and guidance to the young person's family and caregivers
- Manage professional and personal stress

Source: The National Child Traumatic Stress Network (2008)

Use of Commitment Decreasing

Division of Youth Services: Juvenile Commitment End of FY Average Daily Population



Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report.
Available at: colorado.gov/cdhs/publications-reports





Thank you for your attention today