

***The New Juvenile Justice Model Data Project:
Better Information to Advance Prevention and
Juvenile Justice System Reform***

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Introduction

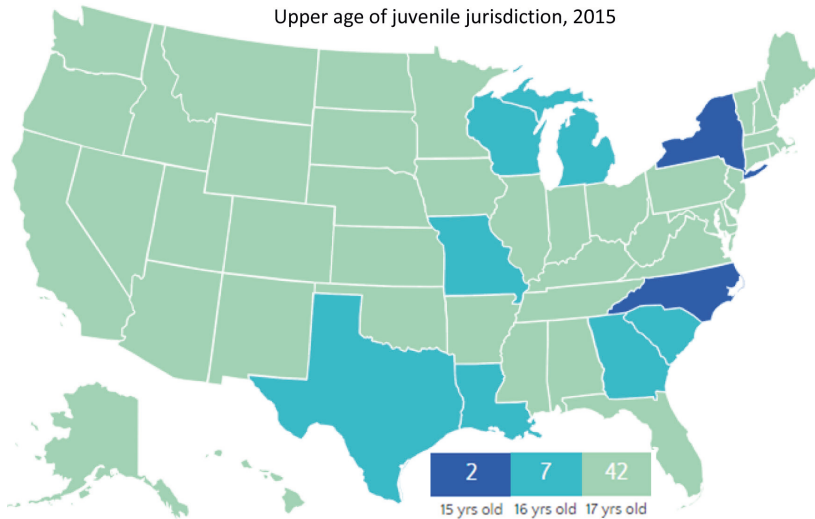
I am the director of the National Center for Juvenile Justice, the research division of the National Council of Juvenile and Family Court Judges, a private, non-profit judicial membership organization. The Center was established in Pittsburgh, Pennsylvania in 1973. The Center has three federally funded projects. The longest running project is the Department of Justice-funded National Juvenile Court Data Archive, which was awarded to us in 1975. The Archive produces national estimates of juvenile court case activity. The National Juvenile Justice Data Analysis Program dates back to 1990 and developed the online “Statistical Briefing Book” and the Easy Access family of data analysis tools. The newest federal project is the Juvenile Justice Model Data Project, which is intended to improve the consistency and quality of juvenile justice data and the use of meaningful measures in policy and practice.

The Center was also involved with Models for Change, a two decades’ long Juvenile Justice Reform Initiative, funded by the John D. and Catherine T. MacArthur Foundation, begun in 2003. The Center provided data support to the four states at the core of the effort: Pennsylvania, Illinois, Louisiana, and Washington. As part of the Models for Change exit strategy, the Foundation funded a series of legacy activities intended to sustain the momentum of Models for Change. Among these concepts was a call to action by the Foundation President to establish an online system for charting ongoing state change across fundamental juvenile justice issues. The Center developed the Juvenile Justice GPS (Geography, Practice and Statistics) website (JJGPS.org) designed to provide state policymakers and system stakeholders with the information on the landscape of reform in the states to use both as a platform for inspiring change and finding solutions that have been applied in other states.

The funding for the Center’s federal work comes from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), an agency within the United States Department of Justice. OJJDP envisions a nation where children are healthy, educated & free from violence and if they come into contact with the juvenile justice system, the contact

should be rare, fair, and beneficial. The agency provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. This is a challenging mission given that in the United States, there is not a single juvenile justice system, but rather there are 51 separate and different juvenile justice systems. In 41 states and the District of Columbia, the juvenile court has original jurisdiction over youth through age 17. In seven states, juvenile court jurisdiction only extends through age 16 and in two states only through age 15.

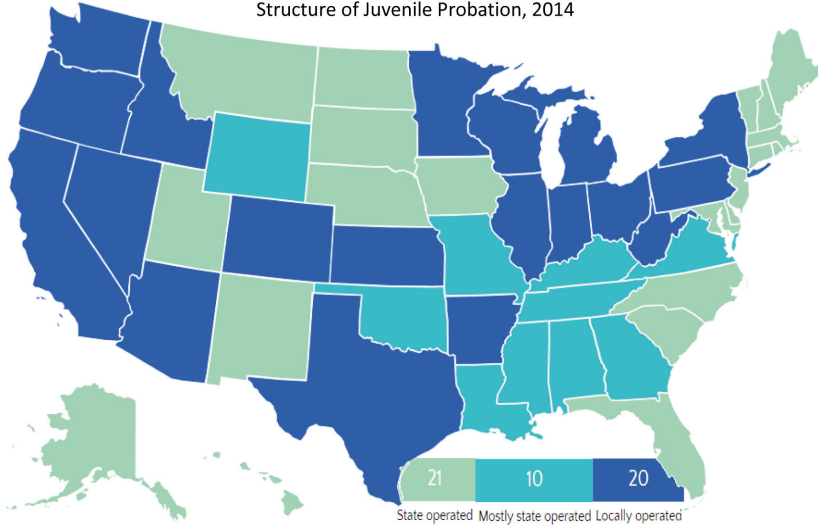
Not 1 juvenile justice system, rather 51 separate & different juvenile justice systems



In 20 states and the District of Columbia, juvenile probation is operated by a state-level agency. In 10 states, juvenile probation is operated by a state-level agency. In 10 states, juvenile probation is mostly state operated, but in 20 states, juvenile probation is locally operated, generally at the county level.

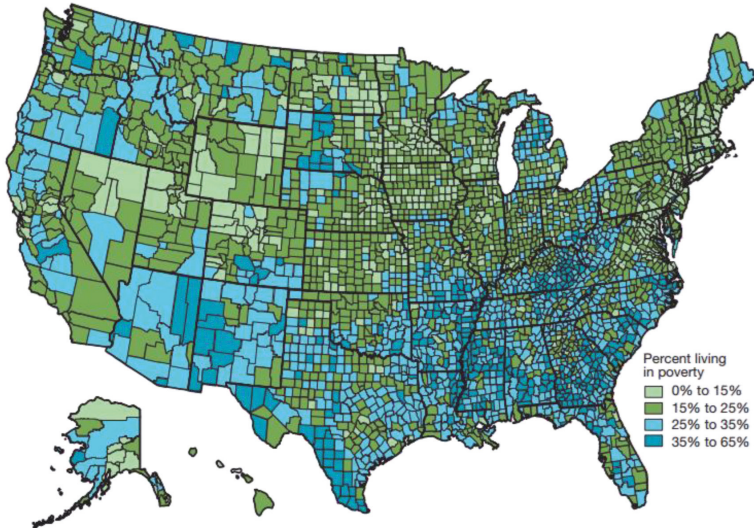
Not 1 juvenile justice system, rather 51 separate and different juvenile justice systems

Structure of Juvenile Probation, 2014



In the United States there are more than 3,000 counties. There is a tremendous amount of diversity across counties. For example, in some counties, mostly in the South and South West, the proportion of children younger than 18 living in poverty was more than 35% reaching an upper limit of 65%. In other counties, the proportion of children living below poverty didn't exceed 15%.

Proportion of juveniles (ages 0–17) living in poverty, 2010



Each state decides what juvenile justice data to collect. In some states, data collection varies by county. Most national juvenile justice statistical data collections are VOLUNTARY:

- Uniform Crime Reporting Program—Arrest Statistics
- National Juvenile Court Data Archive
- Census of Juveniles on Probation
- Census of Juveniles in Residential Placement
- Juvenile Residential Facility Census

States are required to report data to OJJDP on their compliance with the provisions of the Juvenile Justice and Delinquency Prevention Act, but those data are not generally made public. In addition juvenile correctional facilities are required to provide data under the Prison Rape Elimination Act.

Key Trends Around the U.S .

In the U.S. science on adolescent brain development and the negative impacts of trauma on that brain development have become conventional wisdom. Several major decisions of the Supreme Court of the United States have cited studies on the science of brain development to argue that the fact that adolescents' brains are not fully developed makes them more prone to impulsive behavior. Adolescents show less ability to make judgments and decisions that require future orientation. Adolescents are more sensitive to external influences such as peer pressure and immediate rewards. Adolescents are less able to regulate their own behavior in emotionally charged contexts.

There is also growing agreement that data should inform not only individual case decisions but agency management and policy reforms. The importance of data to reform has been evidenced repeatedly by efforts such as the Anne E. Casey Foundation's Juvenile Detention Alternatives and Models for Change initiatives and the Pew Charitable Trusts' Public Safety Performance Project. Many jurisdictions have embraced data-informed decisionmaking and policy development. Alongside the importance of data is evidence-based policy, programs, practice as the "gold standard". There is a growing database of programs and practices that have been shown through rigorous research to be effective. Researchers developed the Standard Protocol for Evaluating Programs based on meta-analyses of evaluation research that identified the characteristic of effective programs.

For programs and practices that have not yet been shown to be evidence-based, it is vitally important to gather practice-based evidence. This is the link back to the vital role that data plays in improving and reforming juvenile justice. Through adherence to continuous quality improvement practices data can be gathered to build a body of evidence as to the effectiveness of policies, programs, and practices.

Another trend in terms of a shift in philosophy is the recognition that reducing subsequent offending is synonymous with prevention. Crime prevention has generally been thought of as preventing crime from occurring in the first place. However, reducing subsequent offending (recidivism) is preventing crime from happening in the second place. Nevertheless, crime has been prevented; a victim is spared their victimization.

On its website, OJJDP has identified a number of studies and reports that have helped to inform the agency's policy and program development. These documents articulate these very philosophical trends. Two reports by the National Academy of Sciences are central to OJJDP's current strategy to support and encourage juvenile justice reform nationwide: "Reforming Juvenile Justice: A Developmental Approach" and "Implementing Juvenile Justice Reform: The Federal Role". OJJDP's Model Programs Guide is an interactive website designed to help the field implement evidence-based programs and practices. A similar website, CrimeSolutions.gov, covers adult as well as juvenile programs.

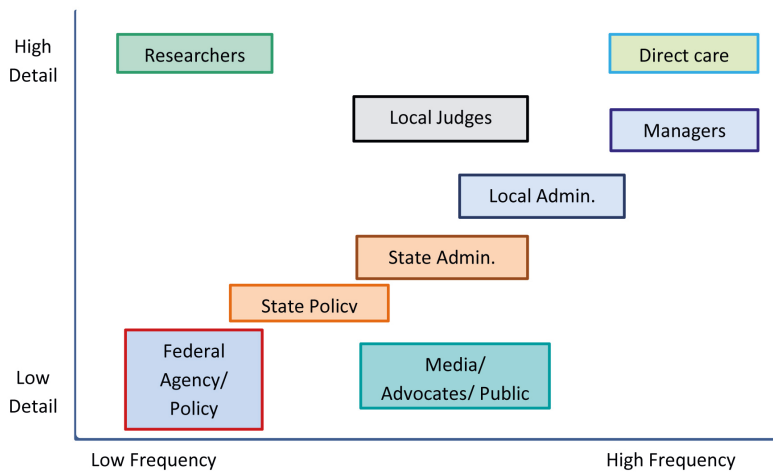
Other key trends in the U.S. include the steep declines in juvenile arrest rates. The overall juvenile arrest rate has dropped 65% from its peak in 1996 through 2014. Rates for many offense categories are well below the levels of the 1980s. This unprecedented drop in the national arrest rates for juveniles is not found in every community, but reductions in arrests are seen in many states, in counties throughout the country.

States are raising their age of majority or reducing the number of youth transferred to criminal court. This is likely related to the growing consensus that children are different from adults, that their brain development is not yet complete. States are reducing their juvenile correctional populations in favor of community-based options. The number of juvenile offenders in residential placement in 2014 was less than half of the peak number in 2000. Despite the relatively continual decline in the placement population, juvenile arrests continued to decline. Public safety did not suffer after policies shifted away from confining juvenile offenders. States are also making law and policy changes to try to keep minor misbehavior out of the formal juvenile justice system.

Juvenile Justice Model Data Project Goals

Following the recommendations of the National Academy of Sciences, OJJDP developed the Juvenile Justice Model Data Project to improve consistency and quality of justice data and use of meaningful measures in policy/practice. The project will assist OJJDP advance juvenile justice reform efforts and ensure that youth contact with system is rare, fair, and beneficial. The work will also assist OJJDP inform data-informed policy/practice decisions at the federal, state, and local levels. NCJJ is identifying key data elements and uses of data to inform jurisdictions' progress in achieving juvenile justice system reform. Project staff is working to model data elements with recommended definitions and coding categories, model measures and analyses to monitor trends and assess the efficiency and effectiveness of juvenile justice systems. A comprehensive strategy to disseminate and promote use of the model data elements and measures.

The project has identified a variety of data uses, such as planning for an individual youth or family, looking at how programs are being used, measuring caseloads, evaluating practices and policies, examining trends and patterns over time, benchmarking and tracking intended outcomes, and Quality Assurance and Continuous Quality Improvement efforts. Similarly, there are a variety of data users, including, direct care/line staff, local agency managers, local agency administrators, local judges, state agency administrators, state legislators, and other policy-makers. Also included as data users are researchers, federal agencies, federal legislators and policymakers, advocates, media, and, of course, the public. It is important to realize that different groups of users have differing data needs in terms of the level of data detail and the frequency at which the information is desired. Researchers, for example, desire a high degree of detail but generally do not need “up-to-the-minute” data; annual data typically will suffice. On the other hand, direct care program staff have a need to be able to access not only “up-to-the-minute” information, but they also require a high level of detail for much of the information they rely upon. Contrast that with the information needs of federal agencies or policymakers. Their data requirements are most often in the form of annual reporting of aggregate statistics-low frequency and low detail.



Strategies for the Juvenile Justice Model Data Project

The work of the project is taking place along several different paths. NCJJ is conducting a systematic review of existing recommendations, jurisdiction reports, and policies regarding data, research and reporting. A second set of activities involves a series of in-person, small group discussions with key stakeholders in juvenile justice to assess their data needs and data uses. Third, the project will conduct in-depth case studies in three data-forward jurisdictions to understand the trajectory of their data

development and system evolution, the full range of their data infrastructure and data uses, and how they manage and improve their data systems.

Anticipated Recommendations

The project anticipates three tiers of recommendations. Tier 1 recommendations will focus on model measures, data elements, and recommended coding categories for CORE information needs. Tier 2 recommendations will include additional data elements that enhance meaningful measures and use of information. Tier 3 recommendations will be related to the policies, practices, and infrastructure required to enable and sustain broader dissemination and use of information.

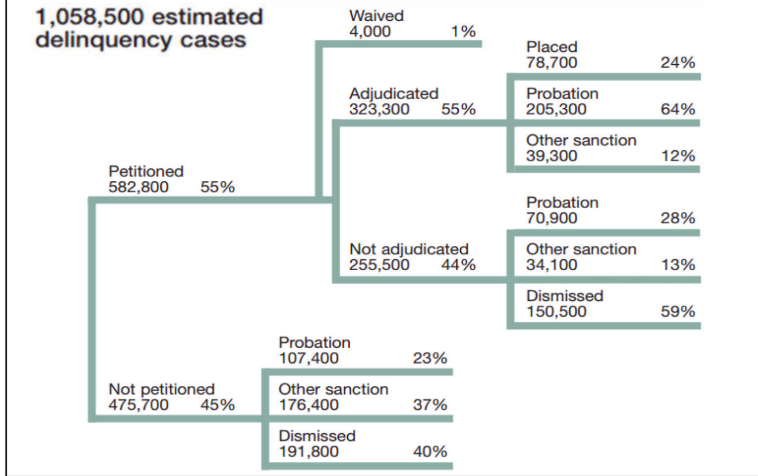
The Juvenile Justice Model Data Project has identified 10 questions that every juvenile justice system should be able to answer. These 10 questions are listed below along with the data elements that are important to answering each.

1. How many youth are involved in various stages of the system?

This means being able to count how many youth are: arrested or otherwise enter the system, diverted away from the system (at multiple points), securely detained, referred to court, petitioned to court, adjudicated delinquent, ordered to probation supervision, placed in residential facilities, or handled in criminal court.

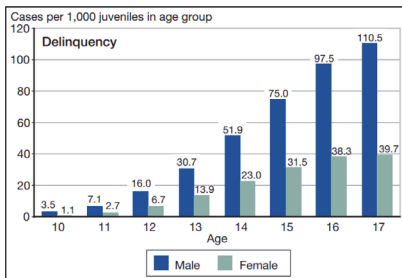
At a national level, NCJJ produces estimates of juvenile case processing that answer this question. However, it is important that each of the country's juvenile justice systems knows this information about its self.

In 2013, there were 1,084,100 arrests of youth younger than 18 (that's 3,373 arrests per 100,000 youth ages 10 through 17). An estimated 1,058,500 delinquency cases were disposed in juvenile court that year.



2. What are the key characteristics of the youth involved?

The following information about youth involved in the juvenile justice system is key to understanding the youth, their risks and needs. Basic demographic information includes date of birth, gender, and race/ethnicity. It is also important to know the youth's residence, risk level, strengths & protective factors, prior involvement in the justice system, living situation, education status, employment status, mental health diagnosis, substance use, suicide risk, exposure to trauma, gang involvement, involvement with other systems, poverty, and any family issues. Again, NCJJ's national case estimates provide detail on many (although not all) of these youth characteristics. Because the source data are collected at the individual level, they can be analyzed and presented in a variety of combinations.

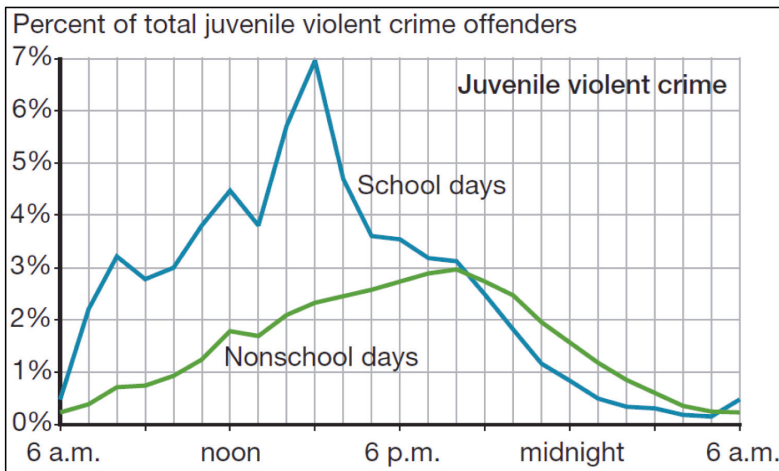


Detention was more likely for cases involving black youth than cases involving white youth

Most serious offense	Percentage of cases detained			
	White	Black	American Indian	Asian
2013				
Delinquency	19%	25%	24%	21%
Person	24	29	28	32
Property	15	22	18	15
Drugs	12	19	19	14
Public order	23	26	34	26

3. How did the youth become system involved?

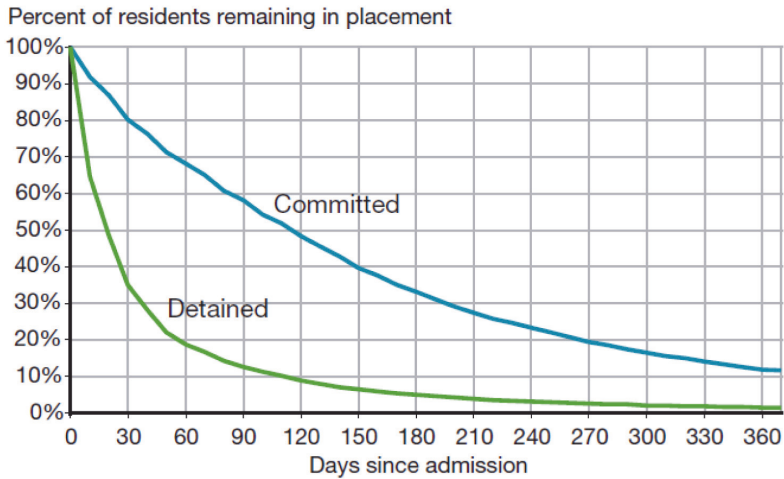
To understand the youth that come to the justice system and the system's response to their offending behavior one must know their offense type (felony, misdemeanor, status, technical violation), offense group (person, property, drugs, public order), offense detail, source of referral (police, probation, family, etc.), location of offense and time-of-day the incident occurred, number of victims, and the youth's relationship to victims. This type of information is vitally important for prevention efforts. In the U.S., the information on the time-of-day of juvenile violent crime led to policy decisions in favor of afterschool programs over late night curfews, especially on school days.



4. How did the youth move through the system?

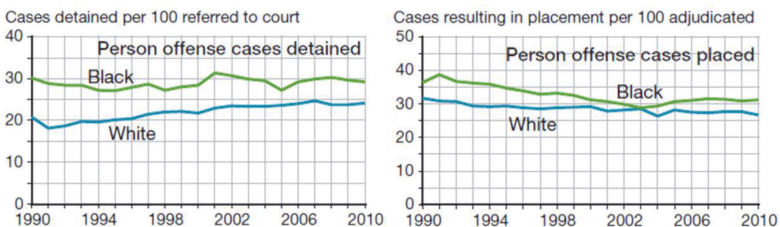
To understand how well the system is working it is important to have data on the outcome of youth arrests; the outcome of diversion (successful completion) if diversion was offered; whether youth were detained; and for youth whose cases were referred to court for formal processing, the outcome of their referral to court; the adjudication decision; the dispositions ordered; and nature of the case closure. For youth ordered to residential placement, one should know the placement type and reason for the placement, and the length of stay in placement. Throughout youth's processing in the system it is crucial to capture the timing (accurate dates) of key decisions. Having this type of information will allow comparisons of different groups of youth (e.g., race, gender, offense, or geographic groups) to gain an understanding of how the system may be handling youth similarly or differently—whether there are bottlenecks in the system or whether all groups are being treated fairly. If there are delays that occur at certain points of the system, one must be able to identify where the delays happen in order to address them. If

some groups have a greater likelihood of penetrating into the system than others, it may be an indication that one or more parts of the system are not operating fairly.



5. Is the system fair?

To gauge whether the system is fair and adhering to the principles of due process one should have information on youth’s legal representation (at multiple points), whether sanctions are appropriate given youth’s risk and the harm caused, and whether there is racial/ethnic fairness in case decisions. Further, understanding system fairness, collecting information regarding whether those who come into contact with the system—victims, justice-involved youth, and their families—perceive that they were treated fairly. In addition, justice systems should be aware of the community’s perceptions and attitudes regarding the juvenile justice system. Measuring racial/ethnic disparities in case processing can be accomplished by comparing the processing rates for each group relative to the prior processing decision. In the U.S., there is disparity in the system’s handling of youth along racial lines, with black youth receiving harsher handling than white youth.



6. How did the youth change while in the system?

As was noted earlier, the hope is that when youth do come in contact with the juvenile justice system that the experience will be beneficial to them. Thus, gathering information regarding whether youth completed their supervision plan successfully, their progressing in school (attendance/grades), employment skills and/or gainful employment, pro-social skills attainment, as well as youths' health related outcomes (mental health, substance use, medical issues), community service or level of civic engagement, and their connections to family is helpful to the system. If the system causes more harm than good, as some research suggests, then not only should reform strive to keep youth out of the system, but reform must strive to improve the system to reduce its negative impact if not actually make it beneficial. Data elements such as these are much more difficult to obtain and are not routinely available at the national level.

7. Does the system meet the needs of youth and families?

Other measures of system performance are dependent on knowledge of service availability and accessibility. It is not enough to know the types of service available, but rather one needs to know whether appropriate services are available. Are services matched to needs? What is the quality of the services? Are youth & families satisfied with the services they receive? Again, this type of information is more challenging to collect and is not currently available on a routine basis at the national level.

8. What was the experience of youth while in the system?

The 51 unique juvenile justice systems in the United States approach juvenile justice with different philosophies and purposes. Collecting data on youth's experiences with various punishments and rewards, sanctions and incentives not only helps us to understand how youth experience the system, but is necessary to understand ways youth may change while in the system and why their long-term outcomes are what they are. Research has shown that things such as the presence of a caring adult in their life while under jurisdiction and afterwards can have a positive impact. An abundance of research has also shown that harsh conditions of confinement and the use of restraints, solitary confinement, and isolation are related to trauma and can have very deleterious impacts. Do most juvenile justice systems gather this type of information? Sadly, the answer is no. Systems might benefit from querying the youth they serve about their experiences and the unintended consequences of routine practices.

9. How much does it cost?

If decisionmakers are unaware of the financial costs of their decisions they do not have the opportunity to select less costly alternatives over more expensive ones. For this reason, it is vitally important that data be collected on system cost across various system stakeholders. For example, judges should be aware of the cost per day for services, detention, or placement.

The Juvenile justice Model Data Project is also very interested in state budgets for research and planning. Often states cut funding for what are perceived as peripheral activities. However, a truly data informed system or agency will invest in research and planning during tight financial time in order to have information to guide cost-cutting measures.

10. What are the long-term measures of success?

In the justice system recidivism is often the sole measure of long-term outcomes for offenders. Most recidivism research is conducted on cohorts of individuals released from prisons or juvenile correctional facilities. There are many ways that recidivism can be measured and those differences can have tremendous impact on the resulting rates.

State juvenile correction agencies measure recidivism in different ways

Recidivism measured for 12-month follow-up period	States	Average rates across studies	
		Recidivism	Success
Rearrest			
Delinquent/criminal offenses, juvenile & adult systems	FL, NY, VA	55%	45%
Rereferral to court			
Delinquent/criminal offenses, juvenile & adult systems	CO, MD	45	55
Reconviction/readjudication			
Delinquent/criminal offenses, juvenile & adult systems	AK, FL, GA, KY, MD, ND, OK, VA	33	67
Reincarceration/reconfinement			
Delinquent/criminal offenses, juvenile & adult systems	FL, MD, VA	24	76
All offenses, juvenile & adult systems	AZ, OH, TX	25	75
Delinquent offenses, juvenile system only	AR, MO, NM	12	88

NCJJ has instead recommended that all parts of the juvenile justice system, from diversion through correctional placement be included in measures of subsequent offending that are well articulated so the user knows exactly how the measure has been calculated. So, there should be measures of subsequent offending for diversion cohorts and probation cohorts, in addition to residential placement cohorts. There is growing consensus that subsequent adjudication or conviction is the preferred marker event. We recommend being able to distinguish those youth who return to the system for what are handled as technical violations of probation or parole as this is an area of practice that varies significantly from jurisdiction to jurisdiction. It is important to assess youth subsequent offending both as a juvenile and as an adult, but it is also to seek information regarding positive youth outcomes. These might include graduation, employment, marriage/family, income above poverty, and whether the individual has stable housing.

Year 2 Activities of the Juvenile justice Model Data Project

The project's year two activities will center on developing Tier 2 and Tier 3 recommendations. All recommendations will grow out of the work completed during year one. The project will continue to conduct guided discussions to better understand the major information needs, activities and decision points of system stakeholders. Staff will establish criteria for identifying the most critical data elements and measures and then develop model data elements and broadly applicable measures. Three sites will be selected to test strategies for adopting and implementing project recommendations. A parallel track of activities will be focused on developing a comprehensive dissemination strategy targeting multiple audiences including policymakers, practitioners and software service providers. Interim and final reports will be prepared summarizing the project and lessons learned.

Content

Introduction	5
 REGINA AMMICHT QUINN	
Prevention and freedom: On the necessity of an ethical discourse	9
 ERICH MARKS	
German Congress on Crime Prevention 2016 in Magdeburg – Welcome to the annual prevention surveying in troubled times	21
 DEUTSCHE GESELLSCHAFT FÜR INTERNATIONALE ZUSAMMENARBEIT (GIZ) GMBH	
Social Cohesion and Integration - A presentation of methods for violence prevention and conflict transformation in development cooperation as a possible contribution to the integration of refugees.....	27
 EUROPEAN FORUM FOR URBAN SECURITY (EFUS)	
European Forum for Urban Security (Efus) in Exchange with the German Congress on Crime Prevention (GCOCP).....	75
 KOREAN INSTITUTE OF CRIMINOLOGY (KIC)	
Korean Institute of Criminology (KIC) in Exchange with the DPT (GCOCP)	85
 RAN CENTRE OF EXCELLENCE	
Radicalisation Awareness Network (RAN): Prevention of radicalisation in Germany – EX POST PAPER, RAN Study visit DPT, Magdeburg 6 and 7 June 2016	91
 ALEXANDRE CHITOV	
Buddhism within the walls of Thai Juvenile Justice	97
 JEE-YOUNG YUN	
Legal Issues of Drones used by Law Enforcement Agencies	121
 ALLAN Y. JIAO / JEFFRY R. PHILLIPS	
Police Auditing, Police Reform, and the Federal Consent Decree	129
 PATRICIA M. MARTIN	
IV. JUVENILE JUSTICE REFORM FORUM – “Prevention and Ethics” Panel Discussion.....	139

MELISSA H. SICKMUND

The New Juvenile Justice Model Data Project:
Better Information to Advance Prevention and
Juvenile Justice System Reform..... 145

JEFFREY G. GREGRO

United States Juvenile Justice Reform – The Pennsylvania Story &
The Standardized Program Evaluation Protocol (SPEP™) 159

CAROLINE L. DAVEY / ANDREW B. WOOTTON

Prospects for EU-funded security research –
The ethics of impact outside the EU discourse 171

SVENJA KIRBIS

Preventive support for successful integration – www.pufii.de –..... 197

STEPHAN VOß / ERICH MARKS

Violence Prevention in Germany - Experts' evaluation and perspectives203

GERMAN CONGRESS ON CRIME PREVENTION
AND CONGRESS PARTNERS

“Magdeburger Declaration“ of the 21st German Congress on Crime Prevention 211

Programme of the 10th Annual International Forum.....217

Authors221