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Juvenile Justice and the Transition to Adulthood

He Len Chung, Michelle Little, Laurence Steinberg, and David Altschuler

The statistics are startling. The U.S. juvenile justice system processes more than 2.5 million juvenile arrests each year, and makes decisions about nearly 5,000 delinquency cases *each day*. The juvenile justice system will touch the lives of up to 10% of American youth aged 10–17.

A little more than one-half of these youth will end up in a juvenile court, two-thirds of whom will be judged delinquent. Of those, the majority are placed on probation or are sanctioned with fines. About one-fourth, or about 160,000 adjudicated juveniles in 1999, will enter some form of residential placement in a year. Some share of that group will remain incarcerated into their early adult years.

Youth involved with the juvenile justice system often struggle both early and later in life. As the Network on Transitions to Adulthood has documented, the roadmap leading from high school graduation to college, to jobs, and to starting a family—in other words, the steps of becoming an adult—has changed dramatically in the last few decades.¹ As a result, many young adults today are struggling to get on their feet.

For those with a history in the juvenile justice system, this road is even more arduous. Only 12% of formerly incarcerated youth had a high school diploma or GED by young adulthood, compared with a national average of 74%. Only about 30% were in either school or a job one year after their release. Delinquent youth are seven times more likely to have a history of unemployment and welfare dependence as an adult, and they are more likely to be divorced and to bear children outside of marriage. They are also much more likely to be rearrested at some point in their life.

In the forthcoming edited volume by Network members D. Wayne Osgood, E. Michael Foster, Constance Flanagan, and Gretchen Ruth, *On Your Own without a Net: The Transition to Adulthood for Vulnerable Populations* (University of Chicago Press, fall 2005), He Len Chung and coauthors and David Altschuler argue in separate chapters that youth from the juvenile justice system must contend not only with the underlying problems that may have originally contributed to delinquency, but they also must contend with the barriers created by the sanctioning system itself. This brief summarizes key points from their chapters.

The Philosophy of a Juvenile Court

The country's formal juvenile court system was founded in 1899 on the premise that youth differ from adults, and therefore should be treated differently in the justice system. Youth, the founders argued, had not yet attained several traits, such as culpability and competency to stand trial, that are the hallmarks of the adult criminal system. The juvenile court was to serve as a surrogate parent, not merely punishing, but giving youth a second chance to rehabilitate and become productive adults. However, in the 1990s, faced with a sharp rise in violent crime and a perception that youth were committing more heinous crimes, the country accelerated its focus away from rehabilitation to a "get tough" policy in the juvenile courts. More youth were sent to adult prisons and jails, and

¹ The Network is supported by the John D. and Catherine T. MacArthur Foundation. See www.pop.upenn.edu/transad for more information and research from the Network. See also *On the Frontier of Adulthood*, edited by Rick Settersten et al. (University of Chicago Press, 2005).

within the juvenile system, rehabilitation lost favor. In this environment, encouraging and sustaining healthy development, the authors suggest, is made more difficult.

Although the punitive aspect of the juvenile justice system's mission cannot be ignored, the authors argue for a better balance between rehabilitation and punishment than currently exists. They suggest new policy and practice directions that might help these vulnerable youth redirect their lives after their rocky start. As they argue, efforts to temper punishment and deterrence with skill-building and to address the underlying psychological development that promotes later success represent a more balanced approach to crime control and prevention.

Arrested Development

Often what distinguishes those who succeed after leaving the juvenile justice system is acquiring a set of skills and, equally important, developing the maturity to use those skills effectively, argue Chung and coauthors. After all, a youth can learn job skills while in the juvenile justice system, but if he or she does not also possess the maturity to assume responsibility, for example, by showing up for work every day or interacting effectively with coworkers, the skills alone will not be enough.

Many assume that maturity occurs naturally with age. However, developing autonomy, self-direction, and social competence, the building blocks of maturity, is a process heavily influenced by one's environment. Parents who advocate for their children, peers who offer positive role models, schools and communities that offer positive interaction and support all foster maturity and positive youth development. When a youth enters the justice system, especially if he or she is sent to a juvenile correctional institution, these supports are often severed, and at its worst, the system exacerbates or initiates negative influences.² As Chung and coauthors note, the juvenile justice system not only arrests youth but can also arrest their development.

To better foster healthy development, the authors contend, the system should consider the extent to which justice policies and programming promote interpersonal competence and social functioning. Programming that preserves and improves the support of parents and other caring adults (for example, counselors or staff members) is particularly important. As Altschuler reports in his chapter, research has shown that successful programs, as measured by recidivism, are those that emphasize interpersonal skill training and cognitive-behavioral counseling. Such programs develop positive social patterns of reasoning by maintaining a focus on managing anger, assuming personal responsibility, taking an empathetic perspective, solving problems, setting goals, and acquiring life skills.

Continuity of Care

Once youth leave the juvenile system, programs that strive to make the transition back into the community smoother, less abrupt, and more integrated can help ensure that the gains made while incarcerated are maintained, argues Altschuler. Continuity in the range of services offered, program content, and involvement of family, friends, and community before and after release all help promote a successful transition to adulthood. Research has shown that the most effective institutional programs resemble the most effective noninstitutional, community treatment programs. Aftercare programs that are built on skills developed by institutional programs are likely to be more effective. In addition, full integration with other youth services in the community and beyond the walls of the juvenile justice system, such as drug treatment, mental health services, education, and youth employment programs, are necessary.

Often, however, continuity is threatened by the opposing philosophies of treatment and punishment. Although reform efforts are underway to better bridge these two philosophies, barriers to communication, coordination, and

² Research is mixed on whether imprisonment affects recidivism. However, a National Research Council "Panel on High-Risk Youth" (1993) suggested that imprisonment may both solidify networks of association that support criminality and simultaneously make finding and keeping a job difficult.

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collaboration between corrections and other agencies remain. In addition, chains of command and authority are often fractured. Juvenile aftercare services, for example, reports Altschuler, are the jurisdiction of state executive agencies in 37 states, a local executive agency in two states, a combination of local and state agencies in two states, judicial agencies in four states, and a combination of judicial and executive agencies in six states. Moreover, services are contracted to private providers, referrals are made to other public-sector agencies, and an assortment of parties get involved at various stages. As a result, accountability is often lacking.

One strategy to overcome this fragmentation, argues Altschuler, is to give interagency teams representing all parties the decision-making authority and flexible resources to cover the full range of functions. Further, staff should be adequately trained and their responsibilities clearly delineated. They should also be given the flexibility to tap the best qualities of various agencies and systems of support in the community. Credentials, training, experience, and aptitude will likely differ across disciplines and functions, and personnel policy must accommodate this flexibility.

Conclusion

Although punishment is an important component of the justice system's response to juvenile offending, it alone is unlikely to improve the futures of delinquent youth. Youth must enter adulthood with sufficient maturity to make decisions, establish satisfying personal relationships, and maintain gainful employment. To do that, they need support. Youth in the juvenile justice system are some of the most vulnerable in society. They often suffer mental health issues, substance abuse issues, and lack many of the advantages that others in their age group have acquired. Complex organizations and territorial or short-sighted behavior on behalf of organizations impede the continuity, consistency, and collaboration necessary to help these youth as they transition to adulthood. Delivering services through interagency teams with authority and flexible resources holds promise for both youth and for public safety. Well-trained staff with manageable caseloads is another prerequisite to success. Deterrence and punishment have an important place in sanctioning policy, but so too does providing young people with the tools and skills, and the maturity to use those skills wisely.

Based on He Len Chung, Michelle Little, and Laurence Steinberg, "The Transition to Adulthood for Adolescents in the Juvenile Justice System: A Developmental Perspective" (chapter 3) and David Altschuler, "Policy and Program Perspectives on the Transition to Adulthood for Adolescents in the Juvenile Justice System" (chapter 4). In On Your Own without a Net: The Transitions to Adulthood for Vulnerable Populations, edited by D. Wayne Osgood, E. Michael Foster, Constance Flanagan, and Gretchen Ruth. University of Chicago Press, forthcoming fall 2005.

He Len Chung is a postdoctoral associate at the Western Psychiatric Institute and Clinic, University of Pittsburgh School of Medicine. **Michelle Little** is a graduate student in psychology at Temple University. **Laurence Steinberg** is the Laura H. Carnell Professor of Psychology at Temple University. **David Altschuler** is the Principal Research Scientist at the Institute for Policy Studies, and Adjunct Associate Professor in Sociology at Johns Hopkins University.

The Research Network on Transitions to Adulthood and Public Policy examines the changing nature of early adulthood, and the policies, programs, and institutions that support young people as they move into adulthood. Significant cultural, economic, and demographic changes have occurred in the span of a few generations, and these changes are challenging youth's psychological and social development. Some are adapting well, but many others are floundering as they prepare to leave home, finish school, find jobs, and start families. The network is both documenting these cultural and social shifts, and exploring how families, government, and social institutions are shaping the course of young adults' development. The Network is funded by the MacArthur Foundation and chaired by University of Pennsylvania sociologist Frank Furstenberg.