

HISTORY OF JUVENILE JUSTICE IN

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THE JUVENILE JUSTICE SYSTEM has primary oversight of criminally involved youth in the United States. In 2013, U.S. juvenile courts handled 1,058,500 cases, with males accounting for approximately 72% and Caucasians 62% (Sickmund, Sladky, & Kang, 2015). Although these numbers have trended downward since 2009, the rates remain high, and efforts to address crime and related issues, such as substance use, among adolescents in the juvenile justice system persist as a critical health and social issue. Various approaches for intervening with justice-involved youth have been implemented including juvenile drug courts (JDCs) and hybrid models such as JDC and Reclaiming Futures (JDC/RF).

Research on the effectiveness of JDCs has evidenced mixed results, although some of the more recent studies have pointed to its effectiveness. The JDC/RF model has heretofore been only minimally evaluated, and this called for a comprehensive investigation of the model and its outcomes. In 2011, the Office of Juvenile Justice and Delinquency Prevention (OJJDP), through an interagency agreement with the Library of Congress, funded an evaluation of five JDC/RF program sites. This evaluation, formally called the National Cross-Site Evaluation of Juvenile Drug Courts and Reclaiming Futures (JDC/RF National Evaluation), was led by the University of Arizona's Southwest Institute for Research on Women, in collaboration with Chestnut Health Systems and Carnevale Associates.

The significance of the JDC/RF National Evaluation is best understood in the context of juvenile justice history. Although scholars have found instances of specialized treatment for the prosecution of

“children” since 14th-century England, the origin of a systematized legal course for minors in the United States is not found until the Illinois Act of 1899 (House, 2013; OJJDP, 1999). This act created the nation’s first juvenile court, in Chicago. The act and its subsequent model of juvenile justice posited that minors’ capacity for criminal action and criminal responsibility is different from that of adults. The spirit of this legal reform changed the role of the court and judge from one of punitive social control to a rehabilitative social welfare model (House, 2013). The judge, assisted by social welfare workers, was to develop a treatment plan to meet each child’s individualized needs. This ideology of nuanced levels of criminal responsibility focused less on the discrete criminal offense and more intently considered the background of the offender, as well as his or her capacity for rehabilitation. In essence, juveniles were viewed as being more amenable to rehabilitation than were adult criminals (Coupet, 2000). For the most part, this concept still holds today.

Over the years, juvenile court has not been without scrutiny, however. In the 1950s and 1960s, questions emerged about the juvenile court’s ability to rehabilitate youth. Although the goal of rehabilitation was not questioned, concerns were raised about the length of time and number of juveniles who were institutionalized and about the overall lack of treatment effectiveness (OJJDP, 1999). The intensive and individualized labor of social welfare in juvenile court was viewed by many as unreasonably expensive; in part, this resulted in a rise in judicial waivers, in which some juvenile offender cases were transferred to adult courts (House, 2013). Fortunately, Congress passed the Juvenile Delinquency Prevention and Control Act of 1968, which recommended that juveniles charged with status offenses be handled outside juvenile court, and later passed the Juvenile Justice and Delinquency Prevention Act of 1974, which tied grant funding to the deinstitutionalization of status offenders and the separation of juvenile offenders from adult offenders (OJJDP, 1999).

As with most social movements, oscillation occurred—including the views of and approaches to juvenile justice. During the 1980s, the pendulum swung back toward law and order. Criticisms of the juvenile justice system as ineffective and costly dovetailed with the pub-

lic’s unfounded perception that violent juvenile crime was on the rise and the system was too lenient (Coupet, 2000). This period, colloquially known as the “get tough on crime” era of juvenile justice, enforced more punitive consequences for juvenile offenders, resulting in movement away from the theory of rehabilitation and toward incarceration. This trend accelerated in the 1990s, contributing to tougher laws (e.g., mandatory sentencing) and incarceration for minor offenses, which resulted in greater numbers of juveniles being confined and overcrowded in juvenile correctional facilities (Center on Juvenile and Criminal Justice, 2016).

More recently, we have seen a return to rehabilitation as a deterrent to recidivism and future incarceration, represented by such contemporary models as JDC and RF. This shift in approach toward juvenile offenders comes, in part, as a result of new studies on brain development showing that youth are developmentally different from adults. The malleability and rapid growth of the adolescent brain offers substantial potential for rehabilitation (House, 2013; Soler, Shoenberg, & Schindler, 2009). In addition, the push toward identifying effective practices for working with adolescents has increased research efforts, resulting in the identification of a number of promising and evidence-based practices.

For the well-being of adolescents and their families who are involved in the juvenile justice system, as well as society as a whole, research that illuminates effective intervention approaches continues to be critically important. Not only does such research benefit youth, their families, and society, it might also help keep the pendulum from swinging back to a punitive approach—an approach that is unwarranted. The potential effectiveness, along with the lack of rigorous research both on the JDC and the RF models individually and on an integrated JDC/RF model, gave rise to the JDC/RF National Evaluation. This effort was undertaken to examine (1) the process of integrating these two promising approaches, (2) client outcomes associated with JDC/RF, and (3) the cost associated with the integrated JDC/RF approach. The outcomes of this research are vitally important to informed decision making for the juvenile justice system and other systems serving justice-involved youth with substance use disorders.

This special issue, *Findings from the National Cross-Site Evaluation of Juvenile Drug Courts and Reclaiming Futures*, is devoted to reporting the results of this comprehensive evaluation. It contains five articles that (1) provide an overview of the JDC and RF models (Dennis, Baumer, & Stevens), (2) examine the process of integrating the two models (Greene, Ostlie, Kagan, & Davis), (3) describe the client characteristics of those served in the JDC/RF National Evaluation (Baumer, Korchmaros, & Valdez), (4) present an analysis that establishes the critical components of the JDC/RF model (Korchmaros, Baumer, & Valdez), and (5) discuss the importance of community engagement (Greene, Thompson-Dyck, Wright, Davis, & Haverly). Additionally, two commentaries are included. The first reflects on policy and program implications resulting from the research findings (Kagan & Ostlie), and the second discusses how the research findings can guide the future of federal, state, and local efforts to respond to and treat youth with substance use and addiction issues in the juvenile court system (Tyson).

It is my hope that the findings reported in this special issue advance knowledge and improve practice—resulting in improved strategies for working with justice-involved adolescents with substance abuse disorders.

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