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# WHAT DOESN'T WORK IN PREVENTING AND REDUCING JUVENILE DELINQUENCY

Thanks to the voluminous increase in the number of program evaluations in the past couple of decades, evidence is accumulating that some prevention and intervention strategies and programs simply do not work with juvenile offenders. I address many of the strategies and programs that do not work in the first two main sections of this chapter, and then discuss the evidence to date on many others for which the research findings are unclear, contradictory, or nonexistent. I discuss two particular ineffective strategies in some detail in later chapters: In Chapter 8, I address the failed policy of transferring juveniles to the criminal justice system, and in Chapter 11, I review some of the ineffective "collaboration" strategies that have been used in some jurisdictions for dealing with juvenile delinquency and other child and adolescent problem behaviors.

## Ineffective Prevention Approaches

D.A.R.E.

I begin this section with a discussion of the delinquency prevention approach known as D.A.R.E. (Drug Abuse Resistance Education). My purpose is not to single out this well-intentioned program for criticism; rather, I believe that D.A.R.E provides an informative example of how some interventions have staying power despite their ineffectiveness.

D.A.R.E. is not effective (Durlak, 1997; Rosenbaum & Hanson, 1998); it is perhaps the most widely acclaimed "successful" intervention of all ineffective delinquency prevention programs. Launched in 1983 by the Los Angeles Police Department and the Los Angeles Unified School District, it enjoyed instant success because it fit with former First Lady Nancy Reagan's "Just Say No" to drugs campaign (Boyle, 2001). D.A.R.E. has grown into a $227-million-per-year enterprise that employs 50,000 police officers who teach the D.A.R.E. curriculum, lecturing against drug use in nearly half of the nation's elementary schools (Gottfredson & Gottfredson, 2002). Thus D.A.R.E. is the most frequently used substance abuse educational curriculum in the United States.

D.A.R.E. is one of the most poignant examples of a supposed panacea that continues to be used despite strong empirical evidence that it is not effective (Boyle, 2001). More than 20 evaluations have been made of D.A.R.E. (Gottfredson, 1997), and although some have shown small positive effects, long-term studies have found that these dissipated over time. The three most rigorous studies, which used a random assignment design, showed conclusively that D.A.R. E. is not effective (Clayton, Cattarello, & Johnstone, 1996; Rosenbaum, Flewelling, Bailey, Ringwalt, & Wilkinson, 1994; Rosenbaum & Hanson, 1998). In addition, the U.S. surgeon general has recognized that the program does not work (U.S. Department of Health and Human Services, 2001). The D.A.R.E. curriculum recently was revised to provide follow-up sessions in the later grades (Gottfredson, 1997). This version has not been evaluated.

Given the research findings, why does D.A.R.E. continue to be so popular? D.A.R.E. is a classic case study of a failed intervention that persists, in large part, because of a widespread mistaken belief in the effectiveness of deterrence (Finckenauer & Gavin, 1999), which is the underlying philosophy behind D.A.R.E. The program is based on the

notion that giving youngsters instructional content on drug use that stresses consequences—with police officers serving as credible messengers—will deter them from using drugs. Finckenauer and Gavin (1999, pp. 218-219) offer several reasons for the unwavering faith of many in interventions such as D.A.R.E. despite overwhelming evidence to the contrary. First, the fundamental belief in repressive deterrence is irresistible. Second, an approach based on common sense is easier for most people to relate to than one based on scientific data. Social science is complicated; results often are difficult to interpret and sometimes contradictory. Third, some program administrators and public officials feel comfortable in going along with the sweep of public feelings and fears. Programs, like D.A.R.E., that stress consequences easily win public support despite empirical evidence that they are not effective. I discuss two other classic examples of this phenomenon below—Scared Straight programs and boot camps.

Zero-Tolerance Policies

Zero-tolerance policies are not effective. These are social control policies that, like D.A.R.E., are grounded in deterrence philosophy. Such policies promote punishment for every infraction of codes of conduct for children and adolescents. Zero-tolerance policies have also been applied to adults in some instances, such as in the "broken windows" policing philosophy (see Chapter 8) and in calls for zero tolerance of drug use (Stimmel, 1996) and gun crimes (Keen, 2001). In Chapter 8, I show how the application of zero-tolerance policies to violations of various laws has led to many cases of police abuse of individual rights.

Authorities have been especially zealous in applying zero-tolerance policies to the infractions of children and adolescents. This curious development is a product of the just desert and deterrence philosophies that filtered down to the juvenile justice system from the criminal justice system in the 1980s and 1990s and the current moral panic over the presumed "epidemic" of juvenile violence that occurred in the 1980s and 1990s (see Chapter 3). Feeling that they could no longer control children and adolescents, adults felt frustration, anger, and rage, which led them to resort to extreme control measures (Brendtro & Long, 1994). Thus zero tolerance is one of the strategies policy makers applied to youngsters, to deter them from engaging in a wide variety of delinquent behaviors. Currently, some of the best examples of zero-tolerance policies are found in schools.

There are innumerable examples of zero-tolerance policies in school systems across the United States; most of these are aimed at drugs, weapons, violence, and speech that is deemed threatening (Leinwand, 2001). Many zero-tolerance policies have arisen from school officials' fears regarding the potential for student shootings. A sixth grader in Cobb County, Georgia, was suspended for carrying a chain that attached her Tweety Bird key ring to her wallet; the school policy banned chains that could be used as weapons. A student in Leon, Kansas, was suspended for creating an artwork that included the words, "I'll kill you all," attributed to a madman in the drawing. In another case, a 5-year-old was taken to the police station in handcuffs after rolling a pumpkin at school and hitting another student and a teacher with it (McConnaughey, 1996). In a case that received a great deal of national attention, 17-year-old Jenna Stricoff gave a friend a drink of vodka at her home before the two headed off for a day at school. She was subsequently charged with drug distribution, suspended from school, and denied entry into an alternative school. Part of the problem with this particular implementation of zero tolerance was that Jenna was a top student. In fact, she had increased her class workload so that she could graduate from high school a year early. Her father had been diagnosed with terminal cancer, and she thought her high school graduation would give him some comfort in his last days on earth. This did not matter to school officials, who remained resolute. They zealously carried out the zero-tolerance rule. The resilient Jenna overcame the poorly thought-out school action by enrolling in an independent charter school, and she did manage to graduate before her father passed away (Hui, 2001). Clearly, in cases such as Jenna's and the others cited here, zero tolerance makes zero sense.

Zero-tolerance policies are not effective because they call for immediate and severe punishment of every infraction of codes of conduct, school rules, and laws, and such an approach is not realistic. First, as Jenna Stricoff's case illustrates, rules need to be applied with some discretion. Second, every student rule violation is not brought to the attention of school authorities. Because the authorities are unable to enforce zero-tolerance policies completely and consistently, children and adolescents come to see the authorities as arbitrary and capricious in their enforcement of the rules. The authorities lose credibility, and the validity of codes of conduct, school rules, and laws is undermined. This also weakens the bonding of students to the school and teachers and undermines healthy social development, and thus may contribute to delinquency involvement. Finally, deterrence/punishment

approaches in general are not effective, as I will show later in this chapter.

Aside from zero-tolerance policies and D.A.R.E., researchers have identified other ineffective school-based prevention programs (Durlak, 1997; Gottfredson, Wilson, & Najaka, 2002; U.S. Department of Health and Human Services, 2001). Most school-based programs fall short of best-practice standards (Gottfredson & Gottfredson, 2002). The effectiveness of many programs is unclear because of a lack of studies, inadequate measures of delinquency (some measure only substance use outcomes), or conflicting studies. School-based programs that are clearly ineffective include counseling regarding truancy, dropout, and antisocial or aggressive behavior (Gottfredson et al., 2002); peer-led programs (Gottfredson, 1987), including peer counseling, peer mediation, and peer leaders (U.S. Department of Health and Human Services, 2001); and nonpromotion to succeeding grades (U.S. Department of Health and Human Services, 2001). Although many substance abuse prevention programs (Orlandi, 1996) and some violence prevention programs (Powell & Hawkins, 1996) use peer leaders to train juveniles in resistance skills, peer leaders have not proven to be effective service providers. Peer leaders may eventually prove to be effective in school-based prevention programs—because peers often have higher credibility with students than teachers do—when they work in tandem with teachers who have primary responsibility for the curriculum. For example, peer leaders might effectively serve as positive role models (demonstrating refusal skills in role-playing exercises, for instance) and discussion facilitators.

## Other Prevention Approaches

Many prevention approaches commonly assumed to be effective have not been tested. These include such recreational programs as Midnight Basketball, community service, and enrichment programs (Gottfredson et al., 2002; U.S. Department of Health and Human Services, 2001).

The effects of medication on childhood behavioral problems are unknown (Wasserman, Miller, & Cothern, 2000, pp. 3-4). There have been few studies of the long-term benefits of medication (Burns, Hoagwood, & Mrazek, 1999). However, positive effects have been demonstrated for some specific treatments for depression (Brent & Birmaher, 2002; Eggert, Thompson, Randell, et al., 2002), and for ADHD, especially when used with psychosocial treatment such as cognitive-behavioral therapy (Burns et al., 1999). However, as Burns et al. (1999)

note, "further replication of both psychosocial and medication interventions, separately and in combination, is seriously needed" (p. 231).

## Ineffective Juvenile Justice Programs and Strategies

Punishment

Punishment is not effective for juvenile offenders. The purposes of punishment should not be confused with rehabilitation, however. Punishment serves only the purpose of "justice," to exact a penalty from one who has wronged society. Punishment does not appear to make a significant contribution to the reduction of recidivism, and studies have shown that some forms of punishment actually increase recidivism. Gendreau and colleagues conducted a meta-analysis of evaluations of programs that used a variety of "punishing smarter" techniques, including increased surveillance, home confinement, frequent drug testing, restitution, electronic monitoring, shock incarceration, and boot camps (see Gendreau, 1996b; Gendreau & Goggin, 1996). This review of 174 studies showed that these programs (both adult and juvenile) produced a slight increase in recidivism (2%). The best punishment option (restitution) reduced recidivism only 6%—in comparison with treatment programs that reduced recidivism by, on average, 25%. More severe punishments perform far more poorly. As Andrews and Bonta (1998) state: "There is no consistent evidence that variation in criminal sanctions is capable of significant reductions in criminal recidivism. The most we can say is that there is an incapacitation effect of incarceration [in the near term] but a slight increase in post-penalty criminal recidivism [in the long term]" (p. 359). Gendreau (1996) notes, "When punishment is inappropriately applied, several negative consequences can occur, such as producing unwanted emotional reactions, aggression, or withdrawal—or an increase in the behavior that is punished" (p. 129). Sanctions provide only the context for service delivery; it is the intervention within the setting that has the actual power to produce change in offenders (Andrews & Bonta, 1998; Bonta, 1996; Gendreau, Cullen, & Bonta, 1994).

Surprisingly, neither the certainty nor the severity of punishment decreases recidivism among most juveniles (Schneider, 1990; Schneider & Ervin, 1990). In her evaluation of OJJDP's national restitution program, Schneider (1990) found that adolescents who believed they were more likely to

be caught committed more, rather than fewer, subsequent offenses. All of the youths had been convicted of offenses that would have been crimes if committed by adults, and many would be considered to fall into the category of serious and chronic offenders. Even those who believed they would be punished more severely if they were caught committed more, rather than fewer, subsequent offenses.

Schneider (1990, p. 109) wondered why juveniles who think they will be caught and who believe they will be punished commit more offenses, so she conducted analyses to examine several possible explanations. First, would the severity of punishment be important if the certainty of punishment was high enough? This explanation was not supported in the data. Second, would the certainty of punishment be important for persons who believed they would be punished severely if they persisted in committing offenses? This explanation was not supported. Third, would the certainty and severity of punishment be important for very-high-rate offenders? This possibility was partially supported in the data. However, this principle applied only when juveniles had six or more prior offenses. Schneider states, "This suggests that there may be a point in a juvenile career where some of the youths recognize the severity of future actions and intentionally reduce their criminal activity" (p. 109). However, most do not. Shannon (1991) found no evidence of deterrence based on severity of sanctions, but some evidence that future offense seriousness may be reduced by frequent interventions. Alternatively, we may overestimate the judgmental maturity of adolescents (Scott, 2000). They may not respond to punishment threats in the corrective manner that is often assumed. This may be attributable to the fact that they have no control over most of the risk factors that underlie their problem behaviors—especially their parents, schools, and communities.

Scared Straight Programs

Scared Straight programs are not effective. The Scared Straight approach was invented during the sixth moral panic over juvenile delinquency in the late 1970s (Finckenauer & Gavin, 1999), when a group of inmates at New Jersey's Rahway State Prison, known as the Lifers' Group, created what later became known around the world as the Scared Straight program. The program brought boys and girls into the prison and subjected them to shock therapy consisting of threats, intimidation, emotional shock, loud and angry bullying, and persuasion. The idea was to literally scare them out of

delinquency, to scare them straight. This presumed panacea was widely acclaimed and described as successful (Finckenauer & Gavin, 1999, pp. 29, 123-128). Many writers and producers for the print and broadcast media were enamored of it because of its simplicity and deterrent appeal. As many as 12,500 youths visited the Lifers each year.

However, as Finckenauer and Gavin (1999, pp. 85-93) report, empirical evidence of the effectiveness of the Rahway State Prison Scared Straight program was lacking from the beginning. Evaluations of other Scared Straight programs were mixed, but generally showed negative results (pp. 129-139). When Lipsey (1992) conducted a meta-analysis to examine the effectiveness of juvenile delinquency programs, his deterrence program category included several Scared Straight programs with other shock incarceration programs. Lipsey found that, on average, exposure to these programs increased recidivism about 12%. Remarkably, Scared Straight programs survived the negative evaluations, in part because they "reinvented" themselves by downplaying the scare tactics and emphasizing their shift in emphasis to the provision of education for youngsters about crime consequences (Finckenauer & Gavin, 1999, pp. 215-219).

Perhaps more important to the staying power of Scared Straight is the current political climate, which demands that something be done about the juvenile delinquency problem, and that this something be "rough and tough." In addition, the current media climate promoting "get tough" measures—in which programs like Scared Straight play well—helps to perpetuate the myth of their effectiveness. Various states and localities continue to replicate Scared Straight in one form or another (Finckenauer & Gavin, 1999, pp. 127-129). In 2001, middle school students in Washington, D.C., were taken on tours of the D.C. jail, where they were strip-searched; the ensuing public outcry resulted in the disciplining of several school employees (Blum, 2001).

Another version of Scared Straight in Jacksonville, Florida, is an unusually popular program that has received national attention for its "get tough" approach (Hunzeker, 1995). This program, however, puts a slightly different twist on the original Scared Straight concept described here. It exposes young delinquents to the harsh realities of adult jail (shock incarceration) and uses them as examples of youngsters gone bad to scare others, in an attempt to generate a general deterrence effect. In this program, letters are sent to county students advising them that some of their peers are doing time in the county jail. The jailed youngsters also are paraded in chains and handcuffs in front of

public school students as living testimony to how serious the state is about juvenile delinquency (Hunzeker, 1995). This program has not been evaluated, but it enjoys considerable notoriety, despite the fact that programs sharing its characteristic features (shock incarceration and Scared Straight) have been shown typically to increase recidivism (Lipsey, 1992; Lipsey & Wilson, 1998). This program has staying power for the same reasons other "get tough" approaches do; in addition, the fact that it combines educational instruction with the punitive measures makes it more palatable to many people.

### Boot Camps

Boot camps have not proven to be effective. Correctional boot camps—so-called because they are modeled after military induction training camps—were first established in the adult criminal justice system in 1983. They were viewed as a form of shock incarceration, following the conventional wisdom that offenders could be deterred from future criminality if they were given a taste of punishment. The first multisite evaluation of correctional boot camps was completed in 1994; the researchers concluded that recidivism rates for adults in boot camps were comparable to those for adults in traditional prisons (MacKenzie & Souryal, 1994). This conclusion has not changed (Aos, Phipps, Barnoski, & Lieb, 2001). As MacKenzie (2000) states, "There is no evidence that the correctional boot camps using the old-style military model of discipline, drill, and ceremony are effective methods of reducing recidivism" (p. 466). Nor does incarceration in boot camps reduce substance abuse (Henggeler, 1997a; Henggeler & Schoenwald, 1994). The psychological effects of the boot camp environments have long been a concern; in fact, boot camps have been shown to produce high levels of anxiety in juveniles (Gover, MacKenzie, & Armstrong, 2000). Anxiety disorders can be quite disabling (Burns et al., 1999). In a meta-analysis of predictors of juvenile recidivism from 23 studies, Cottle, Lee, and Heilbrun (2001) found that the presence of stress and symptoms of anxiety is a relatively strong predictor of recidivism.

The use of boot camps for juvenile offenders grew in popularity during the early years of the current moral panic over juvenile delinquency. The most concerted effort to develop effective boot camps for juveniles was carried out by the federal Office of Juvenile Justice and Delinquency Prevention, beginning in 1990 (Peters, Thomas, & Zamberlan, 1997). Three programs were developed in OJJDP's boot camp initiative—in Cleveland, Ohio; Denver, Colorado; and Mobile, Alabama. An evaluation of the three programs showed that boot camp participants at all three sites were slightly more likely to reoffend after release than were their control group counterparts (Peters et al., 1997).

In general, evaluations of juvenile boot camps show that recidivism rates for juveniles released from boot camps are similar to those for juveniles released from other various kinds of juvenile correctional facilities (MacKenzie, Wilson, Armstrong, & Gover, 2001). However, boot camps have the disadvantage of being far less cost-effective than other juvenile justice program alternatives (Aos et al., 2001). The cost per program participant (more than $15,000) for boot camps is greater than the benefits to taxpayers and crime benefits.

About the only positive thing that can be said about boot camps is that the inmates in them view their environment as being more therapeutic than traditional juvenile reformatories (MacKenzie et al., 2001; see also Gover et al., 2000; Styve, MacKenzie, & Gover, 2000). However, this advantage appears to be offset by the potential in boot camps for psychological, emotional, and physical abuse of youngsters—particularly for children with histories of abuse and family violence (MacKenzie et al., 2001). Staff abuses—even the deaths of several youngsters—have been reported in some juvenile boot camps (Blackwood, 2001; Krajicek, 2000). Maryland closed its boot camps after abuses were uncovered. One state—Georgia—has abandoned boot camps in response to research evidence showing their ineffectiveness (Rubin, 2000-2001). With these exceptions, the popularity of boot camps seems to continue to grow in the juvenile justice system virtually unabated. In some cases, boot camps have been made part of graduated sanctions continua—as in Texas (Briscoe, 1997) and Richmond, Virginia (Virginia Department of Criminal Justice Services, 2000). Authorities continue to find creative ways to implement the concept. In 2001, one Texas county ("New Twist," 2000) established a school-based boot camp program; it was not effective (Trulson, Triplett, & Snell, 2001).

### Large Custodial Facilities

Large, congregate, custodial juvenile corrections facilities are not effective in rehabilitating juvenile offenders. Whether confinement in juvenile reformatories halts or accelerates juvenile criminal behavior is a question that has not yet been resolved; this issue has been debated since the mid-19th century (Krisberg & Howell, 1998). Postrelease recidivism rates for correctional populations range

from about 55% to 90% (Austin, Elms, Krisberg, & Steele, 1991; Krisberg & Howell, 1998), and prior placement in a juvenile correctional facility is one of the strongest predictors of returning (Krisberg & Howell, 1998, p. 349; Tollett & Benda, 1999). It is clear that housing juvenile offenders in large reformatories is not an effective way to prevent or reduce juvenile offending (Bartollas & Miller, 1978; Bartollas, Miller, & Dinitz, 1976; Feld, 1977; Krisberg & Howell, 1998; Parent, Leiter, Livens, Wentworth, & Stephen, 1994; Sarri, 1981; Vinter, 1976; Visher, Lattimore, & Linster, 1991). Under the best of conditions, juvenile correctional facilities may slow down the rate of offending and—perhaps—reduce the seriousness of future offenses (Krisberg & Howell, 1998).

The most comprehensive follow-up study conducted to date of paroled youths involved inmates released from the largest complex of such facilities in the United States—the California Youth Authority. Haapanen (1990) followed parolees for approximately 15 years following their release in the 1960s. More than 90% continued to be arrested well into their adult years. In another follow-up study of youths released from the California Youth Authority, Visher et al. (1991) found that nearly 9 out of 10 youths recidivated within 3 years following their release. A main reason for the inordinately high recidivism rate in California facilities is that only 2.5% of the juveniles held in these facilities are participants in structured, long-term rehabilitative programs (Coalition for Juvenile Justice, 1999, p. 31).

Unfortunately, a large proportion of the juvenile offenders in the United States are confined in overcrowded large reformatories (Snyder & Sickmund, 1999, p. 206). Studies have shown that in large, overcrowded correctional facilities, both treatment opportunities and effectiveness of service delivery are diminished. Custodial concerns tend to override concerns about the delivery of treatment services (Sarri, 1981; Vinter, 1976), and program quality suffers (Previte, 1997). Crowding exacerbates custodial problems (Parent, Leiter, et al., 1994), making affected residential programs difficult to manage and not as safe as those operating at recommended capacities (Roush & McMillen, 2000). The result is often greater use of punitive strategies, which may increase recidivism (Andrews et al., 1990). In overcrowded juvenile facilities, violations of children's rights sometimes occur. Human Rights Watch (1995, 1996b, 1997b) has documented such violations in juvenile correctional facilities in Louisiana, Georgia, and Colorado.

Although little research has examined the negative effects of incarceration on juveniles' mental health, there is some evidence that incarcerated youths become disoriented, estranged, and alienated (McArthur, 1974), and that incarceration may produce suicidal behaviors (including attempts and self-mutilations). In the National Conditions of Confinement Study, Parent, Leiter, et al. (1994) found that in the preceding 12 months, an estimated 11,000 juveniles in reformatories and detention centers attempted 17,600 acts of suicidal behavior, and 10 suicides were completed. Several studies have shown that for juveniles, incarceration in small correctional units and placement in nonresidential programs with treatment orientations are more humane and effective than incarceration in large custodial facilities (Bakal, 1973; Bleich, 1987; Feld, 1977; Hamparian, 1987; Lerner, 1990; Lipsey & Wilson, 1998; Parent, Leiter, et al., 1994; Tollett, 1987).

Some studies seem to indicate that incarceration of juveniles further accelerates delinquency and adult criminality (Sampson & Laub, 1993; Shannon, 1991). For some youths, incarceration is but another stage in what Fleisher (1995) calls the "street life cycle." The sequence begins with a childhood stage, progresses to a teenage stage, moves to a system stage, and ends with a postsystem stage. In the system stage, chronic offenders learn to rely on juvenile corrections facilities, jails, and prisons as sanctuaries. These facilities provide safe havens from the chaos of street life for some offenders.

The cost-effectiveness of incarcerating juvenile offenders in private juvenile correctional facilities and other privately operated programs has not been determined. Pratt and Maahs (1999) note that "efforts to privatize female facilities, juvenile institutions, jails, and halfway houses have yet to be evaluated in a systematic manner" (p. 368). The costs associated with the operation of private juvenile correctional facilities have been described as "chilling," and such facilities may be inferior because of the high priority that their operators place on the profit margin (Butterfield, 1998).

## Long Terms of Confinement

Sentencing juveniles to long terms of confinement is not cost-effective. Long periods of confinement do not reduce recidivism rates among juveniles, even though it might seem that they should. This is the simplistic notion behind deterrence philosophy—the longer punishment is administered, the lower the likelihood of subsequent criminality. Research has shown that this is not the case. The preponderance of evidence suggests that

periods of confinement should be very brief, to minimize the negative influences of other antisocial youths in the facilities (Henggeler, Schoenwald, Borduin, Rowland, & Cunningham, 1998). These include the possibility of gang involvement (Howell, Curry, Pontius, & Roush, 2003) and the risk of violent victimization (Bishop & Frazier, 2000; Forst, Fagan, & Vivona, 1989; Parent, Leiter, et al., 1994). Juveniles should also be confined only briefly so that they can begin the process of community reintegration as early as possible (Krisberg, Neuenfeldt, Wiebush, & Rodriguez, 1994). Lipsey and Wilson's (1998) meta-analysis of institutional programs suggests that an optimal treatment program participation period is approximately 6 months; however, some confined youths view more intensive, long-term correctional programs favorably (Bishop & Frazier, 2000). In all likelihood, these youths have multiple serious problems that require long-term intensive services to ameliorate them.

Wooldredge (1988) examined the effects of length of confinement in detention centers on recidivism and found that lengthy periods of detention (more than 30 days) tended to wipe out the positive effects of court rehabilitation programs. Another study found evidence of an association between higher recidivism rates and longer detention periods as well as prior detention (Roy, 1995a).

### The Special Case of Serious and Violent Offenders

Certain juvenile justice system programs are not effective with serious and violent offenders. These include behavioral token programs—when used alone as a treatment modality (U.S. Department of Health and Human Services, 2001)—and attempts to eliminate "criminal thinking errors" with instruction and psychotherapy. The latter conception of the "criminal mind" is based on clinical work with adult criminals who were hospitalized for criminal insanity (Samenow, 1984). Studies have not demonstrated that "criminal thinking errors" are significantly more prevalent in criminals than in noncriminals. Moreover, this approach denies the importance of family, community, and other causal factors for delinquency and crime. The psychotherapy method for eliminating "criminal thinking errors" (Samenow, 1998) has not been evaluated.

For noninstitutionalized serious and violent juvenile offenders, several studies have shown that deterrence programs, as well as vocational programs that do not have educational components, actually increase recidivism. (Lipsey, 1999a;

Lipsey & Wilson, 1998). For institutionalized offenders, Lipsey and Wilson's meta-analysis shows that the weakest intervention is milieu therapy (characterized by resident involvement in decision making and day-to-day interaction for psychotherapeutic discussion).

### Curfew Laws

Curfew laws do not appear to be effective in reducing serious or violent juvenile crime. Moreover, the effectiveness of curfew laws in reducing juvenile delinquency in general is questionable, as the results of three recent studies show. In a national study, McDowall, Loftin, and Wiersema (2000) examined the effects of new curfew laws in 57 large cities and found that the introduction of these laws was not followed by reductions in juvenile arrests in any serious crime category. The researchers note that "any impacts of the laws were small, and they applied only to a few offenses," such as burglary, larceny, and simple assault (pp. 88-89). These decreases occurred only for revised laws. Nighttime curfew laws appear to be no more effective than daytime laws. In a California study, Males and Macallair (1998) found that stricter curfew enforcement did not reduce juvenile crime rates. In some instances, serious crime increased at the very time officials were touting the crime reduction effects of strict curfew enforcement. Finally, in a study of four Texas cities, Adams (1997) found no consistent evidence that curfew laws reduced general rates of juvenile offending.

McDowall (2000) recently reviewed evaluations of curfew laws and concluded that these laws "have little potential to affect overall levels of crimes or victimizations involving young people" (pp. 61-62). Curfew laws cannot reasonably be expected to reduce violent juvenile crimes significantly because, ironically, most of them are imposed at a time—late at night—when few juvenile violent offenses occur. Only about one in six violent juvenile crimes occurs during curfew hours—typically between 10:00 P.M. and 6:00 A.M. (Snyder, Sickmund, & Poe-Yamagata, 1996, p. 27).

### General Deterrent Policies

Policies aimed at general deterrence are not effective in reducing crime rates. This conclusion has not been altered since the 1970s (see, e.g., Blumstein, Cohen, & Nagin, 1978; Zimring & Hawkins, 1973). As Tonry (1994b) asserts, "A fair-minded survey of existing knowledge provides no grounds for believing that the War on Drugs or the harsh policies

exemplified by 'three strikes and you're out' laws and evidenced by a tripling in America's prison population since 1980 could achieve their ostensible purposes" (p. 479). "Three strikes" laws do not deter crime (Kovandzic, Sloan, & Vieraitis, 2002; Shichor & Sechrest, 1996), imprisonment does not reduce recidivism (Spohn & Holleran, 2002), and there is compelling evidence that offenders sentenced to prison have higher rates of recidivism and recidivate more quickly than offenders placed on probation (Spohn & Holleran, 2002, p. 350). Interestingly, the death penalty has no deterrent effect (Cheatwood, 1993).

Unfortunately, juvenile justice policies have been becoming more and more punitive, even though increased punishments will not reduce serious and violent juvenile crime. As the research evidence reviewed above shows, most punitive general deterrence approaches are not effective with juveniles; these include detention, shock incarceration, Scared Straight programs, boot camps, incarceration in large custodial facilities, and transfer to the criminal justice system (see Chapter 8). However, there may be some delinquency reduction value to *specific* deterrence for certain types of offenses (i.e., deterrence based on an offender's personal experiences with punishment and punishment avoidance). Paternoster and Piquero (1995) found that a combination of perceived personal risk from minor forms of illegal substance use and personal experience of punishment (police apprehension, arrest, and court contact) deterred substance use in a sample of adolescents. Specific deterrence may work with serious, violent, and chronic juvenile offenders after a certain point in their careers (Schneider, 1990, p. 109).

### Punishment in Adult Prisons

Punishing juveniles in adult prisons is not effective. Imprisonment of juveniles has no general deterrent effect (see Chapter 8). Confining juveniles in adult prisons appears to have only one advantage: a short-term incapacitation effect. However, there is no evidence that short-term incapacitation cannot be achieved equally effectively in juvenile reformatories. More important, the short-term incapacitation effect in adult prisons appears to be offset by detrimental long-term effects. Studies have shown that juveniles confined in adult prisons are not only more likely to recidivate than juveniles retained in juvenile reformatories, but are likely also to have increased recidivism rates and offense severity after they are released from prison (Howell, 1996). In addition, their risk of violent victimization is greater in prisons than in juvenile reformatories (see Chapter 8). Thus imprisoning juveniles in adult prisons rather than juvenile reformatories has no long-term benefit.

### Out-of-Home Placements

The most restrictive out-of-home placements for mental health treatment, including psychiatric hospitalization, and placements in residential treatment centers are not effective for most child and adolescent offenders (Burns et al., 1999; Greenbaum, Dedrick, Friedman, et al., 1996; U.S. Department of Health and Human Services, 2001). Inpatient hospitalization is the least effective of all (U.S. Department of Health and Human Services, 2001, p. 171); indeed, it may do more harm than good in many cases (Weithorn, 1988). In short, "bed-driven" treatment for mental health problems is not effective. Multisystemic Therapy is recognized as an effective home-based form of treatment for delinquency, substance abuse, and mental health problems (Burns et al., 1999), and MST has demonstrated effectiveness as an alternative to psychiatric hospitalization (Henggeler, Rowland, et al., 1999).

### Piecemeal Solutions

The piecemeal solutions to juvenile offending attempted by some unorganized juvenile justice systems are ineffective. In many localities, the juvenile justice systems that currently exist cannot be said to operate as "systems." Rather, they operate more like fragmented sets of subsystems that lack cohesion and integration. As Feely (2000) observes, "Each one may act with the best of intentions and totally within its guidelines, but the effect of so many agencies making individual (or at best bilateral) decisions is that a 'non-system' is formed [and] limited reforms are attempted unilaterally by one governmental branch or agency" (p. 10). Put simply, in such a "nonsystem" there is no complex whole formed by interactive, interrelated, interdependent parts—the essence of a true system. Feely illustrates the consequences with an example involving detention:

> The cumulative effects of uncoordinated agency actions often have dire consequences. Youngsters are detained inappropriately, detention facilities become crowded, resources are wasted, the courts get backlogged, conditions of confinement deteriorate, and the ability of the detention agency to provide both custody and care for accused non-adjudicated youngsters is diminished. (p. 11)

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**Box 7.1**

*Common Planning Mistakes That Lead to Piecemeal Solutions*

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- Selection of the most popular prevention program instead of the most needed one
- Poor targeting of serious, violent, and chronic juvenile offenders
- Unbalanced emphasis on punishment versus graduated sanctions and rehabilitation
- Overreliance on detention and incarceration
- Ineffective allocation of court and correctional resources
- Failure to use risks and needs/strengths assessment instruments
- Poor matching of offenders with needed services
- Use of ineffective programs
- Failure to share information across agencies
- Failure to integrate services with other youth service systems

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Fragmented, uncoordinated services also frustrate the mission of probation and corrections and disrupt the interface of the juvenile justice system with other child service agencies.

The "war on juveniles" mentality has undermined sound management practices, leading to such piecemeal "solutions" as boot camps, zero-tolerance policies that lead to unwarranted school suspensions and expulsions, and punitive correctional programs. Determined juvenile justice and youth service system officials can initiate system reforms that will help them to avoid some common planning mistakes that can lead to the implementation of such piecemeal solutions (see Box 7.1). In many juvenile justice systems, the planning process is encumbered by the complexity of operations and the multiple interface points among the prevention, human service, school, public safety, and social service systems. If system officials adopt sound management tools and create an interagency infrastructure that can coordinate the system parts, they can establish a comprehensive, integrated system (see Chapters 12 and 13).

## Disputed Program Interventions

There is conflicting evidence about the effectiveness of several popular program interventions. These include programs that involve large groups of antisocial adolescents, gang suppression, drug/alcohol abuse treatment, drug testing and drug courts, sex offender treatment, wilderness challenge programs, restitution programs, the placement of probation officers in schools, parole, aftercare, and intensive supervision with probation. I review the research evidence on each of these interventions

below, after which I address the potential value of the "balanced and restorative justice" approach.

Programs Involving Large
Groups of Antisocial Adolescents

Programs that involve large groups of antisocial adolescents may not be effective. Research has shown that prevention programs that create intense group interactions among homogeneous groups of antisocial youths can actually increase the forms of behavior they are intended to prevent, particularly if they do not employ leaders who control the expression and rewarding of antisocial sentiments (Dishion, McCord, & Poulin, 1999). This is called the *iatrogenic effect,* meaning that the problem being addressed is inadvertently caused by the treatment procedure. Several studies have revealed this unintended consequence. In one study, Chamberlain and Reid (1998) found that children in treatment foster care homes had fewer deviant peer contacts and greater reductions in delinquency compared with children placed in group homes with other problem children. Dishion et al. (1999) found that high-risk adolescents who participated in group therapy with similar peers had more tobacco use and delinquent behavior than did adolescents in a control group at the termination of the groups, and these effects persisted through a 3-year follow-up period. Interventions that place antisocial youth together in groups may inadvertently promote friendships and alliances that undermine the very goals of the interventions and may promote further antisocial behavior rather than reduce it. (A similar dynamic may be one of the main reasons large, congregate juvenile corrections facilities are not effective; Henggeler et al., 1998.) Peer group programs

such as the once-popular Positive Peer Culture (U.S. General Accounting Office, 1994) generally have had only mixed success, perhaps because they do not sufficiently counteract the negative youth culture and the helping-skills limitations of antisocial youth (Gibbs, Potter, & Barriga, 1996).

Feldman (1992) found that antisocial youths improved most in groups made up of both antisocial and conventional adolescents, with surprisingly negligible adverse effects to the conventional youth. This study suggests that an intervention that combines skilled leaders with a well-structured group context that includes a substantial proportion of conventional as well as antisocial youth can have positive effects on the antisocial youth without risking the well-being of the conventional youth.

Many prevention programs inadvertently create deviant peer groups when they form groups for activities such as anger control training, social skills training for aggressive children, and parent skills training for parents of aggressive children. This is not to say that well-managed group counseling is not an effective service intervention for reducing delinquency; it is (see Lipsey & Wilson, 1998), particularly for non-institutionalized offenders, and especially when it is integrated with other service components (Lipsey, Howell, & Tidd, 2002). A skilled therapist must manage this form of group counseling, to neutralize the negative reinforcements delinquents give each other, particularly in residential settings.

### Drug Testing and Specialized Drug Courts

Drug testing is widespread in the juvenile justice system, and although there is strong professional and public support for it, under the assumption that it has a deterrent value (Crowe, 1998), to date no research has found evidence that it is an effective strategy for reducing juvenile offending. Haapanen and Britton (2002) conducted a well-designed California study in which they randomly assigned juvenile parolees to different frequencies of drug testing; they found no reductions in arrests or improved adjustment on parole in the higher test groups or for particular offender types. In fact, counter to conventional wisdom, "there was a tendency for higher testing groups to do worse" on parole (p. 232). One potential value of drug testing is the use of positive tests as a predictor of recidivism, but it appears that a history of drug use serves this purpose equally well (p. 236).

Many practitioners consider drug courts to be the panacea for substance-using delinquents. However, evaluations of juvenile drug courts are sparse, owing mainly to the relatively short history of these specialized courts. Although there are positive reports about lower rates of drug use and recidivism among juveniles handled by drug courts (Delaware Statistical Analysis Center, 1999; Shaw & Robinson, 1998, 1999), these and other studies have methodological limitations especially a lack of comparison groups (Belenko, 2001). Significant questions have been raised about the claimed success of drug courts (U.S. General Accounting Office, 1997). These specialized courts suffer from the same program limitation as programs such as D.A.R.E., boot camps, and wilderness training—failure to address the multiple determinants of delinquency, as seen in Chapter 6. Illegal substance use is a risk factor for delinquency and recidivism, but drug courts tend to ignore other risk factors and are mainly punitive in their orientation. Drug courts rarely incorporate a treatment orientation, although some do. It is possible that those that do have a much better chance of success, given Gottfredson and Exum's (2002) findings regarding a successful adult drug court that incorporated a treatment component. In addition, some of the juvenile drug court models that integrate rehabilitation with drug abuse treatment and control look promising; one example is the program currently in place in Phoenix, Arizona (Riddell, 1999).

### Treatment for Alcohol and Drug Abuse

The results of the few studies that have examined drug and alcohol treatment for juvenile offenders have been mixed (Baer, MacLean, & Marlatt, 1998). Henggeler (1997a) contends that support groups, day treatment, outpatient treatment, and inpatient (residential) programs have not demonstrated effectiveness in treating children and adolescents for alcohol and drug abuse; in fact, none of these approaches appears to be more effective than no services at all (p. 262). It also is unclear whether alcohol and drug abuse treatment programs reduce delinquency. Too few well-designed studies of this topic have been conducted for us to be able to draw any conclusion (M. W. Lipsey, personal communication, October 3, 2002; Tobler, 1986).

In some cases, ineffective aftercare (relapse prevention) may negate the small positive gains achieved in drug treatment programs (Sealock, Gottfredson, & Gallagher, 1997). Some programs (e.g., group therapy) may increase juveniles' associations with problem peers, negating any positive program effects (Henggeler, 1997a, pp. 264-265). The main problem with alcohol and drug treatment programs, however, seems to be their failure to address adequately the family, school, and

community problems that are strongly associated with adolescent drug use. Many of these programs have a punitive orientation. As Henggeler (1997a) observes, "It seems unrealistic to expect treatment programs (e.g., boot camps, wilderness training) that are not family- and community-based and do not address the multiple determinants of drug abuse, to be effective, and such a view is supported by the adult drug-abuse (Institute of Medicine, 1990) and delinquency (Henggeler & Schoenwald, 1994) treatment literatures" (p. 265). There are exceptions, of course, such as the use of MST for substance-abusing and substance-dependent delinquents (Henggeler, Pickrel, & Brondino, 1999).

### Electronic Monitoring

The use of electronic monitoring (EM) technology for controlling offenders in North America and Europe is growing (Landreville, 1999). Begun in the United States in 1983, EM is increasingly used with juvenile offenders. What is the value of electronic monitoring? Does it help reduce recidivism? These key questions cannot be resolved at this time. Roy (1995a) has conducted some research that found low recidivism rates when EM is used in conjunction with home detention, however, as Roy notes, the low-risk offenders in the program would not have been expected to recidivate in any event. It is important to note that this study did not make use of a comparison group. Another study found higher recidivism rates among EM youths than among youths in a comparison group (Office of the Criminal Justice Coordinator, 1991). Wiebush, Wagner, Prestine, and Baird (1992) have reported on a more definitive test in which EM was used with home detention; they found no differences in recidivism between treatment and control groups. Subjects were randomly assigned to the program group or to intensive court supervision. Moreover, the EM program cost more than regular intensive court supervision.

As Wiebush and colleagues (1992) suggest, EM has a great deal of appeal. It can be—and has been—used at multiple stages of system processing, including as an alternative to detention, in conjunction with home detention, in monitoring for compliance with conditions of probation such as curfew restrictions, as an enhancement to traditional probation or parole, and as an alternative to revocation of probation or parole. Although its efficacy has not been tested in all of these environments, early studies suggest that EM contributes little, if anything, to recidivism reduction. Thus it appears that any value of EM would be for controlling offenders rather than for any rehabilitative purpose. One study found that EM reduced juvenile offender absconding (Baumer, Maxfield, & Mendelsohn, 1993). Wiebush and colleagues (1992) found that EM had a more positive impact on serious felony offenders, although the differences were not statistically significant. EM can be used advantageously, however, as an alternative to detention (Bailey & Ballard, 2001), or as an alternative to incarceration, to reduce reliance on costly juvenile reformatories (Wood & Brown, 1989), but its potential negative psychological effects on young offenders need to be examined.

### Sex Offender Treatment

As Katner (2002, p. 28) observes, most sex offender treatment programs for children and adolescents employ one or the other of the following three different treatment modalities in both residential facilities and outpatient programs:

- *Psychological therapy,* which includes sex education, victim empathy, group counseling, individual counseling, and accountability therapy
- *Biological treatment,* which includes the use of medication or drugs to suppress the male sex drive (known as chemical castration)
- *Behavior modification,* which includes social skills acquisition, modeling/role-playing therapy, individual behavioral therapy, and assertiveness training

Unfortunately, none of these specific approaches has proved to be effective (Harris, Rice, & Quinsey, 1998; Katner, 2002). There is no evidence that traditional clinical sex offender treatment reduces recidivism or converts high-risk sex offenders to individuals who are at low risk for recidivism (Katner, 2002, p. 28).

There is, however, one treatment program that has shown promise for adolescent sex offender treatment—Multisystemic Therapy (MST; Henggeler, 1997b). Unfortunately, the sample was very small ($N = 16$) in Borduin, Henggeler, Blaske, and Stein's (1990) experiment. The application of MST in programs aimed at rehabilitating sex offenders needs to be replicated in other localities with larger samples. (For a fuller discussion of MST, see Chapter 10.) It may well be that specialized clinical treatments (Romano, Tremblay, Vitaro, Zoccolillo, & Pagani, 2001) cannot succeed because sex offenders tend to have multiple other problems along with sex offending (Righthand & Welch, 2001)—including delinquency, aggressive behavior, and drug

use—that need to be addressed simultaneously by programs based in multisystemic models. In addition, more studies such as Ryan, Miyoshi, Metzner, Krugman, and Fryer's (1996) examination of sex offenders are needed to build upon the scant knowledge base that exists to inform treatment.

### Wilderness Challenge Programs

Wilderness challenge programs have long been promoted as a means of ameliorating delinquent behavior. As Wilson and Lipsey (2000, p. 1) note, these programs, which typically involve youth participation in a series of physically challenging activities such as rock climbing in an outdoor environment, are presumed to prevent or reduce delinquency through two interrelated dimensions of experiential learning: First, by mastering a series of incrementally challenging activities, participants realize skill mastery, which presumably builds confidence, self-esteem, and self-empowerment; and second, the group context in which the wilderness challenge program is implemented affords participants an opportunity to learn prosocial interpersonal skills that will transfer to situations outside the program.

Lipsey and Wilson's (1998) initial meta-analysis of these programs for serious and violent juvenile offenders showed that they had some weak positive effects for institutionalized youngsters but not for noninstitutionalized offenders. In a subsequent meta-analysis, Wilson and Lipsey (2000) found that wilderness challenge programs appear to be far less effective for serious and violent delinquents than for other delinquents. The researchers found that the key ingredients of more effective wilderness challenge programs appear to be (a) inclusion of a therapeutic component and (b) relatively short duration. The programs they examined that had therapeutic components employed a wide variety of techniques, including behavior management, family therapy, reality therapy, and cognitive-behavioral techniques. Wilson and Lipsey (2000) advise that, because of the small number of studies conducted to date, it is not yet "possible to draw convincing conclusions about the effectiveness of wilderness programs and how best to optimize them for reducing antisocial and delinquent behavior" (p. 8).

### Restitution

Early studies of restitution programs did not show very positive effects for this approach as an independent intervention. In a multisite evaluation, Schneider (1990) found about a 7% reduction in subsequent delinquent offenses (recidivism) in comparison with traditional probation and a lower annual offense rate of about .20 offenses per year. Her evaluation of six experimental programs showed that many restitution programs compared favorably with traditional probation, but some did not. Schneider found that restitution enjoyed an advantage when it was implemented in a programmatic fashion—that is, when offenders were assisted in finding jobs and earning money to pay restitution, as opposed to being left to their own devices to find some way to pay (which Schneider calls "ad hoc restitution"). Where restitution was slightly more effective than incarceration or traditional probation, the key ingredient seemed to be the way the program was designed. Lower recidivism rates were found when the program was not strictly punitive, but instead helped the offender to maintain a healthy self-image.

When restitution is used as a punitive measure with juvenile offenders, such as in certain kinds of community service orders, it can endanger children and adolescents. The worst recorded case is surely that of the six Las Vegas youngsters who were struck and killed by an out-of-control van as they worked on a roadside trash pickup detail; they were required to serve on the detail as part of a community service restitution requirement of their probation (Smith, 2000).

Overall, studies show that restitution has a much more positive effect when it is combined with probation and rehabilitation services (Lipsey, 1999b; Lipsey et al., 2002). Lipsey (1999b) found about a 19% reduction in recidivism when restitution is administered with probation; this reduction is nearly three times larger than Schneider found in her earlier study. Very positive effects are likely to be realized when restitution is combined with such interventions as academic enhancement and parent/family counseling, but possibly not for repeat offenders (Roy, 1995b).

In sum, punitive restitution in the form of community service does not appear to be rehabilitative in any important sense, and may put youngsters in harm's way. Use of restitution in conjunction with probation and treatment measures produces much more positive effects. In addition, it is important to note the positive effects of the restitution process on victims, in terms of victim satisfaction (Hughes & Schneider, 1989).

### Probation Officers in Schools

School-based probation has become a popular strategy for immediate intervention in delinquent

and predelinquent behavior. Under this model, probation officers are moved out of their traditional offices and into middle, junior high, and high school buildings (Griffin, 1999). In addition to monitoring youths on probation, school-based probation officers seek to intervene early with youths who are at risk of delinquency involvement and to facilitate improved communication between key youth services agencies and school officials. The Kern County (California) Probation Department operates what may be the oldest school-based probation program, which began in 1975. Its officers are called "prevention specialists," and they supervise probation caseloads, handle referrals for delinquency, and conduct teacher training and law-related education classes. Pennsylvania officials have established school-based probation services in 50 of that state's counties. The largest and most active program is in Allegheny County (the county that includes Pittsburgh). According to the Allegheny County Juvenile Court's policies and procedures manual, school-based probation officers are expected "to process all delinquent behavior that occurs on school grounds, before, during or after school hours, including when students are going to and from school." This program has a unique feature, the use of "behavioral assessment/referral forms," which teachers complete at the end of each class period. This admittedly crude assessment gives probation officers detailed information on each probationer's progress and school adjustment, and assists them in working with the offenders. School-based probation officers in Sacramento County, California, are involved in gang identification, truancy reduction, conflict prevention, intensive counseling, and teacher training.

Preliminary studies in Maryland and Pennsylvania suggest that school-based probation has a favorable impact on school attendance, boosts academic performance, reduces misbehavior in school, and improves the day-to-day conduct of probationers (Griffin, 1999). However, issues have been raised with respect to this program concept. Aside from the "in your face," confrontational methods used in some school-based probation programs, which are not consistent with good treatment practice, it appears that probation officers in some cases may be usurping the decision-making authority of judges by taking excessive corrective measures in the field (Griffin, 1999).

## Youth Gang Suppression

Police tactics aimed at youth gang suppression include "street sweeps," the saturation of an area with police, zero-tolerance policies, and "caravanning" (cruising neighborhoods in a caravan of patrol cars) (Klein, 1995). More advanced suppression techniques include surveillance/arrest, buy/bust, and reverse sting operations; use of wiretaps; use of listening devices such as body wires; tagging of cars for electronic tracking; and use of video equipment (Bureau of Justice Assistance, 1997, pp. 62-72).

The Los Angeles Police Department (LAPD) has long been a leader in gang suppression tactics. The most notorious gang sweep, Operation Hammer, was an LAPD CRASH unit operation (Klein, 1995, pp. 162-163). It was begun in South-Central Los Angeles in 1988, when a force of a thousand police officers swept through the area on a Friday night and again on Saturday, arresting likely gang members on a wide variety of offenses, including existing warrants, new traffic citations, curfew violations, illegal gang-related behaviors, and observed criminal activities. All of the 1,453 persons arrested were taken to a mobile booking operation adjacent to the Los Angeles Memorial Coliseum. Most of the arrested youths were released without charges. Slightly more than half were gang members. There were only 60 felony arrests, and charges were filed on only 32 of them. As Klein (1995) describes it, "This remarkably inefficient process was repeated many times, although with smaller forces—more typically one hundred or two hundred officers" (p. 162).

The LAPD Rampart Division's CRASH unit polices the Rampart area, a mostly poor and Hispanic district west of downtown Los Angeles and home to the 18th Street gang. Rafael Perez, an officer in the Rampart Division, was arrested in 1998 for stealing cocaine from a police warehouse. He implicated 70 CRASH antigang officers in a variety of illegal activities: planting evidence, intimidating witnesses, beating suspects, giving false testimony, selling drugs, and covering up unjustified shootings (see Leinwand, 2000). In the end, eight cops were indicted; of these, four were cleared, three pleaded to lesser crimes, and one is awaiting trial (McCarthy, 2001).

Incredibly, the Rampart CRASH officers, who were fiercely involved in fighting gangs, came to act like gang members themselves (Deutsch, 2000; Leinwand, 2000). The line between right and wrong became fuzzy for these officers as the us-against-them ethos apparently overcame them (Deutsch, 2000). CRASH officers wore special tattoos and pledged their loyalty to the antigang unit with a code of silence. They protected their turf by intimidating Rampart-area gang members with

unprovoked beatings and threats. They arrested street gang members "by the carload" (Bandes, 2000). Because of the CRASH unit's illegal activities, some 100 convictions of gang members have been overturned (McCarthy, 2001), more than 40 persons have been released from prison because of tainted convictions, and some 300 cases may be tainted and are under investigation (Leinwand, 2000). The city of Los Angeles is facing as much as $125 million in liability claims stemming from the Rampart scandal (McCarthy, 2001).

Police gang units in other cities, such as Chicago (Slater, 2000) and Las Vegas, have also been implicated in scandals arising from the use of gang suppression tactics. Gang unit police in Las Vegas conducted a drive-by shooting in a crime-infested Las Vegas neighborhood, killing one man ("Murder Case," 1998). One of the officers involved is now serving a sentence of life without the possibility of parole.

Some successes in law enforcement suppression of gangs have been reported (Braga, Kennedy, Waring, & Piehl, 2001; Orange County Chiefs' and Sheriff's Association, 1999; Wiebe, 1998), but such suppression activities typically have short-term effects. In the most detailed study of gang suppression conducted to date, Papachristos (2001) found that the aggressive federal prosecution of the Gangster Disciples had the short-term effect of reducing this gang to a loosely arranged delinquent group in the neighborhood while members aligned themselves with other criminal gangs. The destabilization of the Gangster Disciples created a power void that was quickly filled by competing gangs—mainly the Vice Lords and Latin Kings. Papachristos calls this long-term effect "gang succession" (p. 5). It was almost as if nothing had changed except the clothing of the visible gang members.

Communities typically respond to their gang problems initially with police suppression strategies (Weisel & Painter, 1997), but the tactics they use are usually of a much milder variety than those described above. Later, they tend to embrace comprehensive approaches that incorporate suppression activities with programs for prevention and intervention (see Chapter 5).

### Intensive Supervision
### With Probation or Parole

In their meta-analysis of institutional programs, Lipsey and Wilson (1998) did not analyze the effectiveness of intensive supervision as a separate program category for serious and violent juvenile offenders. However, Lipsey (1999b) did look at this category in his analysis of "practical" programs for delinquents in general. He found that intensive supervision programs were effective for juveniles whether they were linked with probation or with parole. In both cases the recidivism reductions were statistically significant. Lipsey's discovery of the effectiveness of practical intensive supervision programs (ISPs) in conjunction with probation contradicts the negative or neutral evaluations of ISPs that have been reported in the literature by Altschuler, Armstrong, and MacKenzie (1999) and MacKenzie (2000). Reviews of the literature on ISPs have tended to overlook certain effective probation-linked ISPs (Sametz & Hamparian, 1990) as well as the most effective parole-linked ISP (Josi & Sechrest, 1999) and the earliest ISP to be evaluated and found effective, the North Carolina Intensive Supervision Project. The North Carolina program worked effectively with status offenders who were at risk of becoming serious, violent offenders (I describe this program in Chapter 10).

It appears that most of the weak or ineffective programs reviewed by Altschuler and colleagues (1999) and MacKenzie (2000) had few of the characteristics of effective ISPs that have been identified (Sontheimer & Goodstein, 1993; Wiebush & Hamparian, 1991; see Chapter 10). The key to effective intensive supervision programs—in conjunction with either probation or parole—appears to be a strong treatment orientation. The overwhelming majority of ISPs are designed to accomplish only one thing: increase public safety through the close surveillance of offenders. By itself, this does not reduce recidivism; an ISP must be linked to a program continuum to be effective. It also should be noted that there is an important risk to offenders in intensive supervision programs: Such programs may "widen the net" of control by placing low-risk youths on intensive supervision (Barton & Butts, 1990).

### Parole

As noted earlier in this chapter, follow-up studies of juveniles released from juvenile correctional facilities show high recidivism rates among these youth; this is strong evidence that juvenile parole is not effective. Corrective measures, such as reducing parole officers' caseloads, have not proved to be effective (Lipsey & Wilson, 1998).

Although the juvenile justice system has not abandoned the use of parole to the extent that the adult criminal justice system has (Travis & Petersilia, 2001), there is far less parole supervision today than in the past. In a national study of

juvenile boot camps and traditional reformatories, MacKenzie et al. (2001) found that administrators in the majority of both types of facilities had no follow-up information on youths who had been released from them. Only 46% of boot camp operators and 32% of traditional juvenile reformatory administrators received follow-up information on released youth (p. 297). MacKenzie et al. comment, "We wonder how staff and administrators who view their mission as the rehabilitation of juveniles can plan and improve programs if they do not know what happens to the youth once they leave the facility" (p. 306).

Parole can be effective when it is combined with programs that help offenders make the transition from confinement to independent living. This intervention strategy, called *aftercare,* appears to be particularly effective with intensive supervision (Lipsey, 1999b), particularly in a step-up and step-down model. Effective aftercare appears to be essential for helping chronic violent offenders desist from criminal careers (Haggard, Gumpert, & Grann, 2001). However, the effectiveness of aftercare programs is disputed, as I discuss below.

### Aftercare

Evaluations of aftercare programs have been sparse. Most conducted to date have been concerned with programs linked with juvenile reformatories. Altschuler et al. (1999) found that the few well-designed evaluations of aftercare programs that have been completed have shown mixed results. However, in his meta-analysis of all evaluations of "practical" (everyday) programs, Lipsey (1999b) found that aftercare programs, supplemented with intensive supervision or reduced caseload programs, produced significantly large reductions in recidivism. This discrepancy between the two reviews is difficult to explain. It appears that most of the demonstration programs Altschuler and colleagues reviewed tended to emphasize punitive measures at the expense of treatment (see Altschuler, 1998), whereas most of the practical programs Lipsey reviewed did not.

Altschuler and Armstrong (1994a, 1994b) conducted an experiment to determine whether a comprehensive aftercare model could be integrated with existing correctional programming. They implemented and tested intensive aftercare programs (IAPs) in four sites (Colorado, Nevada, New Jersey, and Virginia; for a description of the four projects, see Altschuler et al., 1999). Wiebush (2001) conducted an evaluation of the IAPs. Although it had limitations, the study found that the IAPs were not successful in reducing recidivism. However, the IAP model was tested in states that, at that time, did not have particularly advanced procedures for matching offenders' risks and needs with the sanctions and treatment recommended in the structured decision-making model (see Chapter 12). Thus these states likely did not have suitable foundations on which to build successful aftercare programs. Jurisdictions that implement the graduated sanctions component of the Comprehensive Strategy (see Chapter 12) are in a much better position to implement effective aftercare programs than are those that mismatch offenders with programs and sanctions.

One correctional aftercare program has produced very positive short-term effects (Josi & Sechrest, 1999). The Lifeskills '95 program in California's San Bernardino and Riverside Counties is an aftercare program for youthful offenders released from the California Youth Authority. The reintegration approach of this program is based on Operation New Hope's well-developed Los Osos "lifestyles" awareness program (Degnan, 1994; Degnan & Degnan, 1993), which is grounded in William Glasser's widely acclaimed "reality therapy" approach (see Bassin, Bmatter, & Rachin, 1976).

A main objective of the interactive Lifeskills '95 program is to "reinforce the small steps of progress while addressing the fears of the real world confronted by the newly released parolee" (Degnan, 1994, p. 46). The program is based on six principles of programmatic action that address the behavioral antecedents believed to be most responsible for failure to reintegrate:

- Improve the basic socialization skills necessary for successful reintegration into the community
- Significantly reduce criminal activity in terms of amount and seriousness
- Alleviate the need for, or dependence on, alcohol or illicit drugs
- Improve overall lifestyle choices (i.e., social, education, job training, and employment)
- Reduce the individual's need for gang participation and affiliation as a support mechanism
- Reduce the high rate of short-term parole revocations

The program's treatment regimen consists of 13 counseling modules, each of which represents a 3-hour program of lecture and group discussion. Participants are exposed to a series of lifestyle choices designed to restore self-control to their lives and initiate a positive decision-making process geared toward success (Degnan, 1994).

Josi and Sechrest (1999) conducted an outcome comparison of an experimental group made up of parolees in the Lifeskills '95 program and a control group (similar parolees from a California Youth Authority reformatory who lived outside the project area), all of whom were high-risk, chronic juvenile offenders, and found considerable program success. In the 90-day follow-up, individuals assigned to the control group were about twice as likely as experimental group members to have been arrested, to be unemployed and to lack the resources necessary to gain or maintain employment, to have a poor attitude toward working, and to have abused drugs and/or alcohol frequently since release. In addition, only 8% of the Lifeskills '95 youths associated frequently with former gang associates, versus 27% of the control group members. These differences were statistically significant both at the time of the 90-day follow-up and at the time of the final comparison (which ranged from 3 months to 1 year), but the margin began to narrow over time (the researchers speculate that this might be due to the shortness of the program). Josi and Sechrest attribute the effectiveness of the program to its positive atmosphere, its individualized treatment approach, and its intensive job training element, and to the unintentional placement of many of the parolees away from their original communities in Los Angeles to outlying counties, which may have served to remove them from "the negative influences of a dysfunctional family, from renewed contact with sibling offenders, from substance-abusing associates, from negative peer gangs, and from the long-term effects of socioeconomic isolation" in Los Angeles (pp. 75-76).

In sum, Josi and Sechrest's (1999) study suggests that aftercare that incorporates principles of effective programming can produce large positive short-term effects. However, it also suggests that for aftercare to be effective, correctional agencies need to make changes in their policies and procedures. As Josi and Sechrest note: "The critical issue of re-entry itself not only concerns the offender's needs and problems during this period, but also involves the negligence of the responsible correctional agency and its service components, namely institutions and parole. These components may create many re-entry problems and take little responsibility for helping the parolees manage their reintegration" (p. 77).

Balanced and Restorative Justice

The community approach known as "balanced and restorative justice" (BARJ) is appealing to many because of its punitive orientation toward juvenile

offenders and its concern for victims. BARJ has its roots in the retributive just deserts philosophy (American Friends Service Committee, 1971) and in utilitarian philosophy (Van den Haag, 1975), both of which value the concept of ensuring that offenders make things right with society (by making restitution, to restore it to its prior condition) and the concept that offenders must "pay" for having harmed society or individuals (Clear, 1994; Howell, 1997, pp. 19-20). Both of these philosophies also assume the ineffectiveness of the juvenile justice system and emphasize the value of punishment—not rehabilitation—for maintaining order in society. The adherents of utilitarian philosophy would abolish the juvenile court and have the criminal justice system adjudicate juvenile offenders, commensurate with the seriousness of their offenses. Just deserts and utilitarian philosophies influenced the shift in criminal justice system philosophy in the 1970s from rehabilitation of offenders to punishment of offenses, which filtered down to the juvenile justice system in the 1980s. Advocates of these philosophies would have the juvenile justice system focus on "doing justice" rather than on attempting to rehabilitate delinquents.

BARJ also grew out of the juvenile justice restitution and victims' rights movements in the United States (Bazemore & Umbreit, 1994). The restitution movement stresses the importance of victim satisfaction in the justice process and of having offenders repair the harm they have done to victims. The National Restitution Association was formed in the 1980s; it was renamed the National Restorative Justice Association in the early 1990s. Initially, BARJ was conceptualized as a framework for improving juvenile probation (Maloney, Romig, & Armstrong, 1988).

Advocates of BARJ state that this approach has three main purposes in regard to juvenile offenders: to promote accountability, to promote competency development, and to promote community safety. *Accountability* refers to the requirement that offenders make amends to their victims and to the community for harm caused. By *competency development,* BARJ advocates mean bringing offenders to realize that their actions are wrong and increasing their ability to empathize with the victims of their crimes. *Community protection* refers to the juvenile justice system's duty to ensure public safety. Advocates of restorative justice have embraced "community justice" and such problem-solving strategies as community policing, community prosecution, circle sentencing (in which community representatives determine punishments), and community courts. However, the

essence of BARJ is its emphasis on the moral accountability of offenders to their victims and the affected community; this accountability is demonstrated through some form of reparation—that is, restorative justice (Bazemore & Umbreit, 1995).

Although they may view the restorative justice philosophy's emphasis on victims' rights and victim satisfaction with the justice process as long overdue, criminologists and practitioners are beginning to question the potential value of policies based in this philosophy, particularly because of its strong retributive focus (Herman, 1999; Levrant, Cullen, Fulton, & Wozniak, 1999; Presser & Gunnison, 1999). Many of the restorative justice policies that have been implemented are "strikingly authoritarian, retributive methods of social control" (Wakeling, Jorgensen, Michaelson, et al., 2000, p. 88). This is not to say that all restorative justice advocates embrace punishment for punishment's sake (Braithwaite, 2001). In addition, there is concern that interventions based on this philosophy will be more symbolic than substantive and that they may produce unintended punitive effects (Levrant et al., 1999).

Although the three-part BARJ framework has been used to guide intervention planning in some localities, there is no sound empirical evidence to date of the effectiveness of such approaches for reducing recidivism. However, important advances have been made in victim satisfaction as a result of increased system responsiveness to those who have been victimized and offender restitution. The BARJ model's concept of offender accountability may well make some contribution at the front end of a sanctions continuum (see Chapter 13). The three-part BARJ approach has some inherent advantages over the traditional criminal justice continuum, which has the treatment emphasis at one end and the punishment (retributive) emphasis at the other (Wilson, 2000). For BARJ to have utility for programs aimed at rehabilitating juvenile offenders, however, its concept of competency development needs to be redefined so that it addresses the specific treatment needs of offenders in the traditional, individualized justice model of juvenile courts (which works very well, as I will show in Chapter 10). As currently conceived, competency development is but a small component of the successful individualized treatment regimen of juvenile court programs concerned with the rehabilitation of serious, violent, and chronic juvenile offenders who have multiple serious treatment needs. However, the BARJ concept has some utility for structuring accountability measures at the front end of the juvenile justice system, such as in restitution programs.

## Summary

Several approaches to the prevention of juvenile delinquency have been shown to be ineffective. D.A.R.E. is one of the many informational, or instructive, programs that have been shown to be ineffective. Zero-tolerance policies have also been shown to be ineffective. Drug testing does not appear to have a treatment benefit. Curfew laws do not appear to be effective in preventing delinquency—particularly not violent delinquency. Several ineffective school-based delinquency prevention programs have been identified.

Punishment is not effective in reducing recidivism. Sanctions provide only the context for service delivery; it is the intervention within the setting that has the actual power to produce change in offenders. A number of juvenile offender rehabilitation programs and strategies clearly do not work, and some of the more punitive ones may actually increase recidivism. Punishing juveniles in adult prisons is not effective. Individual deterrence programs such as shock incarceration, Scared Straight programs, and boot camps are not effective and may increase recidivism; these kinds of interventions should be abandoned. Placement of juvenile offenders in large, congregate, custodial reformatories is not effective, nor are long sentences of confinement in such facilities. In general, removal of antisocial youths from their families, schools, neighborhoods, and communities for the purpose of treatment is not effective. This includes residential drug treatment and out-of-home placements for mental health treatment and psychiatric hospitalization; the latter may do more harm than good. As a general principle, bed-driven treatment for delinquency, mental health problems, and substance abuse does not work and certainly is not cost-effective. Electronic monitoring does not appear be effective in reducing recidivism. The evidence is mixed on treatment of children for drug and alcohol abuse, and there have been too few evaluations of these treatment programs for juvenile offenders for us to be able to draw any conclusions regarding their effectiveness.

Certain juvenile justice system programs are not effective with serious and violent offenders. Several studies have shown that deterrence programs and vocational programs that do not have educational components actually increase recidivism. For institutionalized offenders, the weakest intervention is milieu therapy (characterized by resident involvement in decision making and day-to-day interaction for psychotherapeutic discussion).

Disputed interventions for delinquents in general include the use of peer leaders in prevention

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**Box 7.2**
*Juvenile Justice Programs and Strategies That Clearly Do Not Work*

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- D.A.R.E.
- Zero-tolerance policies
- Curfew laws
- Punishment without treatment and rehabilitation services
- Removal of antisocial youths from their families, schools, neighborhoods, and communities for treatment
- Bed-driven treatment for mental health, delinquency, and drug abuse problems
- Youth gang suppression without other interventions
- Large, congregate, custodial corrections facilities
- Shock incarceration, "scared straight" programs, and boot camps
- Programs involving large groups of antisocial adolescents
- Piecemeal solutions
- Transfer of juveniles to the criminal justice system
- Incarceration of juveniles in adult prisons

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programs, drug testing and drug courts, electronic monitoring, drug/alcohol abuse treatment, sex offender treatment, wilderness challenge programs, programs involving large groups of delinquents, restitution, the placement of probation officers in schools, parole, police gang suppression, and intensive supervision. Two of these interventions have been shown to be effective: restitution and intensive supervision. When designed properly, intensive supervision programs that link probation with treatment interventions are effective. Finally, the popular balanced and restorative justice model appears to have little utility for the management and rehabilitation of serious, violent, and chronic juvenile offenders.

Piecemeal solutions have frustrated effective planning and service delivery in the juvenile justice system and its partner agencies. The "war on juveniles" has undermined sound management practices, leading juvenile justice officials to implement such "solutions" as boot camps, zero-tolerance policies (which have led to unwarranted school suspensions and expulsions), and punitive correctional programs. Such "easy fixes" often cause more problems than they solve. In the juvenile justice system,

as in any system, a change in policies or practices in one part affects all other parts of the system. If system officials adopt sound management tools, they can create a comprehensive, integrated, interagency system and an interagency infrastructure for coordinating the system parts. There are no magic bullets.

### Discussion Questions

1. Why has the D.A.R.E. program had such staying power despite its ineffectiveness?

2. Why are zero-tolerance policies ineffective?

3. Why are there no panaceas for the problems associated with juvenile offenders?

4. Why are "bed-driven" treatment programs ineffective?

5. What are the strengths and weaknesses of the BARJ model?

6. How has the "war on juveniles" contributed to the adoption of piecemeal solutions?