

Karen's Story

Karen Gilligan, age 16, was the oldest of four children living with their parents in a small rural community. Her mother worked two jobs, her father was unemployed, and both parents drank heavily. Karen's high school attendance was sporadic. She started to experiment with alcohol and vandalized local businesses. After being arrested in a stolen car on several occasions, Karen was referred to juvenile court and was put on community supervision and probation. An initial assessment was provided by her probation officer, and formal dispositional recommendations were made to the court. She would remain at home on house arrest for 60 days, attend school regularly and maintain at least a C average, follow an alcohol and drug assessment program, and participate in weekly family therapy with her parents. Karen was also ordered to cooperate with the juvenile restitution program, pay her restitution in full within six months, and participate in the Community Adolescent Intensive Supervision Program, as arranged by her probation officer.

Not used to being accountable to anyone, Karen struggled initially with all the new rules and expectations. She missed some of her initial appointments and skipped some classes at school. Karen's probation officer began making unannounced visits to her at school, trying to help her understand

the consequences of her behavior. It was clear to the probation officer that Karen possessed many strengths and positive attributes. She enjoyed dancing and singing, and even liked school at times. The team of professionals encouraged her to focus on these qualities.

In addition to Karen's individual counseling, her family participated in weekly family therapy to talk about their issues and to address how to best support the children. Initially, the sessions were very challenging and stressful for the entire family. They blamed each other for their difficulties, and Karen seemed to be the target of much of the anger expressed by her parents.

During the many months of intensive supervision, treatment, and family therapy, Karen was able to stop her delinquent behavior, pay her restitution, attend school regularly, and improve her communication with her parents. Through therapy, Karen's mother also acknowledged that she needed some assistance with her drinking and entered treatment. Karen's probation officer provided the court with regular monthly progress reports showing significant improvement in Karen's behavior and lifestyle choices. Karen has proven her success and remains living with her parents and siblings. She plans to attend a local college after graduation to prepare for a career in the medical field.

Real Cases/Real People

There are many choices of correctional treatments available for juveniles, all of which can be subdivided into two major categories: community treatment and institutional treatment. **Community treatment** refers to efforts to provide care, protection, and treatment for juveniles in need. These efforts include probation, treatment services (such as individual and group counseling), restitution, and other programs. The term *community treatment* also refers to the use of privately maintained residences, such as foster homes, small-group homes, and boarding schools, which are located in the community. Nonresidential programs, where youths remain in their own homes, but are required to receive counseling, vocational training, and other services, also fall under the rubric of community treatment.

Institutional treatment facilities are correctional centers operated by federal, state, and county governments; these facilities restrict the movement of residents through staff monitoring, locked exits, and interior fence controls. There are several types of institutional facilities in juvenile corrections, including reception centers that screen juveniles and assign them to an appropriate facility; specialized facilities that provide specific types of care, such as drug treatment; training schools or reformatories for youths needing a long-term secure setting; ranch or forestry camps that provide long-term residential care; and boot camps, which seek to rehabilitate youths through the application of rigorous physical training.

Choosing the proper mode of juvenile corrections can be difficult. Some experts believe that any hope for rehabilitating juvenile offenders and resolving the problems of juvenile crime lies in community treatment programs.¹ Such programs

COMMUNITY TREATMENT Using nonsecure and noninstitutional residences, counseling services, victim restitution programs, and other community services to treat juveniles in their own communities.

community contacts, (c) avoids the negative effects of confinement, which often severely complicate the reintegration of the offender into the community, and (d) greatly reduces the financial cost to the public.⁴

Historical Development

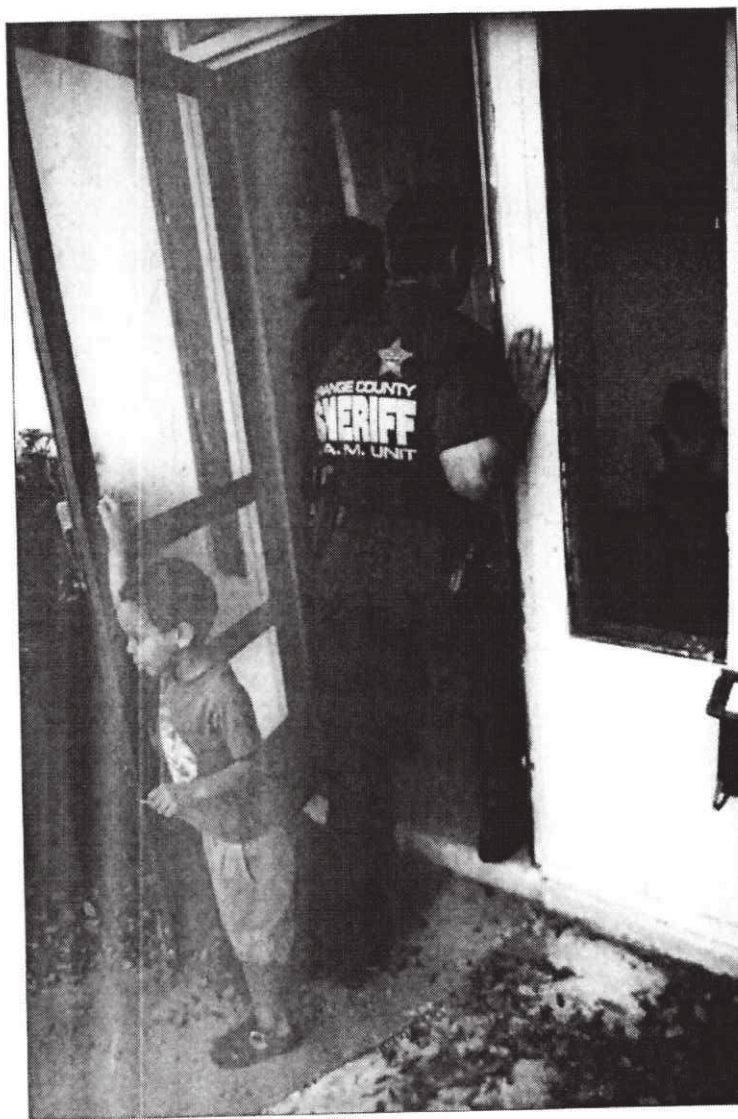
Although the major developments in community treatment have occurred in the twentieth century, its roots go back much further. In England, specialized procedures for dealing with youthful offenders were recorded as early as 1820, when the magistrates of the Warwickshire quarter sessions (periodic court hearings held in a county, or shire, of England) adopted the practice of sentencing youthful criminals to prison terms of one day, then releasing them conditionally under the supervision of their parents or masters.⁵

In the United States, juvenile probation developed as part of the wave of social reform characterizing the latter half of the nineteenth century. Massachusetts took the first step. Under an act passed in 1869, an agent of the state board of charities was authorized to appear in criminal trials involving juveniles, to find them suitable homes, and to visit them periodically. These services were soon broadened, so that by 1890, probation had become a mandatory part of the court structure.⁶

Probation was a cornerstone in the development of the juvenile court system. In fact, in some states, supporters of the juvenile court movement viewed probation as the first step toward achieving the benefits that the new court was intended to provide. The rapid spread of juvenile courts during the first decades of the twentieth century encouraged the further development of probation. The two were closely related, and to a large degree, both sprang from the conviction that the young could be rehabilitated and that the public was responsible for protecting them.

Expanding Community Treatment

By the mid-1960s, juvenile probation had become a complex institution that touched the lives of an enormous number of children. To many experts, institutionalization of even the most serious delinquent youths was a mistake. Reformers believed that confinement in a high-security institution could not solve the problems that brought a youth into a delinquent way of life, and that the experience could actually help amplify delinquency once the youth returned to the community.⁷ Surveys indicating that 30 to 40 percent of adult prison inmates had prior experience with the juvenile court, and that many had been institutionalized as youths, gave little support to the argument that an institutional experience could be beneficial or reduce recidivism.⁸



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Probation plans vary in terms of approach and structure. Some juveniles simply report to the probation officer and follow the conditions of probation. In other cases, juvenile probation officers will supervise young people more intensely, monitor their daily activities, and work with them in directed treatment programs. Here, officers from the Orange County (California) Sheriff's Office J.A.M. (Juvenile Arrest and Monitoring) unit, who are tasked with conducting daily routine checks, arrive at a house to arrest a juvenile for a probation violation.

of more than 900 juvenile cases in five Pennsylvania counties, criminologists Stacy Haynes, Alison Cares, and Barry Ruback found that restitution was imposed in one-third (33 percent) of eligible cases, while fees (to cover justice administration costs) were imposed in the remaining two-thirds of the eligible cases.⁴⁴ The authors also found that payment of economic sanctions in general, which included restitution, was related to lower rates of recidivism; that is, those juvenile offenders who paid a greater percentage of their economic sanctions were less likely to recidivate.

Anne Schneider conducted a thorough analysis of restitution programs in four states and found that participants had lower recidivism rates than youths in control groups (regular probation caseloads).⁴⁵ Although Schneider's data indicate that restitution may reduce recidivism, the number of youths who had subsequent involvement in the justice system still seemed high. In short, there is evidence that most restitution orders are successfully completed and that youths who make restitution are less likely to become recidivists; however, the number of repeat offenses committed by juveniles who made restitution suggests that, by itself, restitution is not the answer to the delinquency problem.

Another criticism of restitution programs is that they foster involuntary servitude. Indigent clients may be unfairly punished when they are unable to make restitution payments or face probation violations. To avoid such bias, probation officers should first determine why payment has stopped and then suggest appropriate action, rather than simply treating nonpayment as a matter of law enforcement.

Residential Community Treatment

Many experts believe that institutionalization of even the most serious delinquent youth is a mistake. Confinement in a high-security institution usually cannot solve the problems that brought a youth into a delinquent way of life, and the experience may actually amplify delinquency once the youth returns to the community. Many agree that warehousing juveniles without attention to their treatment needs does little to prevent their return to criminal behavior. Research has shown that the most effective secure-corrections programs provide individualized services for a small number of participants. Large training schools have not proved to be effective.⁴⁶ This realization has produced a wide variety of residential community-treatment programs to service youths who need a more secure environment than can be provided by probation services, but who do not require a placement in a state-run juvenile correctional facility.

How are community corrections implemented? In some cases, youths are placed under probation supervision, and the probation department maintains a residential treatment facility. Placement can also be made to the department of social services or juvenile corrections with the direction that the youth be placed in a residential facility. **Residential programs** are generally divided into four major categories: group homes, including boarding schools and apartment-type settings; foster homes; family group homes; and rural programs.

Group homes are nonsecure residences that provide counseling, education, job training, and family living. They are staffed by a small number of qualified persons, and generally house 12 to 15 youngsters. The institutional quality of the environment is minimized, and the kids are given the opportunity to build a close relationship with the staff. They reside in the home, attend public schools, and participate in community activities.

Foster care programs involve one or two juveniles who live with a family—usually a married couple who serve as surrogate parents. The juveniles enter into a close relationship with the foster parents and receive the attention and care they did not receive in their own homes. The quality of the foster home experience depends on the foster parents. Foster care for adjudicated juvenile offenders has not been extensive in the United States. Welfare departments generally handle foster placements, and funding of this treatment option has been a problem for the juvenile justice system. However, foster home services have expanded as a community treatment approach.

RESIDENTIAL

PROGRAMS Residential nonsecure facilities, such as a group home, foster home, family group home, or rural home, where the juvenile can be closely monitored and develop close relationships with staff members.

GROUP HOMES Nonsecured structured residences that provide counseling, education, job training, and family living.

FOSTER CARE

PROGRAMS Placement of juveniles with families who provide attention, guidance, and care.

CHECKPOINTS

- ✓ There are new programs being developed that are "probation plus" because they add restrictive penalties and conditions to community service orders.
- ✓ Juvenile intensive probation supervision involves treatment as part of a very small probation caseload that receives almost daily scrutiny.
- ✓ Electronic monitoring combined with house arrest is being implemented in juvenile correction policy.
- ✓ Balanced probation systems integrate community protection, accountability of the juvenile offender, and individualized attention to the offender.
- ✓ Monetary restitution allows a juvenile to reimburse the victim of the crime or donate money to a charity or public cause.
- ✓ Community service restitution allows juveniles to engage in public works as part of their disposition.
- ✓ Residential community programs are usually divided into four major categories: group homes, foster homes, family group homes, and rural programs.

FAMILY GROUP HOMES A combination of foster care and group home; they are run by a single family rather than by professional staff.

RURAL PROGRAMS Specific recreational and work opportunities provided for juveniles in a rural setting, such as a forestry camp, a farm, or a ranch.

One successful example is the multidimensional treatment foster care (MTFC) program, developed by social scientists at the Oregon Social Learning Center. Designed for the most serious and chronic young offenders, this program combines individual therapy, such as skill building in problem solving for the youths, and family therapy for the biological or adoptive parents. The foster care families receive training by program staff so they can provide the young people with close supervision, fair and consistent limits and consequences, and a supportive relationship with an adult.⁴⁷ Foster care families also receive close supervision and are consulted regularly on the progress of the youth by program staff. The first experiment of MTFC found that one year after the completion of the program, participating male youths were significantly less likely to be arrested than a control group.⁴⁸ Another test of MTFC that involved only serious and chronic female juvenile offenders found that it was more effective than group care, as measured by days in locked settings, number of criminal referrals, and self-reported delinquency.⁴⁹ Systematic reviews and meta-analyses have also shown that MTFC is effective as well as cost-effective in reducing juvenile offending.⁵⁰

Family group homes combine elements of foster care and group home placements. Juveniles are placed in a group home that is run by a family rather than by a professional staff. Troubled youths have an opportunity to learn to get along in a family-like situation, and at the same time the state avoids the startup costs and neighborhood opposition often associated with establishing a public institution.

Rural programs include forestry camps, ranches, and farms that provide recreational activities or work for juveniles. Programs usually handle from 30 to 50 youths. Such programs have the disadvantage of isolating juveniles from the community, but reintegration can be achieved if a youth's stay is short and if family and friends are allowed to visit.

Most residential programs use group counseling as the main treatment tool. Although group facilities have been used less often than institutional placements, there is a trend toward developing community-based residential facilities. As jurisdictions continue to face ever-increasing costs for juvenile justice services, community-based programs will play an important role in providing rehabilitation of juvenile offenders and ensuring public safety. Concept Summary 14.1 reviews the types and restrictions of community-based corrections. *CHECKPOINTS*

Concept Summary 14.1 Community Based Corrections

Although correctional treatment in the community generally refers to nonpunitive legal dispositions, in most cases there are still restrictions designed to protect the public and hold juvenile offenders accountable for their actions.

Type	Main Restrictions
Probation	Regular supervision by a probation officer; youths must adhere to conditions such as attend school or work, stay out of trouble.
Intensive supervision	Almost daily supervision by a probation officer; adhere to similar conditions as regular probation.
House arrest	Remain at home during specified periods; often there is monitoring through random phone calls, visits, or electronic devices.
Restorative justice	Restrictions prescribed by community members to help repair harm done to victim.
Balanced probation	Restrictions tailored to the risk the juvenile offender presents to the community.
Restitution	None.
Residential programs	Placement in a residential, nonsecure facility, such as group home or foster home; adhere to conditions; close monitoring.