

Examining the Presenting Characteristics, Short-Term Effects, and Long-Term Outcomes Associated with System-Involved Youths



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Contact with the juvenile justice system has long been recognized as detrimental to juveniles' life outcomes. Although the number of juveniles informally and formally processed in the United States has decreased in recent years, high numbers of juveniles still come into contact with the juvenile justice system annually. In 2012, over 1.3 million juveniles were arrested (Puzzanchera & Kang, 2014), while in 2013 over 200,000 juveniles were adjudicated delinquent (Sickmund, Sladky, & Kang, 2015), 36,000 were committed to a detention facility (Sickmund, Sladky, Kang, & Puzzanchera, 2015), and nearly 400,000 juveniles were placed on probation (Sickmund, Sladky, & Kang, 2015). As sizeable numbers of juveniles still make contact with the system each year, it is important to consider how system-involved delinquents differ from nondelinquents and delinquents who were diverted out of the system.

The juvenile justice system was founded on ideals of rehabilitation and treatment of juvenile delinquents; however, the reality is that mere contact with the juvenile

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justice system oftentimes leads to poor outcomes for juveniles in both adolescence and later when these adolescents enter adulthood (Emanuel, 2013; Gilman, Hill, & Hawkins, 2015). In some cases, formal and informal criminal labels placed upon juveniles can lead to the internalization and eventual expression of these labels long after system contact. Furthermore, juvenile justice policies increasingly fail to consider developmental processes experienced in adolescence, even though most juvenile delinquents mature and age out of delinquent behaviors. Nevertheless, punishments delinquent youths experience during the short period of adolescence can haunt these youths well into adulthood. It is also critically important to recognize that many delinquent youths present unique challenges in the system due to prior mental health and substance abuse problems—issues that are often exacerbated by system contact.

This chapter explores some of the most notable consequences that system-involved juveniles face. Foremost among these is the finding that these youths are more likely to reoffend in the future than juveniles who were diverted out of the system (Whitehead & Lab, 1989). Growing evidence also suggests that there is a direct link between dropping out of high school and incarceration in adulthood (Hjalmarsson, 2008). There are also several less considered outcomes of juvenile system involvement that we examine in the present chapter. For example, formerly delinquent youths face challenges in obtaining employment and limited wage growth in comparison to their nondelinquent counterparts. There is also growing evidence that delinquent youths confront challenges in establishing successful romantic relationships in similar ways to the marital struggles experienced by adults with felony records. Examinations of the outcomes of delinquent youths in both the short- and long-term are critical, as significant life events that impact successful reintegration could be stunted because of juvenile system contact.

The focal goal of this chapter is to investigate the initial characteristics and outcomes of those who are processed through the juvenile justice system, as well as later life outcomes in adulthood for these individuals. First, theoretical explanations of both short- and long-term delinquent behaviors are briefly examined, including internalization of delinquent labels, disruption of the life course, and adolescent development. Second, unique problems experienced by delinquent youths in comparison to nondelinquents are considered, with a specific focus on mental disorders; alcohol and drug abuse; and suicidal behaviors of system-involved youths. Finally, the focus of the chapter then shifts to the outcomes of former delinquents as they emerge into adulthood. This section examines high school graduation and college attendance of delinquent youths; linkages between dropping out of school and adult incarceration; recidivism following system contact; the impact of publicized delinquent records on employment; and long-term mental health outcomes of formerly delinquent youths, with a focus on the persistence of mental illness and increased likelihood of suicidal behavior following detention. The chapter concludes with some thoughts on future research and policy implications using the empirical evidence discussed in the chapter as a catalyst for consideration.

Theoretical Explanations of Delinquent Behaviors

Several sociological and criminological theories attempt to explain delinquent behaviors, including the impact of delinquent peer associations (Akers, 1998), informal social controls (Hirschi, 1969), and general strains in life (Agnew, 1992). While many delinquency theories focus upon conditions surrounding the juvenile, a few theories explain how delinquency is shaped by system contact. The most notable of these theories is labeling theory, which posits that contact with the juvenile system is actually harmful and nonrehabilitative for juveniles. In contrast, the life course theory approaches delinquency from the perspective that system contact shapes the life events of delinquents, oftentimes preventing them from entering into conventional social institutions (e.g., marriage, employment). A final emerging thesis is that the juvenile justice system fails to account for the developmental nature of adolescence, where juveniles are maturing over time, and most will eventually mature out of delinquency. These theories are explored below to establish a foundation for the rest of the chapter.

Labeling Theory

Contact with the juvenile justice system contributes to higher rates of continued deviancy (Bernburg & Krohn, 2003). One explanation for this relationship is the impact of formal criminal labels on delinquents. Labeling theory posits that placing a negative social label (e.g., deviant) on a person is psychologically and socially detrimental (Becker, 1963). Official interventions (e.g., arrest, juvenile detention), therefore, result in delinquent labels (Bernburg & Krohn, 2003). Society subsequently views those with deviant labels as having undesirable traits. To further complicate this, the stigmatizing nature of deviant labeling can then perpetuate a long-lasting pattern of deviancy (Sampson & Laub, 1997).

There are two primary routes through which deviant labeling could place a person on a trajectory toward future deviancy. First, labeling could alter a person's self-concept by supporting deviant self-meanings (i.e., sentiments people hold toward themselves that are associated with their deviant labels) (Kroska, Lee, & Carr, 2017). The stigmatization and change in self-concept might influence the person to withdraw from society (Bernburg, 2009). Consequently, after adopting a deviant identity, a juvenile might engage in subsequent deviant behavior (Liska & Messner, 1999). Labeling that occurs through contact with the juvenile justice system results in higher rates of criminal offending in adulthood (Lee, Courtney, Harachi, & Tajima, 2015). Second, social exclusion can also contribute to subsequent offending. In other words, labeling people as deviants restricts their access to structured opportunities (e.g., education) (Sampson & Laub, 1997) and reduces opportunities for fulfilling conventional norms (Bernburg & Krohn, 2003). Deviant labeling can result in exclusion from educational opportunities (Bernburg & Krohn,

2003), lack of stable employment, and exposure to deviant peers (Sweeten, 2006). This exclusion is exceptionally detrimental, as these educational and employment opportunities typically act as protective factors against future deviancy.

Labeling theory also suggests that offending and arrest rates are not necessarily consistent with one another. For example, first arrest and subsequent labeling could increase the scrutiny of former delinquents by police and other authority figures (Lieberman, Kirk, & Kim, 2014). Juveniles who begin this cycle from an already disadvantaged stance due to race or social class are the most affected by deviant labels (Sampson & Laub, 1997). Ultimately, youths could experience dual stigmatization due to negative stereotypes associated with their social disadvantages and system labeling, further limiting future opportunities for these adolescents. Adding additional disadvantages to deviant labeling might then further contribute to the cycle of criminal offending into adulthood.

Life Course Theory

Scholars who examine the prevalence and impact of crime across the life course normally focus on the notions of “timing” and “age” (Slocum, 2016). Life course theorists consider the dynamic processes across the lifespan and consider how continuity, change, and other developmental progressions, especially in childhood and adolescence, can affect offending (for examples and reviews, see: Lilly, Cullen, & Ball, 2015; Laub & Lauritsen, 1993; Laub & Sampson, 1993; Moffitt, 1993; Sampson & Laub, 1990). Central to the notion of the theory are the concepts known as *trajectories* and *transitions* that shape one’s developmental processes across the life course (Elder, 1985, 1998).

Trajectories are the life course pathways (or unique future options) a person is propelled into by specific life transitions. These transitions are typically nominal life course events that develop into something more substantial. For instance, a healthy romantic relationship or a new employment opportunity can serve as a catalyst to a larger event, or *turning point*, in the process of desistance from crime (Sampson & Laub, 1993). When turning points occur, they often inspire more significant change within the person and lead to different developmental trajectories (Elder, 1985). Informal social controls are important in life course theory, as poor family bonding or weak interpersonal conditions can lead an adolescent to transition to delinquency in the same way that strong informal social controls can lead people away from crime. The stronger the social bonds, the greater the likelihood for desistance from crime for the person (Giordano, Cernkovich, & Holland, 2003).

Other scholars have examined longitudinal developmental processes to explore the varying patterns of desistance from crime across the life course through more neuropsychological progressions. Moffitt (1993) found that there are two primary groups of adolescent offenders. One group, referred to as *adolescent-limited offenders*, encompasses most people who commit crime. This group’s deviance normally begins and ends during adolescence and is largely considered a normative

developmental process—a time in the life course when immense biological and social change for most youths occurs. However, as these offenders age, more conventional life paths normally present themselves (e.g., stable romantic relationships or opportunities for employment) and deviance subsequently subsides.

The other group of offenders is referred to as *life-course-persistent offenders* (Moffitt, 1993). This group's deviance begins at an earlier age; they usually show nonnormative development early in the life course, with markers like maladaptive temperament, poor self-control, decreased verbal ability, and other neuropsychological deficits (Moffitt & Caspi, 2001). Although this group makes up only 5–10% of all adolescent offenders, their delinquency is more chronic, as well as more pathological across the life course, with their offending behavior beginning before, and extending well beyond, adolescence.

Maturation of Juveniles

Another theory prominent in developmental science focuses on psychosocial maturity. This perspective posits that adolescents make decisions differently than adults, and suggests that juveniles are especially vulnerable to impulsivity and risky decision-making (Cauffman & Steinberg, 2000; Leshem, 2016). Developmental scientists also argue that during this transitional phase in the life course, maturation in the brain is occurring, but also “during adolescence, the brain is more plastic than it will ever be again” (Leshem, 2016, p. 2). These formative brain processes function in concert with the social pressures of peer influence, elevated risk taking, judgment, and impulsivity during this time. As a result, decision-making processes are often quite different for juveniles in comparison to adults (Cauffman & Steinberg, 2000; Scott, 2000). Steinberg (2005) argued that it is critical that these developmental processes are weighed heavily in the juvenile justice system, as “adolescence is often a period of especially heightened vulnerability as a consequence of potential disjunctions between developing brain, behavioral and cognitive systems that mature along different timetables” (p. 69). In other words, delinquent behaviors oftentimes stem from immaturity, the inability of adolescents to effectively regulate behaviors, and the inability to recognize risks of behaviors.

Over the past decade, policymakers have begun to recognize the psychosocial immaturity of delinquents, resulting in significant changes in the arrest practices and court processing of delinquents. Most notable of these are Supreme Court decisions that eliminated the juvenile death penalty in 2005 (*Roper v. Simmons*, 2005), life without parole sentences for nonhomicide offenders in 2010 (*Graham v. Florida*, 2010), and life without parole sentences for homicide offenders in 2012 (*Miller v. Alabama*, 2012). Limited cognition and impulsivity of adolescents have also been reconsidered in the admissibility of confessions due to limited comprehension of legal rights and the likelihood of making false confessions. Following the *Miranda v. Arizona* (1966) decision, officers were required to notify suspects who were in custody (i.e., not free to leave) of their legal rights prior to interrogations; however,

the age of the suspect was not considered in the determination of custody. In other words, an officer might not perceive that a juvenile is in custody, but the immaturity and lack of judgment of a juvenile could cause the juvenile to perceive that he or she is in custody. Drawing upon a developmental science perspective, the U.S. Supreme Court ruled in the 2011 case of *J.D.B. v. North Carolina* that officers must consider the age of the juvenile in making the determination of custody, as juveniles could “lack the capacity to exercise mature judgment and possess only an incomplete ability to understand the world around them” (p. 10).

While the aforementioned cases signal a growing recognition in the juvenile and adult courts that juveniles are different based upon their evolving brain development, most justice system-related policies remain unchanged. Despite the temporary nature of adolescent immaturity, delinquents are processed in a system with punishments that are largely based upon the notion that juveniles make rational decisions and are deserving of harsh punishments. Consequently, juveniles are placed into a system that poses both short- and long-term harms, ultimately resulting in worsened outcomes, even though they would have likely matured out of their delinquent behaviors in time.

Presenting Problems of System-Involved Youths

Juveniles who have contact with the justice system tend to experience adolescence in unique ways in comparison to juveniles who avoid system exposure. Notably, delinquent juveniles have disproportionately higher rates of mental health disorders (Grisso, 2004), rates of substance abuse (White, Loeber, Stouthamer-Loeber, & Farrington, 1999), and rates of suicidal behavior (Hayes, 2009). These problems are exacerbated when juveniles are placed into adult correctional facilities (Abram et al., 2008), but are rarely treated for system-involved youth (Sukhodolsky & Ruchkin, 2006).

Mental Health Disorders in System-Involved Youths

Prior to the 1990s, there was generally little focus on how juveniles coped with confinement or subsequent recidivism (Shufelt & Coccozza, 2006), while children with psychological and behavioral problems were largely ignored (Knitzer, 1982). Furthermore, mental health evaluations of delinquent youths lacked methodological rigor, and mental health classifications were inconsistent, essentially crippling the juvenile justice system’s ability to respond to these issues (Otto, Greenstein, Johnson, & Friedman, 1992).

Estimates vary in the overall prevalence of youths with mental health disorders in the community. It is estimated that between 15 and 25% of youths have a diagnosable mental health disorder (Grisso, 2004), while 12% of children and adolescents

have mental health disorders with associated functional impairment (Costello, Egger, & Angold, 2005). System-involved youths exhibit rates of mental health disorders that are “two to three times higher than the prevalence for youth in general in the community” (Grisso, 2004, p. 13). Estimates of the prevalence of mental health disorders among delinquent juveniles vary widely and generally range from 40 to 90% (Abram, Teplin, McClelland, & Dulcan, 2003; Fazel, Doll, & Långström, 2008; Teplin, Abram, McClelland, Dulcan, & Mericle, 2002). Considering the variation in prevalence rates, it is critical that sound psychometrics with valid and reliable instrumentation are used to assess prevalence rates of mental health disorders (Wasserman, Ko, & McReynolds, 2004). One meta-analysis examining mental health disorders among thousands of delinquents in confinement found “mental disorders [were] substantially more common in adolescents in detention than among age-equivalent individuals in the general population” (Fazel et al., 2008, p. 1016). This suggests that there is an association between some mental disorders and juvenile justice involvement “either directly or indirectly” (p. 1016).

The most empirically rigorous epidemiological studies suggest that system-involved youths have higher rates of mental health disorders. For example, in a study of 1829 randomly sampled youths in Cook County, Illinois, Teplin et al. (2002) found that two-thirds of males and almost three-fourths of females in detainment met diagnostic criteria for at least one mental health disorder. Even when excluding conduct disorder, most males and females in the study met diagnostic criteria for a mental health disorder. The study also found a noteworthy racial effect, as non-Hispanic whites possessed higher rates of mental health disorder in detention than their minority counterparts (Teplin et al., 2002). The authors noted that this finding supports the widely held notion that white youths, without significant impairment, have greater opportunities for diversion away from the juvenile justice system than their minority counterparts.

Although the vast majority of research examining mental health disorders has been conducted on incarcerated youths, juveniles on probation make up the bulk of system-involved youths (Sickmund, Sladky, Kang, & Puzanchera, 2015). While research is limited in this vein, one notable exception is a study of counties in Texas that found a prevalence rate of mental health disorder at approximately 50% for females and 45% for males (Wasserman, McReynolds, Ko, Katz, & Carpenter, 2005). They also found that females and males experienced similar rates of disruptive and substance use disorders, but that females were afflicted with affective and anxiety disorders more often. Furthermore, females were more likely to suffer from co-occurring disorders (Wasserman et al., 2005).

Interestingly, one critique of the concern over mental health disorders in juvenile justice settings has surrounded the notion that the mental health issues of youths largely encompass only the symptomatology of conduct disorder (Grisso, 2004). Grisso noted that many people consider the mental health issues of system-involved youths as not “real mental disorders” (p. 34). As a result, this viewpoint has historically been used as justification to take the mental health needs of system-involved youths less seriously and to argue against mental health treatment for these youths. To be sure, conduct disorder is prevalent in system-involved youths. Thirty-three

percent of the adolescent males in the Wasserman and colleagues' (2002) study and 38% of males and 41% of females in the Teplin et al. (2002) study had a diagnosable conduct disorder. Overall, however, the rates of other disorders were also major concerns for these youths (e.g., anxiety, affective, and substance use disorders).

The potential gendered prevalence of mental health disorder in system-involved youths is also noteworthy. As discussed above in the review of Teplin et al. (2002) and Abram et al. (2003), females generally have higher rates of disorder in detained populations than males. The prevalence rates of internalizing disorders (e.g., anxiety and depression) are substantially higher for females in comparison to males—a finding that has also been supported in a variety of settings and systematic reviews (Abram et al., 2003; Fazel et al., 2008; Teplin et al., 2002; Wasserman et al., 2005). Other research has explored gender differences in involvement in both the mental health and juvenile justice systems. Graves, Frabutt, and Shelton (2007) found that males were more likely to be involved in both systems and were generally more delinquent, while dually involved females had greater functional impairment and more significant mental health problems. They also noted higher rates of anxiety and depression in females; however, they found these factors were associated, with females being less likely to be dually involved in the mental health and criminal justice systems—not more likely as one might initially hypothesize. Generally, there is some evidence that female youths with mental disorders (except substance use disorders) are less often placed in secure settings (e.g., incarceration) than their male counterparts (Kempker, Schmidt, & Espinosa, 2016). It could be that females are considered less dangerous than males; however, female youths who have particularly complex psychosocial histories and functional impairment could warrant secure confinement.

There is also evidence that the prevalence rates of mental disorders for system-involved youths who are adjudicated in juvenile court, as opposed to youths who are transferred to adult criminal court, possess mental health disorders at similar rates. In a relatively small sample, Beyer (2006) found no difference in psychiatric illnesses between youths tried in juvenile and adult courts. A later study of 1715 youths (275 who were processed in adult court) found similar rates of mental health disorders between youths processed in the juvenile and adult criminal justice systems—64% versus 62% (although both groups had substantially larger prevalence rates than youths in the general public) (Washburn et al., 2008).

Overall, it is apparent that system-involved juveniles present with relatively high rates of mental health disorders and are in need of treatment.

Substance Abuse in System-Involved Youths

Similar to the disproportionate rates of mental health disorders exhibited when comparing delinquent and nondelinquent populations, delinquents are also more likely to abuse substances in comparison to nondelinquents. Typically, delinquent behavior and drug use are closely linked (White et al., 1999). In illustration of this

problem, scholars have noted that the vast majority of youths have engaged in illegal drug use (Dembo, Wareham, & Schmeidler, 2007). Furthermore, Grisso (2004) noted that the rates of drug use are nearly five times greater for offenders in the juvenile justice system in comparison to their non-offending counterparts. Researchers have also suggested that youths who become involved in the juvenile justice system have a higher likelihood of meeting the criteria for alcohol abuse or dependency (Gilman et al., 2015). Over half of males (50.7%) and nearly half of females (46.8%) met criteria for a substance-related disorder in juvenile detention (Teplin et al., 2002). A follow-up study found that over 21% of males and over 22% of females possessed multiple co-occurring substance use disorders in detention (McClelland, Elkington, Teplin, & Abram, 2004). This is of particular concern for adolescent males as they are more likely to use substances in comparison to their female counterparts; males also have increased lifetime prevalence of substance-related disorders (Sickmund & Puzanchera, 2014; Welty et al., 2016).

When considering incarceration rates for drug crimes, minority youths are incarcerated at disproportionate rates in comparison to their white counterparts (Sickmund, Sladky, Kang, & Puzanchera, 2015). These elevated rates of detention are especially troubling as researchers have shown that in actuality, it is less common for nonwhites to use drugs and/or alcohol in relation to non-Hispanic whites (Sickmund & Puzanchera, 2014; Welty et al., 2016). Additionally, non-Hispanic white youths in detention are more likely to possess any type of substance use disorder in comparison to detained African American youths (Teplin et al., 2002). These findings suggest that delinquent juveniles are more likely to abuse substances in comparison to nondelinquents, but minority youths are more likely to experience harsh treatment in the juvenile system.

Suicide and System-Involved Youths

In addition to substance abuse, there is ample evidence that system-involved youths are at a substantially elevated risk for suicide in comparison to juveniles in the general population (Gray et al., 2002; Hayes, 2009). In a systematic review of the literature on suicidal ideation and behavior, Stokes, McCoy, Abram, Byck, and Teplin (2015) found that system-involved youths are often at significant risk for suicidal ideation and attempts before, during, and after their involvement in the juvenile justice system. This same analysis estimated that suicidal ideation rates for system-involved youths vary between 19 and 32%, and between 12 and 15.5% for a past suicide attempt. Gender, race, mental health disorders, and substance abuse are also recognized as relevant predictors for youths who are at risk for suicidal ideation and/or attempts (Stokes et al., 2015).

In one study of 1829 youths detained in Chicago, roughly 1 in 10 youths had at least thought about suicide at some point in the six months prior to the interview (Abram et al., 2008). Abram and colleagues further noted that almost 6% of the sample had a specific suicide plan at some point in the past six months. In this study,

11% of detained youths had at least one suicide attempt in their lifetime, with 3% attempting suicide in the six months leading up to the interview. In both instances, the rates for females were significantly larger than those for males (Abram et al., 2008). Other studies have also noted that gender could play an important role with suicidal behavior of youths in detention. For instance, Rohde, Seeley, and Mace (1997) found that, beyond the standard elevated risk of suicidal behavior for youths in detention, it was “especially elevated” for females and that depression played a significant role for both males and females (p. 172).

Studies completed for youths on probation largely mirror the findings of those of detained youths in the juvenile justice system. For example, Wasserman and McReynolds (2006) discovered that for youths on probation, suicide attempts were more common in females; those with a major depressive disorder or substance use disorder (both a recent and lifetime attempt); and those youths who had committed a violent offense (recent attempt). Another study completed with females who had been required to receive community care after a criminal referral, found that participants who had experienced prior sexual victimization were more likely to attempt a subsequent suicide (Rabinovitch, Kerr, Leve, & Chamberlain, 2015).

Experts have argued for a series of policy considerations to assist with the alarming problem of suicidal behavior in system-involved youths (Hayes, 2000). There is evidence that facilities where suicide screenings are performed at intake have lower rates of suicide attempts. Hayes also suggested that staff training, ongoing assessments, communicating with youths, and proper supervision of youths in detention could all assist with reducing suicidal ideation and behavior for confined youths. Furthermore, Stokes et al. (2015) advocated for improvements in how suicide is reported among youths to better understand prevalence rates regarding the problem, in addition to better exploration of risk and protective factors for system-involved youths, and better evaluation techniques of intervention programs for youths in confinement. The above findings highlight the increased suicide risk that is present among delinquent youths and offer suggestions for responding to suicidal youths in correctional facilities.

Dangers of Incarcerating Juveniles with Adults

Risks of adolescent suicide are particularly high when detaining juveniles in adult correctional facilities (Abram et al., 2008). Juveniles who are prosecuted as adults lose many protections that are standard in the juvenile justice system, including the right to remain sight and sound separated from adult offenders in jails and prisons (Sickmund, Snyder, & Poe-Yamagata, 1997). This often results in significant placement challenges for correctional administrators. For instance, placement of juveniles in the general population makes them vulnerable to physical and sexual victimization, and protection is typically only possible through solitary confinement (Arya, 2007). Both solitary confinement and victimization while incarcerated are detrimental to the mental functioning of young juveniles, exacerbating already

existing mental health issues and increasing suicide risks (American Civil Liberties Union, 2014). In comparison to similarly situated young adults, juveniles in adult facilities are also more likely to be housed in a higher custody level, less likely to have a work assignment, and have a longer delinquency history (McShane & Williams, 1989).

While juveniles could be subject to harmful and abusive conditions in adult institutions, many transferred juveniles do not end up serving long prison sentences. For example, one study of sentence dispositions found that over 50% of *statutorily* waived juveniles (i.e., placed in criminal court via a statute based upon type of offense and/or age of juvenile) were either not convicted or were reverse waived back into the juvenile system (Arya, 2007). In contrast, over 80% of *judicially* waived juveniles were convicted in criminal court. Oftentimes juveniles received nonprison sentences following their pretrial detention in jail. For example, 74% of juveniles who received probation and 77% of juveniles who were placed in a juvenile facility were detained in an adult jail. As a result of this placement, transferred juveniles who were detained in adult jails were potentially exposed to dangerous conditions and criminal labeling, but after their detention in these adult facilities, they received relatively minor sentences. These findings highlight the extreme dangers present when incarcerating juveniles with adults despite the rarity of final placement in adult facilities.

Treatment of Mental Health and Substance Use Disorder for System-Involved Youths

Youths in the justice system present with alarming rates of mental health disorders. These youths bring significant histories of neglect, trauma, and both sexual and physical abuse (Gover & MacKenzie, 2003; Mason, Zimmerman, & Evans, 1998). Although estimates vary, one sample of nearly 900 detained youths found that practically the entire sample (92.5%) had experienced at least one traumatic event in their lifetime (Abram et al., 2004). Furthermore, over half of the detained youths had experienced six or more traumatic events in their lifetime, and over 11% met criteria for post-traumatic stress disorder (PTSD). These rates were generally larger than the prevalence of PTSD for youths in the general public. Scholars have also demonstrated empirically that incarcerated youths who were once abused or neglected (a key traumatic event) also have higher rates of mental health disorders, and those rates of abuse and neglect are higher than youths in the general population (King et al., 2011). This was especially true for sexual assault, in which “nearly all youths who were sexually abused with force had a psychiatric disorder” (p. 1430).

Despite the significant need for mental health care in system-involved juvenile populations, some experts have noted that the majority of youths have not traditionally received mental health care while incarcerated, and treatments are often not available (e.g., for a review see Sukhodolsky & Ruchkin, 2006). For example,

Novins, Duclos, Martin, Jewett, and Manson (1999) noted in one sample that fewer than 40% of juveniles with a substance use or mental health disorder had received services for those behavioral health needs. In their review of mental health care in the United States, Desai et al. (2006) found that mental health services in general have increased in number and quality. They also stated, however, that “many detained juveniles in need of care do not receive services, and with both overcrowding and a large number of mentally ill youths in detention centers, episodes of injuries, suicides, and other adverse health effects are increasing” (p. 204).

When considering substance use disorders, services for juveniles in detention with these problems are also limited (McClelland et al., 2004). This is especially concerning as researchers have found that youths with lower levels of supervision in general are at an increased risk of continued substance abuse. Offenders with high levels of supervision as youths, however, showed no increase in substance abuse across time (Mauricio et al., 2009). These results highlight the importance of early substance abuse treatment options for system-involved youths. The findings of the current section highlight the immense differences that exist between delinquents and nondelinquents. Delinquents have high rates of mental health conditions, substance abuse, and suicide, all of which are exacerbated by juvenile justice contact. Emerging research suggests that these differences will continue into adulthood and can have deleterious impacts on reentry.

Long-Term Outcomes of System-Involved Juveniles

In most states, juvenile court jurisdiction typically ends at the age of 17, at which time criminal behavior becomes the responsibility of criminal courts (Juvenile Justice Geography, Policy, Practice & Statistics, 2017). However, the impact of juvenile system contact persists long after juvenile courts relinquish control. Delinquents face several consequences that are commonly recognized as barriers to reentry for adult felons, yet are seldom considered for delinquents. The following section examines several aspects of reentry that have been particularly challenging for former delinquents. First, the relationship between dropping out of or being removed from school (i.e., suspension or expulsion) and entering prison in adulthood, often termed the school-to-prison pipeline, is briefly examined. Second, the educational outcomes of former delinquents are considered. Next, several aspects of recidivism are examined, including recidivism outcomes for various types of delinquents and factors that contribute to desistance from delinquency. The section then explores the increased accessibility of juveniles' records. As a result of these changes, former delinquents now face significant challenges upon entry into adulthood, including obtaining employment and earning a livable wage. Relatedly, romantic partners may perceive former delinquents in a negative light and may be less likely to engage in a relationship. Finally, the chapter concludes by considering potential long-term physical and mental health issues exhibited by former delinquents.

School-to-Prison Pipeline

In the 1990s, schools adopted “zero-tolerance” policies to combat weapons on campuses, which resulted in more punitive responses to delinquency (Monohan, VenDerhei, Bechtold, & Cauffman, 2014; Wald & Losen, 2003), increased police presence, and reduced procedural protections within schools (Kim, 2012). This approach simultaneously contributed to the criminalization of student misbehavior and to stark increases in the number of students suspended or expelled from schools (Wald & Losen, 2003). The empirical evidence has also supported clear racial disparities, as African American and Hispanic youths are more often affected by these “get tough”-era policies than white youths, suggesting that zero-tolerance policies are worsening the disproportionate criminal justice system contact of nonwhites.

Zero-tolerance approaches have contributed to the “*school-to-prison pipeline*.” This pipeline is the path through which youths experience increasingly punitive and isolating obstacles. For example, in comparison to nondelinquents, delinquent youths are more likely to take classes taught by unqualified teachers, be held back in school, be placed in restrictive programs (e.g., special education), and experience punitive measures (e.g., suspension or alternative schooling) (Wald & Losen, 2003). Consequently, these juveniles have an increased likelihood of encountering the criminal justice system (Monohan et al., 2014; Wald & Losen, 2003). Researchers have recently explored which factors could disrupt or redirect the pipeline, such as school engagement (Monohan et al., 2014), mental health services (Garcia, Greeson, Kim, Thompson, & DeNard, 2015), mentoring (Wald & Losen, 2003), and other protective and risk factors (Garcia et al., 2015; Wald & Losen, 2003). To date, however, an agreed upon solution to disrupting the school-to-prison pipeline is elusive.

Educational Outcomes Following System-Involvement

Formal social controls are recognized as detrimental to the educational outcomes of delinquents (De Li, 1999). One of the immediate consequences of system involvement experienced by delinquents is the reduced likelihood of high school graduation. High school graduation is a critical life event that contributes to crime desistance and general life success (Natsuaki, Ge, & Wenk, 2008), highlighting the importance of completion for delinquent youths. More generally, dropping out has severe financial costs nationally. For example, in California it is estimated that “\$1.1 billion of the costs of juvenile crime are a result of having large numbers of high school dropouts” in the population (Belfield & Levin, 2009, p. 38).

Most notable of the stages of juvenile system contact is arrest, as arrested juveniles are more likely to drop out of high school than their non-arrested peers, especially when arrests occur early in their high school careers (Hirschfield, 2009). When arrest is coupled with a court appearance, the impact on dropping out of school is more salient, suggesting that court involvement is stigmatizing for

juveniles (Sweeten, 2006). While unobservable characteristics in the lives of delinquents (e.g., poor decision-making practices, school policies) shape the likelihood of high school graduation, there does not appear to be a causal link between arrest and dropping out (Hjalmarsson, 2008). However, the impact of incarceration remains a significant predictor of dropping out even after controlling for unobservable life characteristics, indicating that adolescent incarceration reduces the likelihood of graduation. In other words, more formal responses to delinquents could result in a higher degree of labeling, ultimately preventing successful reintegration in school.

One less-considered outcome of juvenile justice contact is college attendance and graduation. Limited research indicates that system-involved juveniles are less likely to be enrolled in college (Emanuel, 2013; Kirk & Sampson, 2013) or obtain a college degree (Tanner, Davies, & O'Grady, 1999). There are several reasons why former delinquents could be less likely to attend college. First, having certain types of criminal charges (e.g., drug, sexual offense) excludes former offenders from obtaining federal student aid (Students with Criminal Convictions, 2017). Second, many colleges ask about a criminal record on admissions applications (Ambrose & Millikan, 2013), potentially preventing those with a delinquent record from being admitted. Finally, former delinquents could self-select out of college attendance due to perceptions of lack of acceptance and stereotyping by students and teachers (Strayhorn, Johnson, & Barrett, 2013). While the educational outcomes of system-involved youths have been less studied in comparison to other aspects of juvenile reentry, limited research suggests that delinquents have poor educational outcomes in comparison to nondelinquents.

Recidivism Patterns of System-Involved Youths

Over three-fourths of detained youths return to the community within 12 months of their detainment (Sickmund & Puzzanchera, 2014). For those youths who are not properly rehabilitated and continue to offend (60–80%), a multitude of negative outcomes exist (Tarolla, Wagner, Rabinowitz, & Tubman, 2002). These include criminal recidivism, poor social functioning, and poor physical health.

For system-involved youths there are multiple factors associated with recidivism. These youths could have poor social support, lack adult guidance, have poor academic outcomes, use alcohol and/or drugs, and lack cognitive resources—each of which can lead to an inordinate risk of poor life outcomes as adults (Laub & Sampson, 1993; Myner, Santman, Cappelletty, & Perlmutter, 1998). Gender is also considered an important risk factor for recidivism in youths, as males are more likely to recidivate than females (Cottle, Lee, & Heilbrun, 2001). However, for both males and females, age of onset of offending is an important risk factor for recidivism. Youths who are early-onset offenders (i.e., prior to the age of 13) are more likely to have adult convictions than those who engage in offending at later ages

(Myner et al., 1998; White & Piquero, 2004). It could be that early age offenders are particularly vulnerable to more negative outcomes because these are largely the life course persistent offenders as described by Moffitt (1993), who begin deviant acts earlier as a result of nonnormative neurophysiological development during childhood. Other factors that can shape recidivism include the type of offense committed by the juvenile, specifically sexual offenses, and the transfer of the juvenile into criminal court.

Recidivism of juvenile sex offenders. Juveniles commit a substantial share of sexual offenses that are committed annually in the United States (Ryan & Otonichar, 2016). In 2015, juveniles comprised 16% of rape offenders, 1.5% of prostitution offenders, and 17.5% of all other sex offenders (United States Department of Justice, 2015). However, of all juvenile offenses, sex-related offenses comprise just 1% of total arrests (Sickmund & Puzanchera, 2014). In comparison to other offender groups, sex offenders in general are the least likely to reoffend (Petteruti & Walsh, 2008). A 10-year follow-up of juvenile offenders found that sex offenders were less likely to be rearrested in comparison to nonsex offenders (Waite et al., 2005). Recidivism rates for incarcerated juvenile sex offenders were low (4.7%), regardless of treatment intensity. Juvenile sex offenders are like other nonsexual juvenile offenders, in that they tend to mature out of their deviant behaviors and typically do not reoffend in adulthood (Ryan & Otonichar, 2016). Furthermore, adolescent sex offending is not empirically predictive of sex offending in adulthood (Zimring, Piquero, & Jennings, 2007).

Researchers have identified several adolescent risk factors that could help predict sexual reoffending in adulthood. For example, recidivism is predicted by having sexual interest in children (Worling & Curwen, 2000); scoring high on impulsivity/antisocial behavior on the Juvenile Sex Offender Assessment Protocol II and on antisocial factors of the Psychopathy Checklist: Youth Version (Parks & Bard, 2006); and having static and historical factors (e.g., having multiple victims or stranger victims) (Gerhold, Browne, & Beckett, 2007).

Recidivism of transferred juveniles: Juveniles transferred to criminal court have different recidivism patterns in comparison to juveniles retained in juvenile court. Research examining transferred juveniles suggests that they are more likely to recidivate than nontransferred juveniles in both the short-term (Bishop, Frazier, Lanza-Kaduce, & Winner, 1996) and long-term (Winner, Lanza-Kaduce, Bishop, & Frazier, 1997). While property offenders do not vary based upon transfer status, juveniles transferred for all other types of offenses commit more crimes and are arrested sooner in contrast to nontransferred juveniles. In addition to rearrest, other research has considered related outcomes of transferred juveniles. For example, most transferred juveniles continue engaging in antisocial behaviors and are reincarcerated following release (Schubert et al., 2010).

Explanations as to why juveniles have worse outcomes as compared to nontransferred juveniles after transfer include internalization of criminal labels, learned criminal behaviors, and lack of rehabilitative services in adult facilities (Bazemore & Umbriet, 1995; Thomas & Bishop, 1984). One alternative explanation for the

relationship between transfer and recidivism is that there are selection effects in which only the most serious and violent juveniles are transferred out of the system, thus they would be expected to be the most likely to recidivate (Myers, 2003). By comparing a large sample of serious and violent juveniles who were retained in the juvenile system, Myers found that the deleterious impact of transfer on recidivism still held, suggesting that transfer directly affects subsequent offending.

One argument in support of the use of transfer is that some juveniles could be deterred from offending because they know they will be transferred into criminal court (Feld, 1987). However, studies on the deterrent effect of transfer indicate that delinquents are undeterred by policy changes, as juvenile violent crime rates were unaffected by the imposition of national transfer policies (Jensen & Metsger, 1994). Surveys of juveniles indicate that they are unaware of transfer policies, but they report that if they had known the degree of punishment they would face, they would have been less likely to offend (Redding & Fuller, 2004).

Desistance from delinquency: Not all juvenile offenders, however, have long-lasting negative outcomes as adults. The vast majority of juveniles eventually desist from offending behavior before adulthood (Laub & Sampson, 2003; Moffitt, 1993). Reasons for desistance from crime vary widely across delinquents, although there is ample evidence that positive life transitions (e.g., employment, positive social and/or romantic relationships) can serve as turning points to shift one's life course away from criminal trajectories (Giordano et al., 2003; Laub & Sampson, 1993, 2003; Schubert, Mulvey, & Pitzer, 2016). Other predictors of desistance include psychological development within a person, prosocial integration, and shifts in offender attitudes about the law (Mulvey et al., 2004; Schubert et al., 2016).

Prosocial integration could also serve as a tool for producing more positive traits in juvenile offenders (Laub & Sampson, 1993, 2003). As juveniles grow older, they normally become more invested in the positive social roles they start to take on. As overviewed in the discussion of life course theory, examples of these positive social roles are marriage, education, employment, and military service. For example, employment can promote a prosocial lifestyle. Schubert et al. (2016) found that legitimate income was one of the most effective prosocial variables that led to criminal desistance. Without the need to make money from an illegal source, the propensity to engage in criminal behavior was reduced substantially. These conventional social roles require people to make investments and commit to law-abiding lifestyles (Mulvey et al., 2004). The more invested in these roles people become, the less likely they are to offend so they can maintain their attachments to these prosocial roles. The fear of losing these roles, as a result of reoffending, often outweighs any desire to recidivate. An additional factor associated with juvenile desistance is a change in the views of the legitimacy of the law. During the transition from adolescence to adulthood, perceptions, beliefs, and attitudes change significantly, particularly surrounding the criminal justice system (Mulvey et al., 2004), and people often perceive this agent of formalized social control as more legitimate than they might have as a youth.

Eroding Protections of Former Delinquents

Entrance into positive social institutions (e.g., employment, relationships, education) significantly reduces recidivism of former delinquents (Sampson & Laub, 2003). Recent changes nationwide, however, are making it more difficult for juveniles to transition into these positive life situations (Shah, Fine, & Gullen, 2014). The following section examines the increasing loss of record protections for delinquents, the impact that a juvenile record can have on adult convictions, hiring practices of former delinquents, and wage outcomes of former delinquents.

Nationwide expungement policies: Historically, juveniles' delinquency records were sealed (i.e., publicly inaccessible) or expunged (i.e., destroyed) to protect them from the stigma of a record (Shah et al., 2014). Nevertheless, many states now allow schools, employers, criminal justice agencies, and the public to access delinquent records. Only nine states fully protect records from public access, while 33 states and the District of Columbia allow for some public access; and nine states allow for full public access. Of those that allow some access, 33 states and the District of Columbia allow for school access; 33 states allow for government agency (e.g., social services) access; and 27 states and the District of Columbia allow for victim access. These policies are typically shaped by the type of offense committed, prior criminal history, and age of the juvenile at the time of the offense. While most states require the juvenile to apply for an expungement or sealing, 14 states automatically expunge delinquent records after specific criteria are met (Litwok, 2014).

In some cases, juveniles could request to have public access to their record restricted or to have their record deleted entirely once they have reached a certain age (typically 18 years) (Ambrose & Millikan, 2013). This process does not remove the record from existence, but rather, it restricts the public's access to viewing the record. While public access is restricted, criminal justice workers, such as prosecutors and sentencing judges, could still access these records (Shah et al., 2014). In fact, every state provides a process through which prosecutors or the courts can access juvenile records for adult defendants, which can then be used to enhance sentencing (discussed further in the following section; see Miller & McEwen, 1996).

Evidence suggests that juveniles now rarely have records expunged or sealed (Shah et al., 2014). For example, only three out of every 100 juvenile arrests in Illinois result in an expungement (Illinois Juvenile Justice Commission, 2016). Similarly, in Washington, only 6% of delinquency records are sealed (Calero, 2013). The lack of expungements is attributed to the high cost (e.g., up to \$320 per expungement in Illinois), burdensome process (e.g., contacting all agencies with records), and eligibility constraints (e.g., committing a new offense prior to expungement) associated with protecting delinquents. In recognition of the barriers faced by those with delinquent records, the "Record Expungement Designed to Enhance Employment Act of 2014" was proposed to the U.S. House of Representatives (H.R. 5158). This legislation proposed the automatic sealing of nonviolent delinquency records and early sealing of nonviolent delinquency records (i.e., 3 years after

adjudication decision). Although the bill ultimately failed, it signaled a recognition of the harms of publicizing delinquent records.

Juvenile record and impact on adult convictions: Juvenile records can affect sentencing for criminal convictions, either through enforcing higher penalties or mandating sentences for first-time offenders in adulthood. State laws differ in how defendants' juvenile records are used in sentencing (Miller & McEwen, 1996). Twenty-four states provide a structured method through which defendants' juvenile records are used in determining sentences. For example, 14 of these states calculate a "criminal history score" from factors within the juvenile record. This score is then matched with the seriousness of the crime the juvenile is being charged with, yielding a recommendation for what sentence should be imposed.

Other states (e.g., Wisconsin) consider a juvenile record an aggravating factor that can be used to implement maximum penalties (Miller & McEwen, 1996). It is not routine practice to utilize juvenile records in adult court cases in every state. However, when these records are used, they can result in harsher penalties for adult offenders. For example, juvenile records are counted toward the "three strikes" rule in California and toward the habitual offender law in Louisiana (Miller & McEwen, 1996). These variations highlight the inconsistency across states in how juvenile records are used in adult courts.

Hiring job applicants with a delinquent history: Ease of accessibility and increased publicity of delinquent records are raising concerns about the reentry of former delinquents and the long-term ramifications of public records. One specific aspect of reentry that could be affected by publicity of delinquent records is employer callbacks. Pager (2003) examined how employers perceive applicants with a felony on their record by submitting fictitious employment applications of felons and nonfelons to employers, finding that felons face stigmas that reduce the likelihood of employer callbacks. Limited replications with juvenile applications indicate that juvenile delinquents experience stigmas similar to adult felons (Baert & Verhofstadt, 2015; Taylor & Spang, 2017). In response to awareness of the harms of a juvenile record, the aforementioned H.R. 5158 was proposed in order to "protect children and adults against damage stemming from their juvenile acts and subsequent delinquency records" (H.R. 5158, p. 20).

Related to the challenges faced in obtaining employment, former delinquents fare worse in the labor market in comparison to their nondelinquent counterparts. For example, arrested juveniles are more likely to be unemployed in adulthood (Wiesner, Kim, & Capaldi, 2010). One longitudinal study of formerly incarcerated delinquents found that, after 5 years, only 40% were employed and/or in school (Emanuel, 2013). However, the relationship between juvenile system contact and likelihood of employment could be mediated by the amount of time a juvenile is in a community (Sharlein, 2016). More specifically, juveniles processed in juvenile court typically receive community placements in which they are able to work and are more successful in obtaining employment in comparison to juveniles prosecuted in criminal courts in which they are formally detained and unable to work.

Wages of former delinquents: System-involved juveniles also have lower incomes and wages than nondelinquent juveniles, a finding that exists at several points of

juvenile justice contact. For example, arrested juveniles earn up to 26% less than non-arrested juveniles, while continued system-involvement further worsens incomes in adulthood (Joseph, 2003). One longitudinal study of wages for formerly delinquent youths showed that adjudication resulted in a 28% wage reduction in comparison to nondelinquents (Allgood, Mustard, & Warren Jr., 1999). Adolescent incarceration and transfer to criminal courts similarly dampen wages in adulthood, findings that remain significant even after controlling for relevant factors like education and work history (Jung, 2015; Taylor, 2015).

Although system-involvement is associated with lower incomes and wages, this relationship appears to be temporary for young adults (Grogger, 1995). Furthermore, some young offenders actually have higher incomes than their noncriminal counterparts (Nagin & Waldfogel, 1995). One explanation is that delinquents frequently enter into temporary, albeit lucrative, “spot-market jobs.” Comparatively, nondelinquents could have a delay in earned income while obtaining an education, but they will eventually have greater financial success. Despite research indicating that system-involved juveniles have worse employment outcomes, it appears that some types of delinquent juveniles still fare well in the labor market (Bullis & Yovanoff, 2006). For example, non-gang members and those who completed programming during detention were more likely to be successfully employed in adulthood.

There are several reasons why system-involved juveniles could experience worsened job outcomes in adulthood. First, just as employers could be less inclined to hire former delinquents, the applicants themselves could self-select into less successful careers. Those with delinquent records typically have low career aspirations that are short-sighted, including “labor and trades work, the military, pursuing community college, and the music industry” (Bartlett & Domene, 2015, p. 229). Second, “young [formerly incarcerated] adults may have few, if any, marketable skills [and] minimal work experience in legitimate settings” (Shannon, 2013, p. 135). Finally, former delinquents’ long-term wages are directly tied to expungement policies, as former delinquents’ wages are higher in states with automatic expungement policies in comparison to states where they have to apply for an expungement (Litwok, 2014).

Researchers have linked juvenile delinquency with difficulty securing employment (Baert & Verhofstadt, 2015), having reduced incomes (Allgood et al., 1999), and having worse educational outcomes (Schubert et al., 2010; Sweeten, 2006). Consequently, former delinquents could have difficulty in relationship formation as their potential partners could perceive them as being a less marriageable partner due to financial instability and difficulties securing stable employment (Apel, Blockland, Nieuwebeerta, & Van Schellen, 2009; Western, 2002).

Relationship Prospects of Former Delinquents

Certain factors in adulthood could serve a protective purpose against continued criminal reoffending. One such factor is marriage (Laub, Nagin, & Sampson, 1998; Warr, 1998). However, contact with the juvenile justice system could impact

relationship formation in adulthood and entry into marriage. If youths' contact with the justice system decreases the likelihood of entering marriage in adulthood, these former delinquents could have lowered rates of desistance from criminal offending (Sampson & Laub, 2003). Essentially, contact with the juvenile justice system could contribute to the cycle of reoffending on a long-term basis by creating a barrier to needed protective factors.

Researchers have provided several explanations for how juvenile justice contact can create a barrier in adult relationships. It is possible that the labeling of a delinquent as deviant and subsequent stigmatization could signal to others that the person is not marriageable (Apel et al., 2009). Especially in cases in which the previous crimes committed were violent in nature, potential spouses could perceive those with deviant labels as having the potential to put them at a higher risk of victimization (Cherlin, Burton, Hurt, & Purvin, 2004). Thus, their perception of the former delinquent's marriageability can be greatly reduced.

One of the few empirical studies to examine relationship formation among a delinquent sample found that men who had no juvenile justice system contact were more likely to marry than those who had prior contact (Mack, 2012). Males who had been detained in adolescence had higher rates of cohabitating with partners in comparison to those who had no previous contact or whose only contact was through arrest. This finding is concerning, as marriage is known to be a key factor in the desistance process (Laub & Sampson, 2003). It appears that the experience of juvenile justice contact could have unique consequences in relationship formation for former delinquents as they enter adulthood.

Long-Term Physical and Mental Health Outcomes of Former Delinquents

In addition to weakened social outcomes, poor health outcomes can be associated with juvenile delinquency (Piquero, Daigle, Gibson, Piquero, & Tibbetts, 2007). Persistent offenders are more likely to suffer negative physical health outcomes such as heart problems, kidney issues, and diabetes. Furthermore, system-involved youths (both male and female) are significantly more likely to die in late adolescence or early adulthood (up to 29 years old) in comparison to the general population (Teplin et al., 2014). Perhaps, most alarming, delinquent youths are especially likely to die violently (90% by gun violence) and African Americans were most affected by early violent death (Teplin et al., 2014, 2015).

Scholars have also illustrated the important need to better understand the dynamic relationship between mental health disorders and their effects on the longer-term outcomes for system-involved youths. For instance, there is some evidence that youths with multiple co-occurring mental health and/or substance use disorders are at increased risk of recidivism (Cottle et al., 2001; Hoeve, McReynolds, & Wasserman, 2013). Furthermore, a common assumption among experts is that many mental health and substance use disorders will persist over time for previously

delinquent youths (Wareham & Dembo, 2007). Other scholars have found that delinquent youths with mental health and substance use disorders are at greater risk of violence (Elkington et al., 2015) than those without a disorder, and co-occurring disorders in youths are associated with increased risk of violent offenses in adulthood (Copeland, Miller-Johnson, Keeler, Angold, & Costello, 2007).

In exploring the longer-term prevalence of mental health disorders, Teplin, Welty, Abram, Dulcan, and Washburn (2012) examined longitudinal data on 1829 youths 5 years after detention. The prevalence rates of most mental health disorders in this group declined over time, but they were still substantial; approximately 47% of males and 30% of females still met diagnostic criteria for a mental health disorder. Substance use and behavioral disorders, especially for men, remained the most common mental health disorders (see also, Teplin et al., 2015). A more recent analysis, utilizing the same longitudinal data set, but 12 years after detention, found that nearly a quarter of formerly detained youths still had a substance use disorder (Welty et al., 2017). In sum, there is ample evidence that many youths with diagnosable mental health and substance use disorders continue to struggle with these problems as they emerge into adulthood.

Discussion

The goal of this chapter was to provide an overview of presenting problems of system-involved youths and their subsequent outcomes after juvenile justice system contact. Overall, it is evident that these youths are confronted with a multitude of disadvantages that are also closely associated with maladaptive short-term and long-term consequences. Coupled with “get tough” criminal justice policies for juveniles, this ultimately has exacerbated the obstacles that system-involved youths encounter. In general, the empirical studies reviewed in this chapter provide ample evidence that youths who enter the system possess a variety of risk factors including past histories of trauma, greater prevalence of mental disorders, increased substance use disorders, elevated functional impairment and more suicidal behaviors (Grisso, 2004; Hayes, 2009; White et al., 1999). Furthermore, while confined in detention these youths confront inauspicious challenges regarding their safety, and many develop mental health disorders while in confinement (or become more symptomatic with already diagnosed disorders) (Fazel et al., 2008). Additionally, for many youths, being transferred to adult court and adult incarceration are sizeable concerns, especially given this adult treatment is for offenses these youths committed *as children* (Arya, 2007). Post-detention, these same persons face increased risks for recidivism (Myner et al., 1998); substantial barriers to finding stable employment and quality education (Taylor, 2015; Wiesner et al., 2010); difficulty entering into prosocial relationships (Mack, 2012); increased prevalence of long-term mental health disorders (Teplin et al., 2012); physical health illnesses (Piquero et al., 2007); and elevated risk for early violent death (Teplin et al., 2014). In sum, it is unmistakable that the complex difficulties that youths bring to the juvenile justice system,

their poor short-term outcomes, and their problematic longer-term life course trajectories, far too commonly present vexing problems for a system that was founded on the notion of rehabilitating wayward children and teens—but frequently falls short of that foundational goal.

It is also important to note that findings of studies completed with system-involved youths described in this chapter reveal several demographic disparities. First, there are noteworthy dissimilarities between minority and white youths who enter the juvenile system. For example, minority youths show fewer symptoms of mental health disorders, yet often fare worse after detention than their white counterparts (Teplin et al., 2002). In considering these findings, some scholars have hypothesized this could be a result of the over-criminalization of youths of color in the juvenile justice system and that white youths benefit from enhanced opportunity structures to divert them away from the system prior to juvenile arrest or detention (Bishop & Frazier, 1996). Thus, only the most clinically ill and functionally impaired white youths are detained. Similarly, there are also important gender disparities in system-involved samples of youths summarized in this chapter. The literature illustrates that, although females are much less likely to come into contact with the justice system than males, when they do, females often present with significantly more mental disorders. Additionally, those mental health disorders are more likely to be recognized (or diagnosed) by correctional staff, and females are also more likely to be provided services than males for mental health disorders while in confinement. It could be that the juvenile justice system overly pathologizes female deviance and inversely criminalizes male deviance, labeling females “mentally ill” as a reason for entering the system and males simply as “criminal.” Perhaps, the studies examined in this chapter could also serve as evidence that females have greater opportunities to be diverted away from the criminal justice system than males (paternalism of the system), and only those females with the most significant histories of trauma and pathology, and greater functional impairment due to mental health disorders, ever become system-involved.

Policy Implications

Juvenile justice policies grew punitive toward delinquents in the 1980s and 1990s, but several policy changes in the 2000s signaled a revival of the rehabilitative ideal that was once the primary goal of juvenile justice (Liles & Moak, 2015). A growing understanding of developmental science, coupled with public outcry that juveniles were being punished unnecessarily harshly, has shifted the response to juveniles. Despite these positive changes, further steps still need to be taken to fully move the pendulum away from crime control to rehabilitation for the juvenile justice system. The following section examines several of these policy implications, including increased prevention programs and treatment for delinquents; reconsideration of developmental science among policymakers; improvements in data collection; changes in confinement practices; and increased protections of juveniles’ records.

The value of prevention and treatment for justice involved youths: Prevention and treatment are essential for system-involved youths. Given what is known about outcomes for these juveniles, better prevention programming to assist children before they ever enter the system is necessary. As noted earlier, Grisso (2004) reported that anywhere from 15 to 25% of youths in the general public have a mental health problem, but these rates double or triple for youths in the criminal justice system. Youths typically only receive attention after they commit offenses serious enough to warrant detention. By providing more frequent and more significant social service assistance to these youths in the community, their chances of never entering the system at all could improve. There are specific risk factors for criminal involvement that are almost universal for justice involved youths. For instance, Abram et al. (2004) found that nearly all detained youths in their sample had experienced a significant trauma in their lifetime, and many had multiple traumas before ever entering the justice system. By completing more research on how those traumas specifically impact later confinement, and also providing more opportunities for preventative treatment, far more youths might be able to be diverted from the criminal justice system. Beyond just providing preventative programming, however, comprehensive outcome evaluations to better understand what works and for which at-risk youths are necessary. For example, some prevention programs for youths are politically popular (e.g., D.A.R.E.), but have not produced their intended outcomes (Harmon, 1993).

It is also important to consider which youths make contact with the juvenile justice system and the types of services they receive upon contact. One notable issue across the United States is that nonwhite juveniles are disproportionately processed in the juvenile justice system and often receive more punitive treatment than white juveniles (Pope, Lovell, & Hsia, 2002). While many states have struggled to meet requirements outlined in the Juvenile Justice and Delinquency Prevention Act to identify and respond to disproportionate minority contact, several states have experienced tremendous success in ensuring that nonwhite youths are treated fairly in juvenile justice processing (Spinney et al., 2014). Several strategies that have contributed to this success, including shifting away from punitive treatment of youths, developing long-term plans to reduce minority contact with the system, and improving data collection, should all be considered by states nationwide. Females also face significant challenges that need to be addressed during juvenile justice processing and treatment. Notably, females enter the juvenile system with significantly worse issues than males, including increased rates of mental health disorders (Teplin et al., 2002), co-occurring disorders (Wasserman et al., 2005), and suicide attempts (Abram et al., 2008). While females typically receive greater mental health treatment in comparison to males, the reality is that treatment overall is deficient in the juvenile system (Grisso, 2004).

Once youths enter the system, the mental health and behavioral services that are provided to them are often lacking in quantity and quality (Grisso, 2004). Epidemiological studies discussed throughout this chapter have illustrated that approximately one-half of youths entering detention possess a diagnosable major mental disorder or substance use disorder, and many of those youths have

co-occurring disorders (Teplin et al., 2002). The problem, however, is that these youths are too frequently considered to not possess “legitimate” disorders, but instead are believed to simply have behavioral problems. Overall, quality mental health treatment is often not provided at all, or to the extent that it could benefit detained youths. If mandatory screenings for mental health disorders at intake were more readily available in all facilities, as well as more opportunity for mental health care for justice involved youths across the system, the justice system would come closer to fulfilling its foundational goal of rehabilitation.

It is particularly important to consider policies for youths who are currently suicidal or who have had past suicide attempts. Abram et al. (2008) found that over 10% of detained youths have tried to commit suicide at some point in their lives. Experts have considered a multitude of policy considerations to assist with the alarming rates at which justice involved youths attempt suicide. Included in these are increased staff education and training, intake assessment and ongoing assessments, and greater supervision of youths in detention, among others (Hayes, 2000; Stokes et al., 2015). Given the frequency with which justice involved youths either consider or attempt suicide, these are reasonable policies to consider for these youths.

Remember that children are children: Policymakers must better appreciate that the best developmental science has demonstrated that juveniles are generally inept in making decisions in the same capacity as adults, and this has important ramifications regarding culpability. Developmental scientists, employing rigorous empirical evidence, have played an important role in overturning capital punishment for persons under the age of 18 in 2005 (*Roper v. Simmons*) and in ending life in prison without parole sentences in 2010 and 2012 (*Graham v. Florida*; *Miller v. Alabama*). Other legislation has also recently been passed around the country to lower draconian sentencing policies for youths. This, however, should serve as the beginning for sentencing policy reform with youths and not the end. Ultimately, no matter how heinous the crime, the best developmental science has illustrated that youths and adults are different in cognition, decision-making, and impulsivity (Scott, 2000). Harsher sentences for more youths, at younger ages, and for less serious crimes do not change the likelihood that youths make decisions in a different capacity than adults, and certain brain regions are still developing well into a person’s twenties. Likewise, most young offenders will eventually mature and desist from offending as they take on more prosocial roles (Moffitt, 1993). Scholars must continue to promote these empirical findings to legislators, policy makers, and the general public who have often supported the notion that youths should be treated like adults for some crimes.

Improve data collection of transferred juveniles: In recent years, it has been widely reported that judicial waivers of juvenile delinquents have decreased significantly (Sickmund & Puzzanchera, 2014). In the 1980s, approximately 6000 juveniles were waived each year and the frequency of transfer increased to a peak of approximately 13,000 in 1994, but decreased to fewer than 6000 judicially waived youths annually in recent years. These changes have largely paralleled the drop in adolescent offending. These shifts are a positive sign, but they only tell a portion of the story. While juveniles could enter the criminal justice system through a judicial

waiver, they could also be moved with a direct file by a prosecutor or a statutory exclusion. Currently data are systematically collected on a national level for judicial waivers, but not for direct files and statutory exclusions.

Transference in frequency from judicial waivers to direct files and statutory exclusions would be expected, as states expanded the usage of the latter two transfer mechanisms in the 1990s. Considering that both direct files and statutory exclusions would place a juvenile into criminal court prior to encountering a judge would suggest fewer juveniles would be eligible for a judicial transfer, thus decreasing their usage. One study of 40 counties in the United States found that only 24% of cases were moved to criminal court through a judicial waiver, while the remaining transfers were the result of a prosecutorial direct file or statutory exclusion (Rainville & Smith, 2003). Only six states currently report detailed transfer statistics based upon all transfer forms (Juvenile Justice Geography, Policy, Practice & Statistics, 2017). Just as data is currently collected on the prevalence of judicial transfers, data now needs to be collect on a national scale on the prevalence of statutory exclusions, direct files, reverse waivers, and “once and adult, always an adult” cases.

Stop confining juveniles with adults in jails under any circumstance: Every year, thousands of juveniles are confined in adult jails prior to being convicted of any crime (Arya, 2007). While some of these are juveniles who have committed violent crimes that will result in lengthy prison sentences, many of the juveniles confined in adult jails are not convicted of any crime or are reverse waived back into the juvenile justice system. In other words, juveniles who are ultimately deemed unacceptable for the adult system are initially subject to contact with adult offenders. During confinement, jailers often must make difficult placement decisions. In some cases, juveniles are allowed to remain in the general population where they are at increased risk of physical or sexual victimization. In others, juveniles are held in solitary confinement for their own protection, but are then at risk for psychological harm. Juveniles retained in the juvenile justice system must be sight and sound separated from adults, but there is currently a loophole that juveniles placed into adult courts do not have these protections. Despite several attempts to remedy this issue through reauthorizations of the Juvenile Justice and Delinquency Prevention Reauthorization Act (JJDPRA), currently this practice remains. Future reauthorizations of the JJDPRA should require that these juveniles remain temporarily in juvenile correctional facilities until they have been convicted in criminal court to avoid unnecessary adult contact.

Protect juvenile delinquents' records: Historically, the juvenile justice system was designed to protect juveniles from the harms of the criminal justice system. These protections extended beyond standard crime control measures by also protecting the records of delinquents from future employers, the military, schools, and the public. In recent years, these protections have deteriorated, as nearly all states allow for increased publicity of delinquency records (Shah et al., 2014). As protections are now being lost, it is critical to remember why these policies were initially created. Most juvenile delinquents offend for a short period of time and then age out of crime. Upon reintegration, it is critical that these former delinquents enter back into school or begin a career. However, it is well documented that a criminal record

serves as a barrier to education and employment when that record is accessible (Illinois Juvenile Justice Commission, 2016). At this point, little is known about the potential ramifications of a delinquency record on later life outcomes, which is why it is important to explore these outcomes before putting policies in place that could steer delinquents toward becoming career criminals.

Future Research

In recent years, much attention has been devoted to exploring the root causes of juvenile delinquency, processing patterns of juvenile delinquents, and recidivism outcomes after juveniles have made system contact (Bishop & Frazier, 1996; Cottle et al., 2001; Hoeve et al., 2013; Mynier et al., 1998). Research has also been increasingly devoted to developmental science, which in turn has dramatically shaped recent juvenile justice policies (Scott, 2000). To extend this research, scholars need to continue to study the effectiveness of different mental health, substance use, and behavioral interventions for youth (both prevention and treatment) in order to better understand what programs work and are evidenced based so that stronger treatments and prevention programs can be created. Further research is also needed on nuances on how youth make decisions differently than adults and how their culpability differs. Scholars are beginning to understand these differences, but much additional empirical analysis is needed.

While juvenile justice system processing has received much attention in recent years, some areas are in need of further investigation. For example, the prevalence of juveniles waived by a prosecutor or statue remains unclear. Better data must be collected on these two methods of placing juveniles into the criminal justice system because at this point, it still remains unclear how many juveniles make contact with the adult system each year. A second area in need of future research is the use of screening tools for juvenile delinquents upon intake. Research should examine the difficulty in implementing a universal screening tool for mental health problems and suicidality in justice involved youth.

Finally, further research should focus on the long-term outcomes of delinquents. Extensive research has found that an adult felony charge has a deleterious impact on several life outcomes, including chances of obtaining employment (Baert & Verhofstadt, 2015), income (Jung, 2015), education (Taylor, 2015), and relationship formation (Mack, 2012). As juvenile records are increasingly publicized, with some states now providing little protections for delinquency records (Shah et al., 2014), researchers now need to consider how a delinquency record could also shape the later life outcomes of former delinquents. For example, a limited body of research suggests that employers might be less likely to hire applicants with a delinquency record (Taylor & Spang, 2017), but this needs to be tested experimentally, as has been done for adult applicants with a criminal record. These issues need to be informed by longitudinal research focused on the long-term collateral consequences of system contact.

Conclusion

The vast majority of literature involving system-involved youths has pointed to multiple negative outcomes (Altschuler & Brash, 2004). As touched upon, however, most youths do eventually stop offending and, in time, establish prosocial life course trajectories after delinquency (Moffitt, 1993). It is imperative that policy makers continue to attempt to understand what drives the juxtaposition between positive and negative outcomes for youths in the system. As well, prevention and treatment are essential for system-involved youths. Given what is known about outcomes for these juveniles, better prevention programming must be provided to assist children before they ever enter the system. For those who are arrested and detained, policy makers must seek to better appreciate that the best developmental science available has demonstrated that juveniles are generally incapable of making decisions in the same capacity as adults, and this has important ramifications regarding culpability. Additionally, quality mental health, substance abuse, and suicide screenings are vital for system-involved youths, as are quality treatment interventions and services for those youths deemed to have behavioral health problems in confinement. Finally, quality post-detainment programming is needed to help formerly system-involved youths gain employment and educational opportunities, in addition to engaging in prosocial relationships to help reduce recidivism and foster more positive life course outcomes. Such steps will help protect juveniles and assist the juvenile justice system reach the intended purpose of rehabilitation.

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