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Department of Justice Ministère de la Justice

Canada

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**WORKING DOCUMENT**

**DELINQUENCY TREATMENT  
AND INTERVENTION**

**Report No. 2**

**Robert A. Silverman  
James H. Creechan**

**Department of Sociology  
University of Alberta  
Edmonton, Alberta**

**1995**

**WD1995-7e**

**UNEDITED**

**Research, Statistics and Evaluation Directorate/  
Direction générale de la recherche,  
de la statistique et de l'évaluation**



**Civil Law and Corporate Management Sector/  
Secteur du droit civil et gestion ministérielle**

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Department of Justice Canada. The views expressed herein are  
solely those of the author and do not necessarily  
represent the views of the Department of Justice Canada.*

# TABLE OF CONTENTS

<a href="#">ACKNOWLEDGEMENTS</a> .....	ix
<a href="#">EXECUTIVE SUMMARY</a> .....	xii
<b>1.0 AN INTRODUCTION TO THE PREVENTION, CONTROL AND REHABILITATION OF YOUNG OFFENDERS</b> .....	<b>1</b>
1.1 Background .....	2
1.2 Links in Law, Social Institutions and Community Effort .....	3
1.3 The Development of Probation, Reform Schools, and Parole.....	4
1.4 Rehabilitative Philosophy and Psychological Therapies .....	8
1.5 The Emergence of Community Prevention Programs .....	10
1.6 Separate Directions: Changes in Canada and the United States.....	11
1.6.1 United States Introduces Community Programs and Diversion.....	12
1.6.2 Canada Formalizes Legal Response .....	13
1.7 Summary .....	17
<b>2.0 CLASSIC PROGRAMS FOR PREVENTING, REDUCING AND CONTROLLING JUVENILE DELINQUENCY</b> .....	<b>19</b>
2.1 Where Have We Been: Classical Approaches .....	19
2.2 What Have We Learned?.....	19
2.2.1 Predelinquent Intervention .....	20
2.2.1.1 Early Identification and Individual Treatment.....	20
2.2.1.2 MMPI and Glueck Social Prediction Scales.....	20
2.2.1.3 Cambridge-Somerville Project.....	21
2.2.2 Area Projects and Intervention.....	22
2.2.2.1 The Chicago Area Project .....	22
2.2.2.2 Mobilization for Youth .....	23
2.3 Preadjudication Strategies: Diversion .....	24
2.4 Postadjudication Intervention .....	25
2.4.1 Probation and Parole .....	25
2.4.2 Community Treatment .....	26
2.4.3 Institutionalization.....	27
<b>3.0 RECENT AND INNOVATIVE PROGRAMS FOR PREVENTING, REDUCING AND CONTROLLING JUVENILE DELINQUENCY</b> .....	<b>29</b>
3.1 Introduction: Multidimensional View of Delinquency.....	29
3.2 Range of Delivery Targets .....	31
3.3 Specific Focus of Program Delivery .....	31
3.4 What Works -- Some Cautions.....	32
3.5 Reviews of the Literature.....	33
3.5.1 Correlates of Delinquency.....	34
3.5.2 Successful Programs .....	35

3.5.3	Meta-analyses - General.....	36
3.5.3.1	Biomedical.....	37
3.5.3.2	Diversion .....	37
3.5.3.3	Diversion in Quebec.....	38
3.5.3.4	Early Family Intervention.....	38
3.5.4	Maturational Reform.....	39
3.5.4.1	From Delinquency to Crime .....	39
3.5.5	A Review of Programs to Prevent Violence.....	40
3.5.6	Research Summary.....	44
3.6	Examples of Specific Programs .....	44
3.6.1	Intervention/Prevention.....	45
3.6.1.1	Early Intervention vs. Incarceration .....	45
3.6.1.2	Community and Neighbourhood Programs.....	45
3.6.1.3	School Based Programs.....	46
3.6.1.4	An Educational Success Story .....	48
3.6.1.5	Basic Skills .....	48
3.6.1.6	Peer Interventions.....	48
3.6.2	Diversion: Alternative measures.....	49
3.6.2.1	Reintegrative Shaming.....	49
3.6.2.2	Diversion: Aboriginal Youth Programs.....	50
3.6.2.3	Pre-delinquent Diversion: Scared Straight .....	51
3.6.3	Post-adjudication Diversion.....	52
3.6.3.1	Hand-in-Hand Mentor Programs .....	52
3.6.3.2	Probation.....	53
3.6.3.3	Secure Custody.....	53
3.6.3.4	One Model for Secure Custody: The Thomas O'Farrell Youth Center.....	55
3.7	Alternatives to Incarceration.....	57
3.7.1	The Massachusetts Experiment .....	57
3.7.2	Residential Programs .....	60
3.7.3	Non-traditional Residential Programs .....	60
3.7.4	Wilderness Experiments .....	61
3.7.5	Non-Traditional Secure Custody: Shock Incarceration and Boot Camps.....	62
3.7.6	Work.....	63
3.8	Innovative Directions.....	64
3.8.1	Early Prevention .....	64
3.8.2	Family and Community.....	65
3.8.3	Pre- and Peri-natal .....	65
3.8.4	Birth to Age 6.....	66
3.9	Risk Assessment.....	68
3.10	Early Intervention in Montreal: Richard Tremblay.....	68
3.11	Comprehensive Programs/Strategies.....	70
3.11.1	Comprehensive Findings, Comprehensive Programs.....	72
3.11.2	Preventing Violence.....	73

3.11.3	Graduated Sanctions .....	73
3.12	A Compendium of Programs.....	74
<b>4.0</b>	<b>FINDINGS AND SUGGESTIONS .....</b>	<b>77</b>
4.1	Required Research .....	77
4.2	Examining Probation .....	77
4.3	Identify Serious Delinquents .....	78
4.4	Comprehensive Programs.....	78
4.5	Early Intervention .....	78
4.6	Reducing Violence at an Early Age .....	78
4.7	Community-Based Treatment .....	78
4.8	Flexibility in Programming: One Size Does Not Fit All .....	79
4.9	Use of Secure Custody.....	79
4.10	Aftercare.....	79
4.11	A Final Word .....	79
	<b>BIBLIOGRAPHY.....</b>	<b>81</b>

**LIST OF FIGURES AND TABLES**

Figure 1	The Juvenile Court Under the J.D.A.....	7
Figure 2	The Juvenile Court Under the Y.O.A.....	15
Table 1	Comparative Value of Approaches to Adolescent Violence and Antisocial Behavior -- From Tolan & Guerra (1994:92-93) .....	41

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## **EXECUTIVE SUMMARY**

### **AN INTRODUCTION TO THE PREVENTION, CONTROL AND REHABILITATION OF YOUNG OFFENDERS**

This report presents an overview of the broad social context of juvenile delinquency, and describes how both non-legal and legal mechanisms interact to prevent, reduce, and rehabilitate. The ideas presented here establish a solid basis for discussion, and direct the reader to solutions which have the potential to protect society and effectively reduce delinquency.

This report is divided into four distinct sections. First, we briefly review the historical response to delinquency. Second, we provide a brief overview of traditional and classical approaches which have been used to prevent, control and rehabilitate delinquents. Third, we discuss current delinquency treatment/prevention programs. Fourth, based on our interpretation of past and current evaluational literature - and also based on our understanding of current Canadian social policy -- we suggest possible strategies for developing research aimed at prevention, control and rehabilitation.

#### **The Emergence of Community Prevention Programs**

In the late 1920s, the juvenile justice system in Chicago introduced a radically innovative approach which moved beyond the widely used "individualized" interventions which had been used with juveniles. The Chicago Area Project was first established with the encouragement and management of several sociologists at the University of Chicago. Clifford Shaw and David McKay introduced a radical approach which targeted *disorganized communities* instead of problematic or disturbed individuals. The dual strategic approaches of *prevention* through community projects and psychologically-based *intervention* through court administered probation, reformatories, and parole remain the programmatic underpinnings of the administration of juvenile justice in all jurisdictions in North America.

#### **Directions taken by the United States and Canada Vary**

The United States and Canada began to differ in their approach to juvenile justice around 1960. In brief, Canada came to place much more emphasis on legal aspects of juvenile delinquency while the United States stressed the importance of innovative solutions for treatment. The United States responded to a growing concern with juveniles by developing and promoting programs, while Canada responded by gathering legal experts together to redraft the Federal *Juvenile Delinquents Act*.

Compared to the prior *Juvenile Delinquents Act* court, the Young Offenders court serves a much different role in the prevention and rehabilitative process. One of the consequences of the *Young Offenders Act* may have been unintended. The *YOA* effectively eliminated any strong voice which monitored all of the problems associated with the prevention, diversion, and treatment of young offenders.

## **CLASSIC PROGRAMS FOR PREVENTING, REDUCING AND CONTROLLING JUVENILE DELINQUENCY - WHERE HAVE WE BEEN: CLASSICAL APPROACHES**

There is a rich academic literature describing prevention, reduction, and treatment programs for juvenile delinquents. However, for the purposes of this report we have decided to divide this literature into two periods. The first period covers the first 90 years of the North American experiment with the juvenile court and ends about 1975. We chose to make the break at this time because of the impact of a very influential study (Martinson, 1974; Lipton, 1975) which suggested that prior to that time nothing worked to rehabilitate adult criminals. By 1975 most academics and practitioners doubted their ability to speak confidently about what prevents, reduces or cures delinquency.

Much of the literature after 1975 struggles with the "nothing works" criticism, and offers suggestions about the future of delinquency prevention. Later, we will indicate that the bold statement "nothing works" was not justified, but the importance of this debate on the rehabilitative literature was enormous and must be considered.

### **What Have We Learned?**

In describing the classical approaches to delinquency, Lundman (1993) provides a useful classification scheme. He suggests the following categories:

Predelinquent Intervention:

*Individual Based Treatments*  
*Area Projects*

Preadjudication Intervention

*Diversion*

Post Adjudication Intervention

*Probation and Parole*  
*Community Treatment*  
*Institutionalization*

This report summarizes each of these stages and includes in the discussion: predelinquent programs such as, Healy's early identification and individual treatment program; the Glueck's social prediction work; the Cambridge-Sommerville project, and the Chicago Area project; preadjudication programs such as diversion; postadjudication probation and parole; community treatment; and institutionalization.

## **RECENT AND INNOVATIVE PROGRAMS FOR PREVENTING, REDUCING AND CONTROLLING JUVENILE DELINQUENCY**

Delinquency represents diverse phenomena and research suggests that there are no uniform behaviour patterns or simple causes of delinquency. It makes sense that the complexity of delinquent behaviour should be addressed through varied and multifaceted approaches targeting both types of offences and needs of offenders. Social scientists have long suggested such a strategy, but policy makers continue to employ relatively narrow legal tactics and ignore most social concomitants of delinquency.

### **What Works -- Some Cautions**

Every now and then, a word or a phrase enters society's lexicon which, at least for a while, seems to dominate the way people speak to one another. In the case of criminologists interested in rehabilitation programs such a phrase came to us in 1974 in the guise of "what works" (Martinson, 1974). "What works?" has been translated into "nothing works" -- the belief that virtually all rehabilitation efforts have been failures. It is probably one of the most cited phrases in the history of criminal justice research and publication, and it is all based on a mistake made by Martinson in 1974 which he later modified substantially (1978).

Since the early 1980s a plethora of programs have been instituted and evaluated and many reviews of those programs have been written -- all with a view to proving that something works. It is fair to say that the major correlates of delinquency have been identified and programs and combinations of programs which are most likely to reduce future delinquency have also been identified.

### **Correlates of Delinquency**

Andrews et al. (1992) provide a summary of "causes" of delinquency identified in the research literature. These are actually "correlates" and **correlates are not necessarily causes**. There are also serious limitations in designing interventions on the basis of correlations. Nonetheless, the list of nominated correlates is a repeated finding among researchers. The Andrews et al. list includes the following:

- Behavioural History: a history of antisocial behaviour
- Companions: association with antisocial others
- Early and Current Family Conditions: poor supervision, low levels of affection in the family
- Interpersonal Relationships: weak affective ties, indifference to opinions of others
- Other Risk Factors: being young and being male
- Personal Attitudes/Values/Beliefs/Feelings: negative attitudes to law, rationalization of deviant behaviour
- Personal/Educational/Vocational/Socio-Economic Achievement: low level of achieved education and poor school performance
- Personal Temperament, Attitude, and Early Behavioural History: aggression; impulsivity; risk taking; below average verbal intelligence; anger as response to frustration; moral immaturity; poor problem solving/coping/self-regulation skills; tends to externalize rather than internalize

- Problems in Family of Origin: long-term reliance on welfare; criminality in family of origin (i.e., anti-social role models); poor parenting skills
- Psychopathology: "anti-social personality", "conduct disorder" and in particular "psychopathy"; emotional/behavioural disturbance
- School-based Risk Factors: below average effort; lack of effort/being bored; conduct problems (Adapted from Andrews et al., 1992, pgs. 2-3).

Again, correlations are not causes, but they do nominate risk factors and can be used to generate useful discussion. As many of the social and biological risk factors associated with delinquency have been identified, then it is reasonable that interventions (programs) should target specific risk factors where possible.

### **Successful Programs**

Two separate studies (Greenwood & Zimring, 1985; Alschuler & Armstrong, 1984) identified critical components of successful juvenile corrections programs:

- continuous case management
- careful emphasis on reintegration and re-entry services
- opportunities for youth achievement and program decision making
- clear and consistent consequences for misconduct
- diversity of forms of family and individual counselling matched to individual adolescent needs (as summarized by Krisberg & Austen, 1993)

At least three metatheoretical reviews of the literature have suggested that there are programs which work, and all of these reviews have suggested the importance of classifying risk-factors and identifying specific strategies for intervention.

### **Current Programs**

We reviewed many programs designed to prevent or reduce delinquency at various stages in the lives of youth. They include studies ranging from pre-delinquent interventions to secure custody. Our conclusion is that trying to eliminate delinquency before it happens (for instance, through work with pregnant teens) is probably the most cost effective way of dealing with the problem. The risk-based approach seems to have the most support in the current literature.

## **FINDINGS AND SUGGESTIONS**

The programs discussed in this report can become reference points for future policy considerations in Canada. Programs which have had the greatest success have had community support. Therefore, the issue of community support should be discussed widely. Further, **all programs which receive public funding should have built-in evaluation which is conducted by parties not associated with the programs.** While we have said that we already know enough to

proceed with a discussion of programs, there are also other specific research agendas which must be considered.

The findings and suggestions from prior reviews of the delinquency prevention literature are remarkably consistent and few in number. Our suggestions, based on both those reviews and our own, reflect a growing consensus in the academic community:

## **1. Required Research**

There are obviously many programs currently being undertaken in Canada but few of them have built-in evaluations, and even fewer make their way into published reports. One research effort that we strongly suggest is an examination of on-going programs in Canada. Such a survey could be modelled on the work of Montgomery et al. (1994). The object would be to identify and categorize programs that exist across the country and describe the level of confidence one should have in their claims.

- We suggest such an effort as a first step in determining which programs should be evaluated.
- Special emphasis should be given to evaluation of Aboriginal Youth Programs.

## **2. Examining Probation**

A major study of the effectiveness of probation -- the most common outcome of court hearings in Canada -- should be instituted.

## **3. Identify Serious Delinquents**

Develop techniques to identify the "core" of delinquents who do the most damage (see Wolfgang et al., 1972). Target these youth for interventions based on the "graduated sanctions" model discussed by the Office of Juvenile Justice and Delinquency Prevention. These are the youth who will likely need periods of secure custody.

## **4. Comprehensive Programs**

The model developed by Hawkins and Catalano in Communities that Care and described as a "comprehensive program" by the Office of Juvenile Justice and Delinquency Prevention are models that could be tried in Canada. The programs are based on identification of risk factors mentioned above and concentrate on programs which focus on those known conditions and patterns.

## **5. Early Intervention**

The most cost effective programs, in the long run, are early intervention programs. We suggest targeting high risk mothers and families and intervening with appropriate educational tools. The objectives of these interventions is to: a) produce healthy children, b) prepare mothers and fathers for the job of parenting, c) strengthen the family, d) ensure a bond between the family and

the community. There are several models for such programs among those discussed in this report (see, for examples Hawkins & Catalano, 1992; Tolan & Guerra, 1994).

## **6. Reducing Violence at an Early Age**

Try to institute early intervention on a broader scale (see Tremblay et al., 1992; 1994). The goal is to reduce violence at an early age which may influence violence at later ages.

## **7. Community Based Treatment**

Secure custody is necessary only for a small group of serious repeat offenders. Community based treatment is less expensive and has at least as good a success rate in terms of recidivism. We suggest serious consideration of community based treatment programs in lieu of secure custody.

## **8. Flexibility in Programming: One Size Does Not Fit All**

Flexibility in programming is critical so that individual needs can be met and is likely the most effective approach. Hence, different kinds of offenders with differing problems respond best to specific kinds of programs. One size does NOT fit all. The object of our first suggestion (above) is to determine exactly what we have available to juveniles and which problems the programs target.

## **9. Use of Secure Custody**

The use of secure custody institutions is necessary but should be limited to those few cases who really need the intensive supervision and security provided by such facilities. Within the institutions, there must be an emphasis on individualized treatment or the facility merely becomes a warehouse.

## **10. Aftercare**

One lesson learned from the programs in the United States is that aftercare is critical to the successful outcome of all programs. After release from any program, guided re-entry to the community must be facilitated.

## **A FINAL WORD**

Too often decisions about programs are based on "opinion" or political efficacy. There is no need for that kind of approach given the wealth of literature on this subject and the program evaluations that have already been conducted. We strongly support data based decisions in these matters. Sound policy decisions which are both cost efficient and effective are possible as long as decision makers are willing to accept the notion that there are no "quick fixes" and that changing behaviour is a difficult and, often, imprecise endeavour.

## 1.0 AN INTRODUCTION TO THE PREVENTION, CONTROL AND REHABILITATION OF YOUNG OFFENDERS

This report is designed to guide discussions about Canadian juvenile delinquency and juvenile justice. It presents an overview of the broad social context of juvenile delinquency by describing how both non-legal and legal mechanisms interact to prevent, reduce, and rehabilitate. The ideas presented here establish a solid basis for discussion, and direct the reader to solutions which have the potential to protect society and effectively reduce delinquency.

Throughout this report, we use the general term "juvenile delinquency" rather than the current legal term "young offender". This choice of terminology reinforces the importance of non-legal aspects of delinquency prevention, treatment and control, since "juvenile delinquent" seems to best reflect general and comprehensive approaches to youthful lawbreaking. Attempts to prevent, control or rehabilitate young people must consider more than the behaviour of the young person, and we believe that the current use of the term "young offender" places exclusive emphasis on individual accountability<sup>1</sup>.

This report is divided into four distinct sections. First, the historical response to delinquency is reviewed. Accounts indicate that most specific responses to delinquency have been developed through cooperative efforts of volunteers, philanthropic individuals, and municipal authorities. The foundation for regulating and controlling delinquent behaviour was in place before the first national policy was enacted. Furthermore, the most innovative delinquency reduction projects have been developed by building on the strengths of local volunteers, philanthropic individuals, and local community agencies. Also, changes which were introduced without considering the local nature of response produced some unanticipated consequences.

Second, a brief overview of traditional and classical approaches which have been used to prevent, control and rehabilitate delinquents is provided. This overview summarizes how many of these approaches were assumed to work; indicates how they are linked to community agencies; and, summarizes what we know about their effectiveness. Most formal social reactions such as secure custody institutions, probation, parole, neighbourhood projects, and diversion projects have long been part of a standard repertoire of reactions to delinquency.

Third, current delinquency treatment/prevention programs are discussed. It is important to understand that delinquent behaviour is not a unidimensional phenomenon, and that strategies must be targeted at specific risk factors. The findings from the most comprehensive recent programs targeted at specific risk behaviours, and the reported evaluational literature of these programs, are presented.

Fourth, based on our interpretation of past and current evaluational literature -- and also based on our understanding of current Canadian social policy -- we suggest possible strategies for developing programs aimed at prevention, control and rehabilitation.

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<sup>1</sup> This viewpoint is consistent with theoretical viewpoints which articulate a **routine activities approach**. In brief, this theory argues that crime occurs when there is an appropriate intersection of motivated offenders, suitable targets, and a lack of guardianship. These viewpoints are more fully described by a number of authors (e.g., Birkbeck, 1993; Cohen, 1979; Fagan, 1993; Felson, 1987, 1992; Kennedy, 1993; Miethe, 1993).

## 1.1 Background

During the past two years, there has been intense public and media concern about juvenile delinquency. Almost exclusively, attention focuses on the *Young Offenders Act* and specific legal aspects of regulating juvenile delinquents<sup>2</sup>. Discussion appears to be limited to specific legal criticisms of the *Young Offenders Act*; for instance, there are calls for the complete elimination of the *YOA*, or other calls for increased or stricter legal sanctions (Creechan & Silverman, 1995). If the intent of this criticism is to provide better protection from delinquents, or to more effectively prevent and treat serious delinquency, then a focus on legislation is much too narrow. Legislation has a very specific, and perhaps a very limited role in the management of youthful rule-breaking, and any discussion which is limited to legal issues risks irrelevance. Laws are only one part of a total social context for controlling delinquency, and any complete analysis of youthful problems must be located within a much wider institutional framework.

Social strategies for the prevention, control and rehabilitation of juvenile delinquents and other problematic youth evolved slowly over two hundred years, and contemporary discussions should consider how several institutions are organically linked in a wider context. There are some important policy issues which are not part of the current discussion and these must be actively included<sup>3</sup>. Exclusive attention to Canadian federal young offender legislation ignores several important social structures and social patterns which are more immediately linked to criminogenic conditions. Some notable Canadian scholars have argued that an exclusive focus on legislative changes is misguided and will fail to produce expected changes (e.g., Bala, 1994), but very few people pay attention to this admonition and little effort has been expended to consider how change may be more effectively produced outside of criminal law. There is little evidence that any Canadian government, federal or provincial<sup>4</sup>, has taken action to locate the debate about juvenile delinquency within an overall social context.

In order to effectively take legitimate concerns into account, public discussion must consider how personal lifestyles, informal and formal community structures, policing styles, and availability of resources interact to affect levels of juvenile delinquency. Discussions of changes to legislation, alone, are not sufficient.

## 1.2 Links in Law, Social Institutions and Community Effort

Originally, the management of almost all youthful problem behaviour, including juvenile delinquency, occurred outside of government and without the guidance of law

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<sup>2</sup> For instance, one focal point of concern is change to the legal age to deal with children younger than 12 and only until they are 16. Other suggestions call for specific legal changes such as increased penalties for serious crimes, easier transfers to adult court, forced rehabilitation, etc.

<sup>3</sup> For instance, we feel that any discussion of delinquent behaviour must consider how other institutional responses are defined and supported. One very important area that must be included in all discussion is the social support for all children's services. Specifically, any policy discussion involving children, such as the current review being undertaken by the Alberta Commissioner of Services for Children (1994) will impact on our policies about delinquent behaviour. We will develop this point more in section 4.

<sup>4</sup> Quebec might possibly be an exception to the bold statement.

(Bernard, 1992; Krisberg, 1993). One of the earliest social responses to youthful misbehaviour was a system of "indenture", where children of paupers were placed on landed estates to work as servants for low wages. The idea of indenturing young people and assigning them to rural settings was also formalized in Canada through several federal policies<sup>5</sup> which were intended to populate Western Canada. In the United States, it was also common to ship children to the "frontier" to work as farm labourers. Given that the second largest group in the populations and work force of almost every developed country was composed of live-in servants (Drucker, 1994), this system made sense and required little direct involvement by government other than a generalized approval.

There were formalized institutional responses accompanying this system of indenture. In early 19th century England, charities and wealthy philanthropists created and managed institutions which came to be known as "Bridewells"; in France there were similar institutions called "hospitiaux generaux", and in North America there were "Houses of Refuge" (Krisberg, 1993:10). In North America<sup>6</sup> several philanthropic agencies such as Children's Aid Societies and other groups of Child Savers created and managed these institutions for children (Bernard 1992:66). Apparently, this combination of indentured placement and occasional charitable institutions worked effectively to keep youth in check. In summary, the social policies to control rule-breaking and other youthful problems were intimately linked with the social, demographic and economic structures of society and took place largely outside of the legal structure.

### **1.3 The Development of Probation, Reform Schools, and Parole**

At the end of the 19th Century, social, demographic and economic shifts rapidly occurred and forced important changes. As economies changed to an industrialized base, indentured work opportunities disappeared very suddenly and were replaced by a massive resettlement into cities. Indentured placement, previously the most common traditional institutional arrangement for controlling problem youth, was no longer available as part of a dual approach to control. Charitable institutions, which had previously handled smaller numbers of youth were not prepared to process the massive numbers of troubled youth appearing in cities. In addition there were disagreements over the philosophy of treatment<sup>7</sup>, over class strife in some locations (cf. Krisberg & Austin, 1993), and over management problems arising from the need to process large numbers of youth. All of these problems led many reformers<sup>8</sup> to advocate for strong centralized management, and the end result was that most control transferred to the domain of local governments.

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<sup>5</sup> Some of this history is indirectly described by Kenneth Bagnell (1980), although he describes immigration policies, not youthful offending policies. We are currently unaware of a literature which indicates a link to juvenile misbehaviour.

<sup>6</sup> We do not intend to describe an elaborate comparison of the distinct histories of the United States and Canada. Prue Rains (Rains, 1992) reviews some of the same historical period as Krisberg and Austin, and she mentions many of the same agencies. For instance, the Children's Aid Society in Ontario was instrumental in developing the first court. It is interesting to note that some moral reformers active in promoting humane treatment of the poor were active on both sides of the border. For instance, Dorothea Dix was well known in the Maritime Provinces as well as in the New England States.

<sup>7</sup> For example, Krisberg and Austin (1993) note that Catholic Children's Aid Societies were unhappy with the placement of Catholic children in non-Catholic institutions.

<sup>8</sup> The persuasiveness of these people is outlined by Anthony Platt (1969, 1970), John Hagan and Jeffrey Leon (1977), and Thomas Bernard.

Around 1890, local governments (usually cities) began to undertake the administration of agencies which were previously the domain of philanthropists and advocates. Apparently, government agencies successfully nurtured a consensus among interested community members and committed philanthropists<sup>9</sup>. The first institutions for juvenile delinquents were called "Reform Schools" and had strong links to local schools, community groups (e.g., Children's Aid Societies) as well as with local police and courts. The development of specific institutions like these reform schools were municipal initiatives which addressed a wide variety of specific community problems.

Canadian examples documenting the creation, problems and development of such cooperative community agencies are recorded. The most complete research is a case study of the reformatories used by Montreal juvenile courts. Sociologists Prue Rains and Eli Teram document the 80 year history of Shawbridge Youth Centres, and indicate how they began as private centres and gradually became incorporated as part of the juvenile justice system (Rains, 1984, 1985, 1991, 1992). Ontario programs are described by John Hagan and Jeffrey Leon from the University of Toronto (Hagan & Leon, 1977). These examples illustrate well how federal legislation and social policy became formalized after the community initiatives were already in place. The *Juvenile Delinquents Act* of 1908 was an ex-post-facto representation of strong community efforts which involved links between many existing social institutions.

This federal legislation regulating juvenile delinquency enabled the establishment and growth of similar institutions throughout Canada. Canada's first formally recognized juvenile courts modeled on this legislation were established in Winnipeg (1908), in Ottawa, Vancouver, Victoria and Charlottetown (1910), and in Halifax and Toronto (1911). Similarly, in the early 1900s in the United States, individual States enacted legislation building on the examples of cities like Chicago (which had formalized Juvenile Courts in 1899) and Denver (see for example, Bernard, 1992). The creation of a strong, local, and centralized institution which would use the principles of *parens patriae* was the goal. Across North America, many juvenile courts were created to give local authorities the explicit and strong mandate to regulate almost all aspects of young people's lives. Magistrates and court workers were assigned the capacity of central administrators and directors, and they enjoyed complete authority to create placements in the local community. If community placements were lacking, then courts played a central role in creating services within the community.

Figure 1 presents an idealized diagram of the juvenile court at the time of the YOA. Bernard (1992) noted that the new conception of juveniles in trouble moved away from the conception of "potential pauper" to one where problem children were either dependent or delinquent. Dependents were children who fell into trouble because their parents provided inadequate supervision, and delinquents got into trouble principally through "evil companions". Magistrates were given responsibility for both classes of

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<sup>9</sup> Rains (1992) also notes the active involvement of caring businessmen in the creation of courts in Montreal.

children, and they played the central role in providing for the control, education, protection and rehabilitation of all these children.

Figure 1 illustrates the strong **central** role played by juvenile courts and its links to other social agencies. It suggests far ranging powers to assign youth to a variety of programs in many institutions. Magistrates and court workers were the specific agents who held the community of concerned citizens together, and, as noted, they exercised a far-reaching authority over many areas of childrens' lives. These first courts created unidimensional and monolithic definitions of trouble, and processed youth who were dependent, neglected and delinquent. Youth who committed serious crimes<sup>10</sup>, petty crimes, or even no crimes at all, were assigned the uniform label "juvenile delinquent"<sup>11</sup>. The community programs and treatments used by the courts to treat these "delinquents" made little effort to target specific behaviours and design programs for specific risks. Delinquency and its treatment was uniformly defined and considered to be a monolithic phenomenon. Later, this broad authority and the perceived failure to distinguish among types of behaviour became the focus of intense criticism.

The first judges and court workers oversaw the introduction of most of the policy and the formal tools for processing delinquents. From the beginning, key policies and rehabilitative tools of the juvenile justice system were created, and with some minor exceptions have remained unchanged as the formal reactive tools for managing youth. The first judges and court workers, in cooperation with local community groups and philanthropists, created **reformatories**, and oversaw the development of **probation** and **parole** services for young people. At the time, there was almost uniform praise for this new direction with its emphasis on intervention and rehabilitation. Most legal scholars retreated from their traditional confidence in

*Figure 1: The Juvenile Court under the J.D.A.*

*This figure is not presently available*

the power of punitive sanctions<sup>12</sup> and agreed that the philosophy of *parens patriae* inherent in the emerging juvenile institutions reflected a glorious new approach based on a rehabilitative ideal<sup>13</sup>.

Typically, large numbers of children were processed through these newly created institutions. In part, this was due to a demographic bulge, but it was also the inevitable

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<sup>10</sup> The term crime is used here in the strict legal sense. That is, an intentional violation of a *Criminal Code* or statute without defense or justification.

<sup>11</sup> Typically, in these early courts a juvenile hearing was scheduled using legal documents which would state that a "person of the legal age broke a specific rule which caused them to be in the state of delinquency".

<sup>12</sup> The traditional approach of criminal law was based on a Classical Philosophy that punishment should fit the crime, and that state punishment are effective deterrents in controlling behaviour. The ideas of classical deterrence are traditionally traced back to the work of Jeremy Bentham and Cesare Beccaria.

<sup>13</sup> There is a rather heated, and long-standing debate about the "real purpose" of juvenile courts. Some people like Anthony Platt (1969) argue that the philosophy was not so benign, but that the courts were actually imposing a view favoured by middle-class reformers on classes of people who would otherwise be dangerous. Rains (1992) offers some evidence that rhetoric of rehabilitation was firmly believed by those who created the first Canadian juvenile courts.

outcome of broad definitions of problematic behaviour favoured by the courts. Children who were dependent or neglected were processed in equivalent ways as pure criminals (i.e., the delinquents). However, it is clear that the influence of community advocates over the philosophy of treatment remained consistently strong, and the rehabilitative ideal became entrenched as the strong central principle of probation, reformatories, and parole for the young (Rains & Teram, 1992; Bernard, 1992; Krisberg & Austin, 1993). For instance, even though reform schools processed large numbers of youth, they nevertheless were structured into smaller groups (of about 40 youth) placed in a cottage subsystem (modeled after families). Even today, in the largest secure custody institutions<sup>14</sup> juveniles are placed in smaller subunits in order to facilitate rehabilitative ideals. Supervision programs (probation and parole) were developed with great enthusiasm by the early courts, and the fundamental job description and responsibilities of court workers in these areas have remained virtually unchanged for 100 years.

#### **1.4 Rehabilitative Philosophy and Psychological Therapies**

There is strong evidence that the basic guiding principles of "rehabilitation" and "psychological therapy" were incorporated and developed within the new juvenile institutions from the outset. Most of the content and focus of the rehabilitative treatment were built on psychological principles. Krisberg and Austin (1993) indicate that the influential impact of individual crusaders like Charles Loring Brace and Dr. William Healy in defining the interventionist strategies became the basis of almost all social policy for controlling young people. Charles Brace was active in creating the Children's Aid Society<sup>15</sup> and he believed that poverty and other social factors produced delinquency; he also believed that juveniles would respond to a guided and structured intervention. These principles were extensively applied by juvenile courts and by treatment programs without a great deal of empirical evidence, and until recently have never been formally evaluated<sup>16</sup>. The rehabilitation ideal was thought to be more important than deterrence in juvenile institutions; even though reform schools were strict and employed punitive measures, the guiding philosophy of administrators was rehabilitation.

Most rehabilitative efforts were clearly based on the psychological principles which emerged in the popular culture about the same time that juvenile courts appeared. The notion that psychological therapies were the best way to structure specific probation programs, reform school programs, and parole supervision became an inherent focus of treatment, and came to dominate the language and issues of policy development. This

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<sup>14</sup> As you will see below, large institutions are becoming rare, and there is a major debate about the therapeutic limits of incarceration for young people. The State of Ohio is committed to them, and California has some large institutions remaining from the earlier days of the California Youth Authority. On the other hand, we will describe a very innovative approach in Massachusetts which closed almost all total custody institutions.

<sup>15</sup> This advocacy group was found on both sides of the border, and was part of the general movement that was later called the Child Savers. See Anthony Platt (1969, 1970) for a more detailed history of these groups and their impact on juvenile justice, or Hagan and Leon (1977) for a description of their influence in late 19th century Ontario.

<sup>16</sup> Some recent reviews (e.g., Andrews et al., 1992; Montgomery et al., 1994) suggest that some of these approaches may work for some types of juveniles. We are not arguing that psychological approaches never work. However, we are not convinced that psychotherapeutic approaches should serve as the complete underpinning of all program and policy planning. We urge caution in interpreting general claims or proposed panaceas without supporting evaluational research. We will have much more to say about this below when we consider current programs that appear to be successful.

influence can be traced directly to the efforts of Dr. William Healy (1915). According to the eminent criminologist Thorsten Sellin, Healy almost single-handedly introduced a psychologically-based philosophy of therapeutic intervention which has served as the basis of almost all policy development, intervention and treatment for juvenile delinquents ever since. Whether youth were sentenced to reform schools, probation, or released on probation, they could expect to be "rehabilitated" within a framework of psychologically-based therapies. It was not until thirty years after they were introduced, that the first formal evaluations of probation, reform schools and probation were conducted by Sheldon and Eleanor Gluecks' (Glueck & Glueck, 1959; 1951; Glueck, 1953). These evaluations were based on theoretical orientations closely linked to Healy's theories of delinquent behaviour.

The influence of psychology and its underpinning in individualized therapy has been very strong, and remains both the central focus of policy discussion and the most preferred strategic guide for providing programs to juvenile delinquents. Below we focus on the sociological elements of the problem.

## 1.5 The Emergence of Community Prevention Programs

In the late 1920s, the juvenile justice system in Chicago introduced a radically innovative approach which moved beyond the widely used "individualized" interventions. The "Chicago Area Project" was first established with the encouragement and management of several sociologists at the prestigious University of Chicago. Drawing on the work of Frederick Thrasher, sociologists Clifford Shaw and David McKay introduced a very different approach which targeted "disorganized communities" instead of problematic or disturbed individuals. They believed that fixing communities would prevent other factors from producing individual delinquents. Therefore, they created programs which focused on neighbourhoods. Their pioneering use of "detached workers" became a standard tool in reducing youth crime in almost all jurisdictions. Even today, there are many jurisdictions which reintroduce the ideas of community area projects in order to reduce levels of delinquency and to minimize the reliance on individualized therapeutic treatments.

The dual strategic approaches of **prevention** through community projects and psychologically based **intervention** through court administered probation, reformatories, and parole remain the programmatic underpinnings of the administration of juvenile justice in all jurisdictions in North America. Both strategies gained their revered status without the support of empirical evidence and evaluational research<sup>17</sup>.

In short, the basic structure of the juvenile court and the nature of the response to delinquency was quickly established and put into place 100 years ago. Courts were

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<sup>17</sup> Below, we have a great deal more to say about this. In short, we believe that almost all programs which are in place were established as a matter of faith. In the 1970's, all of these programs were uniformly criticized as not being effective, and lately there are bits and pieces of each that appear to be successful.

central institutions at the local level, and judges had the authority and local community legitimacy to deal with a wide range of youthful problems from delinquency to neglect and dependency. Judges were expected to act in a kindly and parental way and be guided by the general principles of a *parens patriae* philosophy. The courts directed "children in need" into appropriate community settings designed more for rehabilitation rather than punishment, and they relied on basic administrative tools such as probation, reform school, and parole. The therapeutic programs which developed were strongly influenced by a psychological perspective, and assumed that all problems could be solved by finding the appropriate individualized therapeutic strategy. While all juvenile courts operated according to these principles, some communities also created support programs targeted at neighbourhoods with the hope of producing a prophylactic effect. The structure, and nature of these interventions were to remain unchanged and unchallenged for about 60 years.

## 1.6 Separate Directions: Changes in Canada and the United States

Circa 1960, a number of concerns emerged about the criminal justice structures which had processed juvenile delinquents since the turn of the century. There are many reasons why these questions surfaced around 1960, but the most obvious influence was a teen explosion of post-World War II babies. The sheer number of youth requiring services strained the ability of all North American courts to efficiently process cases. There are several other reasons for the emergence of concerns about the juvenile court, including an increasing awareness of civil rights, an increasing concern about racial problems (in the United States), and some new ideas about the causes of youthful problem behaviour. Whatever the specific cause, it is clear that many people began to question the basic philosophy, structure and strategy of juvenile courts in the 1960s.

For the first six decades, the tradition of the juvenile court was a shared experience between American and Canadian jurisdictions. These juvenile courts were local institutions which had developed a great deal of residual power. But the United States and Canada began to differ in their approach to juvenile justice around 1960. In brief, Canada came to place much more emphasis on legal aspects of juvenile delinquency while the United States stressed the importance of innovative solutions for treatment. In some ways, it is ironic that several United States legal cases (e.g., in re: Kent, in re: Gault; cf. Bernard, 1992) were influential in pushing Canada towards a re-examination of the federal legislation and eventually produced the *Young Offenders Act*. It is equally ironic that the same cases and the concern about legal rights in the United States led to the funding and creation of new kinds of delinquency reduction programs. While Canada moved to strip the responsibility for non-delinquents (the neglected, dependent and status offenders) from the juvenile court, the American jurisdiction left responsibility for many of these cases within its juvenile courts.

Problems were not successfully eliminated by either the American or Canadian Courts at the end of this process. There were unanticipated consequences produced by

Canadian changes: new legislation created gaps in responsibility for policy development and management of programs. Responsibility for most programmes and therapeutic interventions were removed from the courts and specifically downloaded to Provinces with varying success. Most United States courts moved in a number of different directions, including experimentation with new programs, changes in the treatment for status offenders, and increased penalties for young offenders. Some States moved in directions very similar to those in Canada.

### 1.6.1 United States Introduces Community Programs and Diversion

In the early 1960s, new programs<sup>18</sup> such as Mobilization For Youth Projects, the Provo Experiment, and Haryou-Act projects were introduced in the United States. One of the most interesting things about these programs is that many of them moved beyond the tradition of psychologically-driven strategies toward the more broadly based sociological ideas which had become popular in the late 1950s and early 1960s. Eventually, versions of most of these innovative programs appeared in some jurisdictions in Canada, or have been promoted as potentially useful strategies for increasing the arsenal of tools available to prevent, control, and rehabilitate delinquents.

Many of the new American projects were articulated by committees of academics who were drawn together to advise the President Lyndon B. Johnson and Congress about the causes of delinquency (President's Commission on Law Enforcement and the Administration of Justice, 1967). The most popular notions were directly based on the theories of Richard Cloward and Lloyd Ohlin (1961). In the United States, large scale social unrest and riots in cities (1967) led to even more funding for such programs. In many ways, the level of creativity involved in introducing new programs for young people in trouble has not been paralleled in any other modern period.

Eventually, most American jurisdictions removed dependent and neglected children from their court and struggled with specific limits on definition of delinquent behaviour<sup>19</sup>. More and more people came to recognize that unidimensional definitions of delinquency were seriously flawed, and there were several initiatives to treat "status offenders" independently of the juvenile courts or to identify "serious and chronic offenders" and deliver most services to this narrower subset of all delinquents.

Even though many people have characterized the 1960s as a golden time of rehabilitative zeal and belief in effective intervention, other forces pulled American courts in different political directions. The late 1960s and early 1970s witnessed an emerging political climate in the United States where many citizens and politicians

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<sup>18</sup> We will refer to these programs in much more detail below.

<sup>19</sup> In Canada, this became a very straightforward legal process. After a long debate, we removed responsibility for dependency from the courts, and we effectively transferred status offences to "welfare" by restricting the juvenile courts to *Criminal Code* violations. In the United States, many States left status offences in their codes, but discovered that federal funding was not available to process status offenders in the same manner as "criminal" offenders. For instance, many States have discovered that federal funds for new jails will not be given to States which incarcerate status offenders with criminal offenders.

demanded increased formal treatment and incarceration more in line with classical ideas of deterrence and an abandonment of rehabilitation. Community tolerance had shifted, and there were growing pressures to send more young people to court with the hope that they would be punished and taught a lesson. Many American courts experienced overloaded dockets.

One interesting effect of this overloading was a selective return to rehabilitative ideals through the incorporation of concrete distinctions between serious offenders and minor offenders. Serious offenders were processed through the court and taught a presumed deterrent lesson<sup>20</sup>. The less serious offenders were diverted and shunted off into rehabilitative services. In the early 1970s, there was widespread interest in diversion and a corresponding funding of innovative programs which would offer diversionary programs. Throughout the United States, there was a rapid growth in many types of diversion programs to remove young people (status offenders and minor offenders) from formalized justice. Eventually these ideas also surface within the Canadian context.

### 1.6.2 Canada Formalizes Legal Response

While the United States responded to a growing concern with juveniles by developing and promoting programs, Canada responded by gathering legal experts together<sup>21</sup> to redraft the federal *Juvenile Delinquents Act*. The federal Solicitor General, and the provincial Solicitors General began a long protracted process of redefining federal law. There are pragmatic reasons explaining the emergence of this strategy (e.g., need for a uniform age, and the fact that provisions of the *Juvenile Delinquents Act* would have been contrary to the *Charter of Rights and Freedoms*), but there are also inevitable reasons for a focus on legislative changes rather than the development of policy and intervention strategies. Canadian political arrangements locate most programs and interventions within provincial jurisdiction, and the earliest tradition of the courts as local municipally-based institutions meant that all community, probation, reform school and parole services were locally defined rather than matters of federal policy. The *Juvenile Delinquents Act* was federal legislation, but as in other justice matters it was administered by each province. There was tremendous variation in policy preferences and programming, and the authority for existing programs was very tightly controlled at the local level. The common grounds for discussion were the general legal parameters of a uniform federal code. All other legislation which regulated placement and treatment of juveniles fell under exclusive provincial domain (e.g., Provincial Welfare Acts or Provincial Health Acts).

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<sup>20</sup> We will return to this idea below, and basically argue that the deterrent effects of punishment are wasted on the young.

<sup>21</sup> We have greatly oversimplified a 20 year process. The first draft of legislation was also called the *Young Offenders Act*, but it was strongly vilified by the social welfare community. The next draft of the legislation was called the *Young Persons in Conflict with the Law Act*, and it was negatively viewed by the legal community. Finally, the current version of the *Young Offenders Act* was introduced with more of the characteristics of the 1971 legal version. There certainly was consultation with all elements of the justice community (including rehabilitative workers), but the final act sets strict legal boundaries.

By default, issues which could be negotiated were legal and set the limits on the boundaries of legislation. Magistrates in juvenile courts came to realize that the problems of young people were very complex, and we suspect that a majority of them came to think that they could do a better job if they could focus on those "criminal" youth who required legal intervention.

Under these circumstances, it is clear that common federal issues are limited to general enabling legislation. The actual administration of the law, and the support for programs of prevention, control and rehabilitation of young offenders remained almost exclusively within provincial and territorial jurisdictions<sup>22</sup>. The Canadian federal government did not assume a strong interventionist role, and provided minimal funding for innovative or pilot projects.

Ultimately, after a long and protracted 20 year process the final product was a legalistic document, the *Young Offenders Act*<sup>23</sup>. Details of the Act and its associated problems are well documented (e.g., Bala, 1992; Coflin, 1988; Wilson, 1990; Milner, 1992; Hylton, 1983). The idealized version of the role of the new court which appears in Figure 2 illustrates some of the very important changes in the relationship of the juvenile court to other institutions and agencies which provide treatment and programs. Figure 2 also illustrates the importance of locating any discussion of prevention, treatment and rehabilitation within a much broader spectrum than was the current norm. The conception of "children in trouble" was now much more complex than at the turn of the century and the protection of rights required that non-legal problems (e.g., dependency) be handled elsewhere.

Compared to the Juvenile Court, the Youth Court serves a much different role in the prevention and rehabilitative process. Juvenile court no longer has responsibility for the "neglected", "dependent", or "status-offender" youth<sup>24</sup>. The juvenile court also occupies a much different position in the ongoing intervention process. Traditional links with community programs have been "stripped" from the court and by default end up under more localized community controls. The nature of links to other community structures is more passing and now problematic children who have not been "prevented from getting worse" by other agencies will end up in juvenile court. In this sense, juvenile court has become a default institution which is expected to act when other institutions do not. The programs available in the community, or within formalized government agencies have the potential to act autonomously in the prevention process. These programs are also independent of the court after sentencing -- sometimes judges cannot order children into services managed by the province<sup>25</sup> or even by volunteer

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<sup>22</sup> In the United States, the federal government did not have legal jurisdiction (except under the general regulation of the Bill of Rights) in juvenile delinquency. However, the federal United States government played a strong enabling role to develop and fund programs that States could implement.

<sup>23</sup> There were aborted attempts to bring forth other legislation (e.g., the equally legalistic 1972 *Young Offenders Act*, and the 1975 welfare oriented *Young Persons in Conflict with the Law Act*).

<sup>24</sup> These are not terms that are currently used by professionals. The current preference is to talk about Children at Risk, and criminal behaviour is only one type of risk. The reality is that judges do not have jurisdiction over people between the ages of 12-17 unless the youth broke a *Criminal Code* provision.

<sup>25</sup> In a 1992 Alberta case, the provincial Solicitor General refused to pay for a court-ordered treatment program for a juvenile sex offender. The distinction between community/local programs and the court wishes are evident in this case.

groups. In some ways, the *Young Offenders Act* has reduced the arsenal of weapons available to judges and weakened their link to the community.

There are some very obvious implications for program services for young offenders. The most obvious implications are that the details of all prevention strategies fall outside of the courts jurisdiction and lay within communities or provincial areas of responsibility. Any programs aimed at preventing crime have to be provided at the provincial or municipal level, or at least with the strong cooperation of municipal or provincial governments. Any area projects targeted at neighbourhoods are municipal or provincial domains. Diversion programs must be created outside of the court, and unless provinces provide resources, programs will not exist. Those that are in place will vary in admission standards, program quality, and duration of treatment from province to province. Courts retain a traditional control over probation, but the quality of programs and the nature of available service may be limited by municipal or provincial restrictions. Courts can assign youth to secure custody institutions, but the quality of the programming is defined by provincial regulatory practices. Courts can assign youth to other programs, but the authority to force provinces to offer a range of services is based on custom rather than administrative law.

In summary, one of the consequences of the *Young Offenders Act* may have been unintended. The *YOA* effectively eliminated any strong voice which monitored all of the problems associated with the prevention, diversion, and treatment of young offenders. Currently, there is no strong central voice articulating a policy viewpoint which recognizes that many problems of youth are intimately linked to other community and provincial institutions. There is no strong central advocate developing or monitoring programs. Arguably, the only province<sup>26</sup> which developed a coherent strategy for dealing with youth is Quebec. In the debate over C-37 Bloc Québécois politicians emphasized satisfaction with the *YOA* because it was linked to comprehensive strategies consistent with what was happening in Quebec (see also LeBlanc & Beaumont, 1992).

It is apparent that no single agency assumed responsibility for the traditional programs, or for suggesting new policy directions of intervention. It is also apparent that the most recent focus on legal issues, which seems uniquely pervasive in Canada, fails to consider many important aspects of delinquent behaviour and limits the discussion of intervention, prevention and control.

## 1.7 Summary

This section describes how much of the responsibility for juvenile crime and justice policy development lies outside of the federal *Young Offenders Act*. This runs contrary to the traditional roots of delinquency treatment as local procedures, and the

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<sup>26</sup> Krisberg and Austin (1993) point out that California established a strong Central authority over youth with the creation of the California Youth Authority in 1946. Later, they argue that Massachusetts managed to ride out many of the other problems of other States by creating a strong centralized authority which developed a Statewide policy for fighting crime.

current legislation is only capable of setting general legal parameters of juvenile problem behaviour. Therefore, we do not expect that attention to changing the law can have a major effect on preventing, treating or rehabilitating juvenile delinquents. The current federal legislation has very little influence over the discussion of policy and the ideals of rehabilitation which were so central in the creation of the juvenile court 100 years ago.

Some members of the public may be willing to forgo and eliminate traditional ideals of prevention and rehabilitation, and may be hopeful of establishing a formal legal system based on older classical principles of deterrence and retribution. We offer at least two general reasons why such philosophies of law might not produce the hoped-for effect of reducing and controlling crime among young offenders. First, there is strong evidence that law *per se* has little direct or immediate impact on individual choices. One of the most recent theories of crime causation (Gottfredson & Hirschi, 1990) suggests that most criminal behaviour is non-rational, and there is little evidence of any thinking before action. There is reason to believe that this description of crime is especially true of much crime by young people. Increasing penalties, or other punitive actions to strengthen deterrence will not likely produce the desired effect. Second, the *Young Offenders Act* does not regulate all aspects of juvenile delinquency and was never intended to legislate all aspects of young offender's behaviour. The *YOA* is federal legislation, but it is administered with tremendous variation by provinces and territories. Social institutions and agencies<sup>27</sup> which might prevent delinquency, or even create criminogenic conditions vary across the provinces and territories. Police departments which process delinquency vary in style and may have differing degrees of success in reducing delinquency (e.g., community policing). The efficiency of court officers, availability of legal aid, the training of judges, and other factors will affect how courts process cases. Most importantly, the institutions which are specifically designed to prevent and control delinquency fall exclusively within provincial domain.

## **2.0 CLASSIC PROGRAMS FOR PREVENTING, REDUCING AND CONTROLLING JUVENILE DELINQUENCY**

Below we review examples of very specific approaches which have been used to deal with delinquents, and we provide a general overview **of what we know or do not know**. A discussion of the classical approaches to delinquency is a good starting point. It should remind readers about the total context of delinquent intervention, what we have learned, and which mistakes have been made.

### **2.1 Where Have We Been: Classical Approaches**

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<sup>27</sup> Schools, health institutions, social welfare, agencies of family support etc.

There is a rich academic literature describing prevention, reduction, and treatment programs for juvenile delinquents. For the purposes of this report we divide the literature into two time periods. The first period covers the first 90 years of the North American experiment with the juvenile court and ends about 1975. We chose to make the break at this time because of the impact of a very influential study (Martinson, 1974; Lipton, 1975) which suggested that prior to that time nothing worked to rehabilitate adult criminals. By 1975 most academics and practitioners doubted their ability to speak confidently about what prevents, reduces or cures delinquency.

Much of the literature after 1975 struggles with the "nothing works" criticism, and offers suggestions about the future of delinquency prevention. The bold statement that "nothing works" was not justified, but the influence of this debate on the rehabilitative literature was enormous and must be considered.

## **2.2 What Have We Learned?**

In describing the classical approaches to delinquency, Lundman (1993) provides a useful classification scheme. He suggests the following categories:

### **Predelinquent Intervention:**

*Individual Based Treatments*  
*Area Projects*

### **Preadjudication Intervention:**

*Diversion*

### **Post Adjudication Intervention:**

*Probation and Parole*  
*Community Treatment*  
*Institutionalization*

#### **2.2.1 Predelinquent Intervention**

The developers of these programs assume that delinquent tendencies prior to actual rule-breaking behaviour can be predicted. Two different preventive strategies were commonly employed. The most frequent sought to discover those individual characteristics which are predictive of delinquency. The other strategy emulates the Chicago Area Projects (see below).

##### **2.2.1.1 Early Identification and Individual Treatment**

Because Dr. William Healy believed that delinquency was an individualistic problem he described the bases of delinquency in terms of individual aberrations. His study of 1,000 repeat offenders in Chicago caused him to describe them with the following terms:

mental dissatisfactions; criminalistic imagery; irritative mental reactions to environmental conditions; habits of thought involving persistent criminalistic ideas and actions; adolescent mental instabilities; mental conflicts, worries or repressions; a chronic attitude... whose hand shall be against every man; mental peculiarities or twists; aberrational mental states; mental defects (Healy, 1915).

He believed that there should be early identification of juveniles with these personality problems, and that treatment programs should be designed for specific individuals. His ideas were more systematically explored by several research teams over the past 50 years. The use of MMPI scales and the Glueck social prediction scale are two examples of this kind of work.

#### 2.2.1.2 MMPI and Glueck Social Prediction Scales

Starke R. Hathaway and Elio D. Monachesi conducted systematic studies of the Minnesota Multiphasic Personality Inventory subscales for specific factors predictive of general delinquency (Hathaway & Monachesi, 1957; 1963). They eventually came to the conclusion that no one personality test pattern will be found to predict which children will commit delinquency.

Sheldon and Eleanor Glueck spent a lifetime looking for individual factors which would explain persistent delinquency. Their most detailed study involved the comparison of 500 juveniles serving time (in Massachusetts) and a matched sample of 500 nondelinquent males (Glueck, 1953; Glueck & Glueck, 1951, 1959). They concentrated on five family-related factors which they thought were most indicative of differences between delinquents and nondelinquents. These were: the discipline of the boy by the father, the supervision of the boy by the mother, affection of father for the boy, affection of mother for the boy, and family cohesiveness. However, when it came time to assess the accuracy of their predictive scales, there were some interesting negative results. The Glueck Social Prediction Scale was an extremely useful instrument at predicting non-delinquent involvement, but very poor at predicting delinquent behaviour. In other words, the scale was useful in predicting who did not need therapeutic intervention, but was not helpful in determining who should receive therapy.

These two examples illustrate the prevailing view that the "prediction of delinquency is a stubbornly elusive task" (Lundman, 1993:37). There are no

systematic evaluations which demonstrate that it is possible to create a cost effective early intervention predictive device.

### 2.2.1.3 Cambridge-Somerville Project

The Cambridge-Somerville project is probably the best known and systematically evaluated prevention strategy based on psychological therapies. It began in November 1937 and ended on December 31, 1945. Edwin Powers and Helen Witmer described the key elements of the project in their 1951 book *An Experiment in the Prevention of Juvenile Delinquency: The Cambridge Somerville Youth Study* (Powers, 1951). Male juveniles were categorized by a number of people (e.g., teachers) as either delinquency prone or average. Children from both groups were randomly assigned to a treatment program that consisted of adult counsellors who hoped to "bring about and foster... by intensive individual help and guidance a continuing social, physical, intellectual, and spiritual growth through which the boys will be assets to society and to themselves and in particular not sources of trouble or concern to others through their behaviour" (cited in Lundman, 1993:40).

The overall results of the first evaluation indicated that the adult counsellors "were no more effective than the usual forces in the community" in preventing further delinquent acts. Some defenders of the project argued that the experimental design was compromised by changes caused by World War II, and have argued that it is worth continuing such projects based on individual therapy. However, some later studies indicated some rather serious and harmful effects that must be considered in any early intervention strategy based on individual therapies. William and Joan McCord followed up the Cambridge-Somerville project in 1955 and concluded that the exposure to counselling had failed to achieve its fundamental goal of preventing crime (McCord et al., 1959). Later follow-up studies of the same sample by Joan McCord (1978, 1983) indicated that many of the nondelinquent boys assigned to the therapeutic treatment may actually have been harmed by the exposure.

These original results, and the follow-up studies by Joan McCord indicate that there is no demonstrable proof that early intervention involving counselling reduces general delinquent involvement.

## 2.2.2 Area Projects and Intervention

### 2.2.2.1 The Chicago Area Project

The most famous intervention project which targets neighbourhoods is the Chicago Area Project. It has been in existence in one form or another since 1932.

The Chicago Area Project was strongly influenced by the ideas of Clifford Shaw at the University of Chicago, and built on the idea that neighbourhoods could become disorganized and create a "deviant tradition" which could produce delinquency. Shaw and his colleague Henry McKay (Shaw, 1942) conducted very careful measurements of delinquent behaviour and its pattern of distribution across neighbourhoods, collected very systematic life histories of people in those neighbourhoods, and conducted a number of other systematic studies in different cities.

As Lundman notes, Shaw also believed that "reduction in the volume of delinquency in large cities probably will not occur except as general changes take place which effect improvements in the economic and social conditions surrounding children in those areas in which delinquency rates are relatively high" (Lundman, 1993:65).

The Chicago Area Project began when three white, ethnically homogeneous neighbourhoods were identified as disorganized. These first neighbourhoods, and all those added later, were located by analyzing delinquency measures such as arrests, court appearances, and commitments to juvenile institutions. Project neighbourhoods were also characterized by high truancy, infant mortality and other pathologies.

Chicago Area Project members identified and organized local self-help community committees which recruited local adults. The final group of people identified problems in the neighbourhood and suggested "programs" to reduce disorganization in the neighbourhood. Typically, the activities involve recreation programs, health care programs, and the use of detached gang workers.

The only systematic assessment of the Chicago Area Project involved personal testimonials of the people involved. Official data, or other measures have never been reported in ways that permit formal evaluations. Scholars have noted that it is virtually impossible to assess the real effect of the Chicago Area Project. Other projects, modeled directly after the Chicago Area Project, have not indicated a strong reduction in delinquent involvement (Miller, 1962), and it is impossible to say with certainty whether or not the Chicago Area Project actually reduced delinquency.

#### 2.2.2.2 Mobilization for Youth

Krisberg and Austin (1993) provide a very interesting discussion of the Mobilization for Youth Projects which were established in New York City in 1962 after five years of planning. They point out that the Ford Foundation was influential in spurring conservative local officials to engage in more "enlightened" interventionist strategies for reducing crime through early intervention. The target

of the project were neighbourhoods with high unemployment and a high proportion of Black and Puerto Rican youth.

The project offered a wide variety of specific interventions including work training, education, group work and community organization, services to individuals and families and training and personnel services. However, all services were offered with the idea that local residents could realize the "power resources of the community by creating channels through which consumers of social welfare services can define their problems and goals and negotiate on their own behalf" (Krisberg 1993:43). This strategy appeared to assume that social conflict was necessary, and there were several large scale demonstrations which targeted local government officials. Elected officials charged that the project was "communist inspired" and in the aftermath of formal opposition the director resigned and funds were withdrawn. Eventually, Mobilization changed direction and tried to incorporate many of the elements of the Chicago Area Project (e.g., detached gang workers). However, these projects met with little success since the effectiveness of the program to represent local community groups had been severely compromised by the political fall-out.

Mobilization for Youth was caught up in political controversy from the very beginning, and the attempts to force it into the mainstream political arena resulted in programs (e.g., Youth Service Bureaus) that had very little community support. The evaluation of the agencies that remained after the dust settled indicated that they had very little effect.

- **The lesson that most social policy makers derived from the Mobilization for Youth Project was the difficulty of sharing power and decisions with community groups. Unless this process can be worked out in a cooperative way, then community intervention projects cannot hope to be successful.**

### 2.3 Preadjudication Strategies: Diversion

Diversion takes juveniles out of the mainstream of juvenile justice processing. The underlying rationale for its introduction was that a formal labeling process could cause more harm than good.

Diversion of juvenile offenders emerged in the United States as a major delinquency reduction technique in the 1970s. It was usually justified as an attempt to avoid unnecessary "labeling effects". We should note at the outset, that most attempts to implement a diversion program in the United States were targeted at a class of offenders that no longer exists in Canadian juvenile law – the status offender<sup>28</sup>.

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<sup>28</sup> A status offender is a juvenile who is charged with breaking a rule that is only applied to a specific age category (e.g., truancy, driving while under a specified age, or drinking alcohol under a specified age). Adults cannot be charged with these offences.

There are three sets of studies measuring the impact of diversion in the United States. The first was the 1970 Sacramento 601 Diversion project which was specifically aimed at testing whether status offenders could be more effectively processed outside of an emerging formal court system. It was first evaluated by Baron, Feeney and Thornton (1973) through an experimental design. A sample of status offenders were randomly assigned to either the normal judicial hearing or to "college-trained deputy probation officers" who had been given special training in family concepts and family decision-making dynamics. The experimental data indicate that the program was effective in reducing levels of delinquent involvement among status offenders, but the differences compared to the youth processed through court were small.

Eleven other experimental diversion projects were funded to test whether the same principles could be used on juveniles who had actually committed a criminal act (and not just a status offence). The evaluation of these National Diversion projects was conducted by Ted Palmer (Palmer, 1980) using a quasi-experimental design. He indicates that there were fewer arrests among those diverted away from the court, but again the differences are small.

Another national evaluation study conducted on diversion projects in the late 1970s reached similar conclusions as Palmer. A final report (based on four separate evaluations) which was submitted to the Office of Juvenile Justice and Delinquency Prevention in 1981 (Dunford, 1981), concludes that "diversion does not create higher arrest rates" even among juveniles who have committed criminal acts. Lundman suggests that this is actually an encouraging finding, and argues that "no differences" means that it is safe to send non-status youth to such programs, and he also argues that sometimes doing less is the best strategy for processing delinquents (Lundman, 1993:103).

Diversion studies are highly criticized. Malcolm Klein who conducted some of the evaluations in the third wave (Rojek, 1982; Klein, 1979) presents several useful observations. He notes that small or even no differences between court treatment and diversion is actually a significant finding. He makes this argument based on his awareness that there were serious flaws in actually providing programs to the offenders. In other words, it was not unusual to have a juvenile diverted to a program and then have nothing happen while they were there. He argues that if programs were actually in place then there may be large differences in re-arrest rates. On a different level, Klein notes that the overall impact of diversion resulted in an unanticipated consequence. Instead of reducing the number of juveniles who were processed, the net was widened to drag more cases into a reactive process. In other words, Klein argues that youth who would have been ordinarily "lectured and dismissed" with discretion were now being processed through diversion.

The merits of diversion are not conclusive. The literature appears to show that it works, but on the other hand, we are not sure for **whom** it works.

## 2.4 Postadjudication Intervention

### 2.4.1 Probation and Parole

It is interesting to note how few research projects have actually considered the effectiveness of the most widely used intervention. Given that the most common disposition for 1991 guilty pleas in Canadian juvenile courts was probation (40 percent of all dispositions), the lack of published information about the effectiveness is truly astounding.

- **It is likely a good time in the history of juvenile justice research in Canada to fund a sound evaluation of juvenile probation effectiveness.**

There is a literature based in California which explores the effectiveness (both cost and social) of extending parole to youth who would normally be incarcerated in secure custody institutions. Likewise, there is a literature from California which examines the impact of releasing "secure custody" cases back into the community earlier than usual. In other words, the California experiments on Community Treatment explored the conditions under which it would be possible to extend parole and probation services to the most serious cases. The experimental programs usually involved a major reduction of the normal case load of probation or parole officers, and the use of more intensive supervision practices.

The California Youth Authority projects which tried this strategy were studied by both Paul Lerman and Ted Palmer using experimental designs and rigid scientific methodology (Palmer, 1971, 1973, 1974; Lerman, 1979). Their careful evaluations indicated that it was possible to effectively offer probation and parole services to the more serious offenders. Their conclusions are based on the comparison of youth in secure custody with youth in intensive supervision. No significant differences in re-offending were observed. However, both researchers found that the intensive supervision in the community had to be very structured and strict.

### 2.4.2 Community Treatment

In the 1960s, there were several attempts to create new programs based on emerging sociological theories that conceived of delinquency as a result of a group process. The Provo Experiment is one of the most carefully evaluated projects of this type ever conducted. It was designed by LaMar Empey and he later replicated it in the Silverlake District of Los Angeles.

The Provo experiment was designed to treat serious delinquents who would otherwise have been assigned to the Utah State Reformatory or probation. The program

accepted any serious offender with the exception of murderers, sexual offenders, or mentally retarded youth. After the judge made a decision about assigning a youth to reformatory or to probation, he made a random assignment to the "normal" program or to Provo. Thus, the sample of youth assigned to Provo could be compared to the normal group of probationers or incarcerated youth.

The program was non-residential. Youth attended school or worked during the winter, and also attended mandatory group meetings. During the summer, all boys worked and attended mandatory group meetings. The philosophy of treatment was to convert group dynamics into an instrument of change. The theories of delinquency which suggested the importance of peers led Empey to believe that their influence could be converted into a force effecting change.

Although the results did not prove that the theoretical orientation was justified, they did show that it is possible to offer an effective program to control delinquency and reduce recidivism in a community setting. The boys who attended Provo were no less likely to commit delinquency and reoffend than the boys assigned to other programs.

The results of the Provo Experiment were influential in other programs that we will consider in much more detail below. Specifically, the Provo Experiment became a model of sorts that was used in Massachusetts to create an ongoing social experiment with several new forms of delinquency intervention.

### 2.4.3 Institutionalization

The traditional literature on secure custody institutions reveals incredible ambiguity about the role they should play in juvenile justice. There is no consistency in how secure custody institutionalization has been used over time within jurisdictions, and there is certainly no consistency in how they are used between jurisdictions. For instance, almost every jurisdiction has experienced cycles of use and disuse, and institutions are sometimes in favour and sometimes detested (see Bernard, 1992). It is also evident that the reasons for "favour" or "disfavour" have more to do with ideological debate than with any serious consideration of their effectiveness. Because of the ideological underpinnings it becomes almost impossible to say what impact institutionalization has on young offenders.

Other than a growing and impressive literature from Massachusetts (cf. below), there is little evidence that the use of institutions to treat delinquency has been considered within a theoretical or consistent policy context. For instance, institutions are expected to do a number of apparently contradictory things: they must rehabilitate at the same time they isolate; and, they must punish at the same time they are expected to provide skills for re-entry into society. Unless institutions can be given a clear and unitary purpose, agreed upon by policy makers, it will be impossible to evaluate the effectiveness of their policy objectives.

As a final note, there are various strategies in how institutions are managed (Glick & Goldstein, 1995). For instance, California, Wisconsin, and Minnesota developed broad Youth Authority systems to manage all their institutions and to coordinate the placement of juveniles. Other jurisdictions permitted different institutions to develop in a semi-autonomous fashion. There is no evidence to suggest that any one management system is preferred over the other.

The major criticism of institutions has been their cost. This approach is very expensive, and there is no compelling evidence that it produces a uniform and consistent beneficial effect.

### 3.0 RECENT AND INNOVATIVE PROGRAMS FOR PREVENTING, REDUCING AND CONTROLLING JUVENILE DELINQUENCY

#### 3.1 Introduction: Multidimensional View of Delinquency

Social policy makers persist in conceptualizing youthful violators within a narrow and monolithic framework shaped in legal terms. But crime statistics indicate that delinquency represents diverse phenomena and research suggests that there are no uniform behaviour patterns or simple "causes" of delinquency. It makes sense that the complexity of delinquent behaviour should be addressed through varied and multifaceted approaches targeting both types of offences and needs of offenders. Social scientists have long suggested such a strategy, but policy makers continue to employ relatively narrow legal tactics and ignore most social concomitants of delinquency<sup>29</sup>.

Policy planning must endorse approaches targeted at distinct points of intervention. At a minimum, social policy should support or create programs for four general focal points in delinquent careers. Early intervention targets youth who may be pre-delinquent and who exhibit characteristics which suggest a potential career as an offender<sup>30</sup>. Diversion is a philosophical approach which suggests that it is more effective to keep mildly troublesome youth out of the formal justice process: originally, Edwin Schur (1973) argued that it might be better to do less in order to avoid the negative consequences of labelling effects, and later formulations promoted less formalized and less legalistic approaches as sufficient for treating most routine problems<sup>31</sup>. In Canada, the *Young Offenders Act* permits the use of alternative measures as a form of diversion. Postadjudication programs refer to the programs which are in place after formal judgment of a youth's guilt: these programs must meet at least one of the traditional goals of sentencing (e.g., punishment, rehabilitation, specific deterrence, general deterrence or incapacitation)<sup>32</sup>. Finally, we believe that social policy should pay more attention to the long term follow-up of cases after release from the formal supervision.

The following discussion shows that successful strategies for reducing delinquency are based on multifaceted approaches which target these four points of intervention. It is beneficial to construct specific program strategies within each of these

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<sup>29</sup> In a brilliant analysis, Christie (1977) argues that there are many professional interests at stake in the control of crime and that this produces negative effects. He argues "Lawyers are particularly good at stealing conflicts. They are trained for it. They are trained to prevent and solve conflicts. They are socialized into a sub-culture with a surprisingly high agreement concerning interpretation of norms, and regarding what sort of information can be accepted as relevant in each case" (page 3, emphasis added).

<sup>30</sup> There is no valid term which adequately describes the potential delinquent. Historically, academic literature referred to pre-delinquent, but the reality is that this term has low predictive accuracy. That is, there are no agreed upon predictors of delinquency. Current usage suggests that the term "children-at-risk" is preferred. However, this term is also lacking in validity. Social scientists can construct a reasonable list of correlates likely to be associated with delinquency, but they would be out of line in suggesting that these are firm causal predictors. For a good review of most correlates, see Andrews, Hoge and Leschied (1992).

<sup>31</sup> For instance, there is some evidence from Alberta that "sending caution letters" to the parents of shoplifters has a major effect at reducing future involvement. If something as simple as a letter can have this effect, then it may not be necessary to schedule court time to handle all shoplifters.

<sup>32</sup> General deterrence refers to the means used to achieve the sentencing goal usually described as "protection of the public". Doob and Beaulieu (1992) analyzed how judges make decisions about sentencing, and they conclude that they try to balance all of these five traditional goals.

four general intervention points and we encourage policy discussion and research to focus on this task.

Delinquency actually represents a broad spectrum of specific problems. There is a wide range of specific behaviour which makes up juvenile delinquency (for instance, petty offending, to sexual deviation, to homicide). Further, the source of some delinquency may be the broader community of adults<sup>33</sup>. Several categories of problems are useful starting points for an initial discussion of social policy, and it is strategically important to design specific target programs for the types of problems listed here. For instance, a program targeted at sexual offenders (James, 1995) will not necessarily be successful for chronic thieves. Also, there is no reason to believe that a program designed for exhibitionists will be successful with a rapist. It is also important to design special programs targeting petty crimes such as shoplifting or vandalism<sup>34</sup>. One can see how the categories might proliferate and imply numerous other offender/intervention programs.<sup>35</sup>

### 3.2 Range of Delivery Targets

Program delivery is most successful if targeted to a specific identified source. For instance, if a community has a large "vandalism" problem, it will be more efficient and cost effective to identify potential victims of vandalism as well as individuals motivated to commit vandalism<sup>36</sup>. There is a traditional reliance on therapeutic programs aimed at offenders, and yet, some of the most obvious solutions suggest that the community can prevent random episodic events from happening by target hardening, cooperation and vigilance. Many of the common sense and cost efficient measures which can reduce the pool of "motivated offenders"<sup>37</sup> are community based and depend upon involved and caring citizens.

Some programs need to be aimed at specific groups of youth at risk. There may be distinct problems shared by groups of youth, and social policy should consider interventions targeted at "groups at risk"<sup>38</sup>. Finally, there are some problems that can only be addressed by focusing on individual accountability. We do not minimize the fact

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<sup>33</sup> This is obviously a very controversial point which might require a special discussion paper. However, to use one specific example let us consider the issue of school. If a school curriculum is structured in such a way that educational needs are not met, then it is reasonable to predict that there will be a high "school failure rate". If there is a high school dropout rate, then there is an increased likelihood of delinquency for the dropout population. Another example might be communities which have minimum recreational facilities; in the absence of "legitimate opportunities", teens might hang out in malls or other places where business people do not want them to be. At a much more concrete level, there probably are dysfunctional families where the "caregiver" is actually the producer of delinquent adaptations.

<sup>34</sup> A large amount of juvenile crime involves shoplifting, theft-under and vandalism. We are also aware that the rarest crimes (e.g., homicide, sexual offences, assault level 1, etc.) gather most of the attention, and are the driving force of many policy decisions.

<sup>35</sup> A recent report for the Office of Juvenile Justice and Delinquency Prevention in the United States (Montgomery et al., 1994) identified the following categories: arsonists, chronic runaways, drug dealers, emotionally disturbed/mentally ill, female offenders, first-time offenders, gang members, minority offenders, offender/family, pre-delinquent/at-risk, property offender, prostitutes, school failures, serious chronic offenders, sex offenders, substance abusers, young offenders, and weapon carriers.

<sup>36</sup> There have been many specific studies of vandalism, but the reader might refer to LaGrange (1995) for an excellent overview of the available strategies to reduce it.

<sup>37</sup> For example, educational programs, and increasing feelings of ownership (for a neighbourhood or school) have been successful in reducing vandalism (see LaGrange, 1995). Further, Felson's recent work on crime prevention (1994, 1995) deals with simple solutions that produce substantial changes.

<sup>38</sup> Most programs are aimed at males as they are the most common perpetrators of delinquent acts. Some programs target specific age groups. It is noted later in the report that different kinds of intervention are appropriate for different offender age groups.

that some youth require institutionalization and secure custody settings with intensive therapeutic treatment. Such interventions must be created and supported.

### 3.3 Specific Focus of Program Delivery

Well designed interventions are driven by specific risk factors. Successful program interventions recognize that there may be a specific stimulant which triggers delinquency, and will therefore design programs aimed at minimizing their effects. There is a wide range of such situational inducements<sup>39</sup> to delinquency including personality factors, family or peer situations, the school setting, or the neighbourhood and the community in which the youth resides.

This introduction is only meant as a guide - a way of conceptualizing the risk and targets of intervention. There is no one uniform view of delinquency - rather it describes a wide variety of problems that must be addressed through specific programs.

- **Programs do not always fit into the neat categories we indicate above. The literature is full of everything from "quick fixes" to long-term care, to politically motivated, untested trials. Our concern is the empirical literature which attempts to evaluate programs.**

### 3.4 What Works -- Some Cautions

Every now and then, a word or a phrase enters society's lexicon which, at least for a while, seems to dominate the way people speak to one another. For example, consider the impact of "make my day" from a Clint Eastwood movie and "make you an offer you can't refuse" from a Godfather movie. In the case of criminologists interested in rehabilitation programs such a phrase came to us in 1974 in the guise of "what works" (Martinson, 1974). "What works?" has been translated into "**nothing works**" -- the belief that virtually all rehabilitation efforts have been failures. It is probably one of the most cited phrases in the history of criminal justice research and publication, and it is all based on a mistake made by Martinson in 1974. He later modified his position substantially (1978).

However, we emphasize a strong caution. Even though we believe that Martinson's "nothing works" argument was overstated, **the criteria for interpreting research must be methodologically rigorous**. Many projects claim success, but few provide convincing evidence of that success. The only findings from programs that should have credence are findings generated from those which have been evaluated using high standards of evaluational methodology. The discussion of "adequate" methodology is complex and has been the source of controversy in some circles (cf. Hackler, 1978), but it is quite easy to tell when studies have been conducted in a sound way, incorporating the

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<sup>39</sup> The term was introduced into the criminological literature by Briar and Pilliavin (1965).

fundamentals of adequate methodology. For instance, Charles Logan (1972) stated that criminal justice evaluational studies should be given more authority and legitimacy when they: a) measure programs with clear program procedures; b) provide a control group (preferable through randomization) for comparison; c) have a concrete measure of behavioural change; d) have a clear understanding of the meaning of "success"; and, e) do long term community follow-ups (see also Tolan & Guerra, 1994:56-59). It is very rare to find delinquency evaluations which meet all of these criteria but the ideal should be pursued.

- **Most important, studies which meet all of most of these criteria should be given more authoritative weight than studies which do not. In fact, we recommend that future funding of programs be contingent on providing some measure of evaluation based on rigorous methodological criteria.**

Since the early 1980s a plethora of programs have been instituted and evaluated and many reviews of those programs have been written -- all with a view to proving that something works. It is fair to say that the major correlates of delinquency have been identified and programs and combinations of programs which are most likely to reduce future delinquency have also been identified. The reviews of programs have a tendency to repeat each other and the programs themselves repeat each other. Both the programs and the findings have been replicated.

- **It is our contention in this report that we (being the academic community and those who work in the system) actually have a reasonably clear picture of what can be done and what cannot be done.**

A recent review<sup>40</sup> of programs by the United States Office of Juvenile Justice and Delinquency Prevention (OJJDP) indicates that there are hundreds of programs which have earned the approval of very knowledgeable people (Montgomery et al., 1994) -- but most have not been evaluated using rigorous methodology<sup>41</sup>. A review by Lipsey (1992) was very thorough and suggested that few things have been evaluated thoroughly enough to be confident about their success. Our position is that there are things that can be done, but they are not always the obvious. Further, there is certainly no single program that covers all the needs of youth. The rest of this section deals with research findings and describes some specific contemporary programs as examples of what has been tried.

### **3.5 Reviews of the Literature**

In the section which follows a selective summary of current knowledge about delinquency and interventions is provided. Special attention is given to those studies which seem to meet the criteria of "sound methodology".

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<sup>40</sup> We will say more about this program below. There are some methodological problems with this report, but overall its conclusions are meritorious and definitely worth consideration.

<sup>41</sup> See Logan (1972) for a description of evaluation criteria.

### 3.5.1 Correlates of Delinquency

Farrington points out that there are several points at which one can intervene to prevent delinquency. Programs can be "implemented in pregnancy, infancy, childhood or pre-teenage years" (1994). The early interventions are distinguished from the later ones as they deal with developmental issues while the later programs deal with "situational prevention" -- essentially target hardening, or "social prevention" which refers to community-based programs, and finally, criminal justice based prevention -- deterrence and/or incapacitation oriented programs (Farrington, 1994).

Several reviews of delinquency programs, delinquency treatment and delinquency causes have been done in the recent past (Andrews et al., 1992; Farrington, 1994; Lipsey 1990; Hawkins & Catalano 1992; Tolan & Guerra 1994). The findings of these reviews have been remarkably consistent. It is fair to say that a great deal is known about the general correlates of delinquency since most research reveals a consistent set of patterns. We also know a reasonable amount about "what works" and what does not work.

Andrews et al. (1992) provide a listing of "causes" of delinquency identified in the research literature. **These are actually "correlates" and correlates are not necessarily causes.** There are also serious limitations in designing interventions on the basis of correlations. Nonetheless, it is a similar list to that provided by Elliott (1994) and by others and is therefore worth reproducing as a framework for discussing both historical and contemporary treatment.

**Behavioural History:** Criminal history, juvenile and adult - an uninterrupted history of anti-social behaviour, beginning at a young age, including a variety of different types of offences, and violations that continue even well under sentence; alcohol and drug abuse; aimless use of leisure time.

**Companions:** Association with anti-social/drug use and other; isolation from pro-social role models.

**Early and Current Family Conditions:** Low levels of affection/cohesiveness; poor discipline and low levels of supervision or poor supervision; neglect; abuse.

**Interpersonal Relationships:** Generalized indifference to opinion of others; weak affective ties; rejection by peers. Lower class origins; a reasonably consistent but very modest predictor variable relative to personal and familial factors.

**Other Risk Factors:** Being young and being male and a variety of neuro-psychological factors although other literature reviews have shown these to be of relatively minor importance.

**Personal Attitudes/Values/Beliefs/Feelings:** High tolerance for deviance in general; rejection of validity of law; rationalizes illegal behaviour; finds anger an appropriate response; anti-social ways of thinking.

**Personal/Educational/Vocational/Socio-Economic Achievement:** Low level of achieved education and poor school performance.

**Personal Temperament, Attitude, and Early Behavioural History:** Aggression and early generalized misconduct; impulsivity, hedonistic taste for risk; below average verbal intelligence; responsive frustration likely to involve resentment and anger; lack of conscientiousness; moral immaturity; poor problem solving/coping/self-regulation skills; tends to externalize rather than internalize.

**Problems in Family of Origin:** Long-term reliance on welfare; criminality in family of origin (i.e., anti-social role models); multiple psychological handicaps - low verbal intelligence, emotional instability, substance abuse, parenting skill deficits.

**Psychopathology:** High scores on measures of "anti-social personality", "conduct disorder" and in particular "psychopathy"; many forms of emotional/behavioural disturbance.

**School-based Risk Factors:** Below average effort; lack of effort/being bored; not worrying about occupational future; conduct problems.  
(Adapted from Andrews et al., 1992:2-3).

Again, **correlations are not causes** but they do nominate risk factors and can be used to generate useful discussion. As many of the social and biological risk factors associated with delinquency have been identified, it is reasonable that interventions (programs) should target specific risk factors where possible.

### 3.5.2 Successful Programs

Two separate studies (Greenwood & Zimring, 1985; Alschuler & Armstrong, 1984) identified critical components of successful juvenile corrections programs.

- continuous case management
- careful emphasis on reintegration and re-entry services
- opportunities for youth achievement and program decision making
- clear and consistent consequences for misconduct
- diversity of forms of family and individual counselling matched to individual adolescent needs (as summarized by Krisberg & Austen, 1993)

Further, it is clear that program design and delivery are very important (1990:131).

Successful programs are multi-faceted; they are not a single project. Hollin refers to Garrett's (1985) meta-analysis which identified several program techniques which have been successful, including "interpersonal problem-solving, self-control and self-management training, self-instructional training, anger management, role-taking, and moral reasoning development" (1990:131). Hollin (1990) notes a further complication to rehabilitation -- young offenders tend to be a high-resistance group. Offenders do not accept the need to modify their own behaviour. They tend to be happy with their delinquency except for the fact that they have been caught. For programs to work, the high resistance must be broken down (1990:134-135).

Needless to say, training and attitude of staff is critical in successful programs. This has been consistently shown in a variety of programs<sup>42</sup>. Hollin points out that in some circumstances staff are hostile to the therapeutic environment and as a result undermine the success of programs.

### 3.5.3 Meta-analyses - General

Meta-analysis refers to the strategy of combining the findings of many studies by judging them against specific and rigorous methodological techniques. Canadian researchers, Gendreau and Ross present one of the most comprehensive meta-analyses of recent programs of delinquency. Their essential finding reflects the same issues raised in documents generated by the National Council on Crime and Delinquency in the United States cited elsewhere in this report. Gendreau and Ross tell us that, in general, behavioural approaches show the most consistent positive effects. For example, "(a)mong specific treatments, the largest effect sizes were found for family therapy, contingency management programs, and cognitive behavioural approaches" (392). By comparison, diversion programs were not successful.

Gendreau and Ross (1987) reviewed innumerable programs, both Canadian and American, which were directed towards both youth and adult rehabilitation. Their reviews of the literature have demonstrated that there are many programs that have been evaluated and claim success (in terms of recidivism reduction). We will briefly indicate their findings and some newer ones using the same headings as those in the original article.

#### 3.5.3.1 Biomedical

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<sup>42</sup> For examples, Visionquest and AIM (Austin & Krisberg, 1992).

Essentially, biomedical solutions are available only for a very small proportion of delinquents who have identifiable problems which can be treated through drug therapy. There is limited evidence that some dietary changes can reduce certain kinds of anti-social behaviour. Essentially, most experiments involve reducing high sucrose and additive-laden foods with complex carbohydrate diets featuring fruit juices and vegetables. However, Gendreau and Ross report that there have been few compelling controlled evaluations of this kind of treatment.

### 3.5.3.2 Diversion

Results from diversion evaluations have not been encouraging. Gendreau and Ross suggest the problem is not with the idea but with the actual delivery of programs. Essentially, to work, diversion must be done right. It has to have more intensive services than have been offered in most programs. "(D)iversion can work if something of substance and integrity is provided to the young offender" (357). Some community-based therapies have been successful. "(T)reatments are effective when they are well-grounded theoretically within social-support and social-control propositions, are straightforward, and focus on positive rather than on pathological or punishment processes" (358).

Again, we see the need for high-quality program delivery and for a comprehensive approach. One cannot simply take the juvenile outside of the justice system and expect that, on its own, will do much for the juvenile. Services related to the juveniles' "problems" must be provided. Links to the community must be reinforced.

### 3.5.3.3 Diversion in Quebec

In Quebec, between 1979 and 1984, "formal diversion was implemented, due process was accentuated and the scope of juvenile discretion was restricted" (Le Blanc & Beaumont, 1992:283). The first thing to note is that the formal diversion processes were welfare-based. They were not under the aegis of the crown prosecutor. Diversion in this system is diversion away from the court after contact with police. "The Quebec mechanism was different from other programs because it was formal, compulsory and non-coercive and because it was not related to traditional services in the juvenile justice system" (292). Policemen refer all cases to the program.

Although, recidivism rates between those diverted and those sent to juvenile court do not differ significantly (1992:244), those diverted had a later onset of adult criminality than those who went to juvenile court.

Le Blanc and Beaumont argue that changes later reflected in the *YOA* were already in place in Quebec before the *YOA* was enacted, and that the "natural experiment" of Quebec showed that the kinds of changes to the *YOA* did not substantially modify the effectiveness of the juvenile justice system.

#### 3.5.3.4 Early Family Intervention

The Gendreau and Ross review confirms comments we make below about early intervention. They suggest a developmental strategy as do Catalano and Hawkins. Different treatments are required for those under six when compared to later aged juveniles. Tremblay has shown that one can intervene at a very early age and have some effect on later aggressive behaviour at least.

In the earliest stages, focus has to be on helping pregnant young women have healthy children. This is the first preparatory step to having competent children in school which, as the reader no doubt knows, has many positive implications.

Parental training is critical in the early ages and even for successive age groups. School interventions and work with peer groups follow at the appropriate ages. The training discussed in the literature includes approaches to cognitive problem-solving skills, early prevention, and family intervention all of which are dealt with in this report.

The highly regarded "Ottawa skill development program" by Offord and Jones (1983) provided a three-year intervention centering on athletic and cultural skill-building, such as guitar and ballet instruction, but after the intervention was terminated the outcome changed for the worse - a rebound effect occurred for some of the specific skills required, as well as for unobtrusive measures of anti-social acts (Kazdin 1985). The reason for the program failure is a matter of speculation. Gendreau and Ross suggest that perhaps the program did not approach the problem directly enough. We could also suggest that the program did not have enough follow-up (aftercare) and/or one should not expect any specific narrow intervention to generalize to other behaviours.

Lipsey's report on 432 studies in English-speaking countries indicates that there is "great variability" in findings -- "a variability far in excess of what would be expected simply on the basis of sampling error" (1992:125). He discovered positive effects, no effects and even negative effects. There is no doubt that evaluation is critical.

#### 3.5.4 Maturation Reform

Before examining specific programs, a comment about "maturational reform" is in order. Maturational reform is the notion that kids grow out of delinquency. Wolfgang et al.'s (1972, 1987) extensive studies with two cohorts of delinquents in Philadelphia indicated that incarceration was not the best predictor of desistance from delinquency. In effect, the best predictor was age. It was found that after three contacts with the police (i.e., arrests) over 90 percent of the youth desist from further delinquency. It is projected that such desistance has little to do with any programs in which the youth might have participated but rather simply relates to the transitional changes in their lives as they age.

The Wolfgang et al. studies also point out that **there is a small core of delinquents who are responsible for the great majority of the delinquency**. More current research emphasizes the importance of this finding -- even in the Canadian context (Baron 1995). If we could identify those youth and target them and their future behaviours, we would be much better off than casting a wide net to try and involve everyone who commits any offence.

#### 3.5.4.1 From Delinquency to Crime

"Research has clearly indicated that delinquency is least likely to progress to adult criminality when one or both of two key life transitions are experienced by at-risk youth: (1) the forming of long-term relationships (i.e., marriage); and, (2) gainful employment". With older youth, the justice system should attempt these transitions. It should be reasonably obvious that transitions are best facilitated in the community rather than in lock-up (Krisberg & Jones, 1994).

#### 3.5.5 A Review of Programs to Prevent Violence

A recent review by Patrick Tolan and Nancy Guerra for the Center for the Study and Prevention of Violence at the University of Colorado examined many programs designed to prevent violence. They conclude, as one might expect, that some of these work and some of them do not. More important, they show the evidence to support their contentions, and give the evidence some quantitative weight by indicating that there are either single or multiple evaluations of each program.

Because programs are often generated politically rather than scientifically, it's not surprising that many claims of success are actually untested, invalidated statements made by individuals who have a stake in believing that their programs work. The approach taken by Tolan and Guerra (1994) is far more convincing. Table 1 (from Tolan & Guerra) provides an easy quick way of determining which programs are worth exploring and which have already proven to be failures. As any reader should know by now, one of the problems with identifying "failures" is that those involved with the failure programs often claim that they were failures because the programs were not administered as initially planned. Indeed, this is a possibility. Political decisions often lead to unwise

economizing. If individuals or governments really want to affect change they will have to have to pay for it.

**Table 1**      **Comparative Value of Approaches to Adolescent Violence and Antisocial Behavior -- From Tolan & Guerra (1994:92-93)**

LEVEL OF INTERVENTION	Works <sup>a</sup>	Doesn't Work	Unclear	Untested
<b>A. Individual</b>				
1. Psychotherapy				
a. Analytic		X/-		
b. Supportive		X/-		
2. Behaviour Modification	X <sup>b</sup>			
3. Cognitive Behavioural				
a. Anger Control		X		
b. Perspective Taking	XX			
c. Problem Solving	XXX			
4. Social Skills Training			X	
5. Intensive Casework		XXX		
6. Pharmacotherapy			M	
7. Manhood Development				X
8. Mentoring				X
<b>B. Proximal Interpersonal Systems</b>				
1. Family				
a. Behavior Management				
b. Family Relations	XXX <sup>c</sup>			
c. Family Problem Solving	XXX			
2. Peers				
a. Guided Group Interaction		XXX		
b. Structured Interaction	XX			
c. Peer Mediation			NM	
d. Recruiting Out of Gangs			X	
<b>C. Proximal Social Settings</b>				
1. School				
a. Teachers			NM	

LEVEL OF INTERVENTION	Works <sup>a</sup>	Doesn't Work	Unclear	Untested
b. Student Motivation	XXX			
c. School Organization	X <sup>d</sup>			
d. Environmental Security <sup>e</sup>				X
2. Neighborhood/Community				
a. Worker Practices				X
b. Youth Roles/Motivation	XX			
c. Community Organizations			M/NM	
3. Residential Institutions				
a. Worker Practices				X
b. Youth Roles/Motivation	XX			
c. Institutional Org.			M/NM	
d. Diversion			M	
D. Societal Macrosystems				
1. Access to Guns	XX			NM <sup>g</sup>
2. Media Violence	XX			NM <sup>g</sup>
3. Educational Opportunity				X
4. Health/Welfare Needs				X
5. Economic Opportunity				X
6. Police Practices				X
7. Mores <sup>f</sup>				X

<sup>a</sup> Effects are classified as working (X=some demonstrated effect, XX=multiple measures or studies showing effect, XXX=long-term effects demonstrated), doesn't work (same coding as working column with - = negative effect, X/-=one negative effect and more than one no effect study), unclear (M=mixed results, NM=needs more studies) and untested (X=no empirical evaluation, NM=needs more studies, M/NM=mixed results from a few studies, needs more studies).

<sup>b</sup> Effects are demonstrated when in community setting and generalization included as part of training.

<sup>c</sup> Effective, but never tested as a solo method.

<sup>d</sup> If increases parent involvement.

<sup>e</sup> Refers to attempts to make schools more secure (e.g., metal detectors).

<sup>f</sup> Although some lasting effects have been shown, the accumulated studies have not shown positive results consistently.

<sup>g</sup> Although there is evidence of a causal link to violence levels, the value of different interventions has not been adequately evaluated.

On the basis of the table, it would seem to be reasonable to concentrate on programs that work. At various places in this report we indicate why particular programs are dismissed. In essence, they are all dismissed for the same reason -- they've been shown not to work. Why then bother with even a cursory look at them? The reason is simple -- some of these programs seem to be intuitively desirable. However, we are convinced by the results of the empirical analyses and therefore do not want to bother with issues that have already been demonstrated to be ineffective (see 3.4 above).

The Tolan/Guerra review analyzes programs that deal with serious and extreme violent behaviour. The authors differentiate this from aggressive behaviour which tends to be less extreme and may not necessarily be limited to physical harm. The studies they review rarely make such a distinction. The authors identify four types of violence and then discuss the multiplicity of contentions about various sorts of violence. They indicate both risk factors and the location of causes -- for instance within the individual, within interpersonal relationships, within other proximal social contexts, or societal social stress. They note that each of the cause/type combinations can result in a program. The authors label the four violence types: situational, relationship, predatory, and psychopathological. The psychopathological accounts for the least amount of youth violence (less than 1 percent); the predatory for 5-8 percent; relationship violence about 25 percent, and situational violence somewhat more than 25 percent according to the reviews carried out by the authors.

Violence is a result of a multitude of factors that operate in the development of most serious antisocial behaviour. The authors point out that the problem is that most programs identify or target only one risk factor at a time. Their list of risk factor characteristics is worth repeating: they include "individual level characteristics such as impaired cognitive functioning and low academic achievement, poor peer relation skills, and biases and deficits in cognitive processing; family functioning factors such as poor parental management methods, low emotional cohesion, and inadequate family problem solving and coping skills; and peer influences such as association with deviant peers. In addition, there appear to be community and societal influences that are mediated through family characteristics or affect the likelihood of individual, family, and peer influences leading to violence" (Tolan & Guerra, 1994). (For each of these the authors provide an impressive list of citations.)

What is clear is that programs that target multiple factors which influence aggression are more successful than those that target single factors. Second, some of the most appealing programs in terms of their "common sense" components are also some of the least effective programs. On the other hand, programs work best when they are aimed at specific problems. For instance, social skills training seems to be quite appropriate to situational and relationship violence.

**One type of program that clearly does not work is the "social case work"** kind of program that tends to combine psychotherapy and counselling with close supervision and coordination with social services. Paradoxically, this kind of program has been a mainstay of juvenile justice since the early 1930s.

The buzzword for the immediate future in juvenile justice interventions is "comprehensive programs". These tend to be community-based and are developed to deal with the multitude of social problems that are common to youth who have contact with the juvenile justice system. These are dealt with at the end of this report.

### 3.5.6 Research Summary

At least three metatheoretical reviews of the literature have suggested that there are programs which work, and all of these reviews have suggested the importance of classifying risk-factors and identifying specific strategies for intervention. These programs are categorized into programs which describe a treatment strategy and those programs which target specific types of individuals. Approaches either target the individual or a broader notion of "process". Of necessity, our review of these programs is limited. We have tried to choose those that are most contemporary and valuable for insights into future possibilities.

## 3.6 Examples of Specific Programs

We began by using the classification of programs suggested by Lundman and found that many programs have been designed for various stages of the intervention process. However, there are gaps.

### 3.6.1 Intervention/Prevention

#### 3.6.1.1 Early Intervention vs. Incarceration

Using data from the United States, Rydell (1986) comes to some interesting conclusions. He says:

There are two major differences between early intervention programs and selective incapacitation programs<sup>43</sup> that achieve the same reduction in crime. First, the selective incapacitation programs reduce only adult crime, and the early intervention programs reduce both juvenile and adult crimes. Second, the selective incapacitation programs increase prison populations, and the early intervention programs decrease them (256).

His conclusion is that in essence, early intervention programs are a lot more effective than later incapacitation programs.

#### 3.6.1.2 Community and Neighbourhood Programs

All delinquency is associated with some community. That is, delinquents live in particular communities and often commit their delinquencies in those same communities. Community-based delinquency programs have had moderate

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<sup>43</sup> Selective incapacitation refers to targeting most serious offenders and placing them in secure institutions.

success. Community programs are usually the base for "comprehensive programs" (discussed below). The most successful ones often promote community development while providing multi-component interventions. Among other things, these programs attempt to involve at risk youth in pro-social behaviour and essentially the goal is to change their motivations. Of course, a community-based program requires volunteers who are trained as well as other types of community workers. One of the lessons learned from the Mobilization For Youth projects is that the power given to the community has to be substantial and not just "window dressing".

### 3.6.1.3 School Based Programs

School achievement has been noted as one of the correlates of delinquency since the 1960s. Programs have been designed to try and counter the effects of poor school achievement. For instance, Gottfredson (1982) examines Project Pathe. "Intervention included five components, the following two of which have been used successfully by other projects: participatory decision-making in which staff-parent-student groups are involved in the decision-making regarding school management, including discipline policy; and student team learning, in which heterogeneous student teams work cooperatively on academic tasks" (Kimbrough, 1986:195). Effects were found to be greater in junior high school than in high school tests.

One of the things that such research projects attempt to do is to increase bonding to school. It has been found in the vandalism literature that a sense of "ownership" reduces vandalism substantially. One can project that general bonding to the school will likely reduce misbehaviour and increase achievement where abilities exist. For instance, Wayson and Lasley indicate that desirable schools are characterized by "a sense of community, marked by mutually agreed on behavioural norms which surround students with examples of acceptable behaviour and provide the subtle rewards and sanctions that encourage students to behave appropriately" (cited in Kimbrough 1986:197).

Many different approaches have been used within schools to attempt to reduce misbehaviour within the schools and reduce delinquency outside of the schools. These have in common an attempt to target risk-related problems and to increase social bonding with the school and the community.

In summarizing research that relates to school interventions, Greenwood (1986) lists the following components that set successful schools apart from other schools. Successful schools in this case are schools with poor children who show larger gains in academic achievement than would have been predicted from their background.

- Continuing instructional leadership and support for teachers from principals;
- High expectations for students performance;
- The development of an integrated curriculum that focuses on academic skills;
- Frequent monitoring of student progress;
- An orderly and quiet atmosphere without being oppressive;
- Maximization of time spent on academic activities;
- Collaborative planning and collegial relationships among teachers;
- School-wide development and recognition of academic success; and,
- Techniques for minimizing turnover among the most competent staff.

One set of studies (Hawkins et al., 1988; Hawkins & Lam, 1987) showed that teachers could be taught to use cooperative learning methods, promote interactive learning. Also they received instruction in the ongoing monitoring of classroom activities. This resulted in improved student academic performance and reduced the necessity of disciplinary action against students, but it did not affect delinquency. In a later study (Hawkins et al., 1992) the authors speculate that this kind of training could delay the onset of delinquency in pre-adolescence.

- **In order to have successful school programs, one has to have highly motivated and highly trained teachers. That is, teachers have to be trained in methods that specifically target high risk children.**

Our suspicion is, given the moderate success of these programs, that individual teachers who are already overburdened and underpaid, would balk at further training that requires intensive treatment of a limited number of children while reducing their attention to the "regular" students. Professional teachers associations sometimes lobby to minimize teacher involvement (e.g., Alberta Teachers Association). In sum, Canada is not equipped (at this time) to provide the resources that would be necessary to effectively carry out these kinds of programs.

#### 3.6.1.4 An Educational Success Story

The Hostos-Lincoln Academy of Science teaches young socially and economically deprived children "basic social skills and advanced scholastic endeavours". The school is small, attentive to individual students and demanding. One teacher is assigned to a student for a full four-year period. While the school has not been scientifically evaluated, it cites impressive statistics to indicate its success raising the achievement level of these children (Hancock, 1994).

The school becomes a surrogate family. In fact, the school stresses "team teaching, a family-like environment and high expectations". Again, the same theme is revisited. Small intense treatment with individual orientation can be successful.

#### 3.6.1.5 Basic Skills

Education and basic skills are important but with delinquent groups, other forms of education are also required. Education for moral development and cognitive restructuring is also beneficial. Educational programs can also be directed at specific delinquent activities. For instance, Gendreau and Ross report a study by Mayer, Butterworth, and Nafpaktits, Sulzer-Azaroff (1983) which was a successful anti-vandalism program in Los Angeles involving youth clubs, citizen participation, periodic training with workshops (366).

#### 3.6.1.6 Peer Interventions

The delinquency literature is reasonably clear that peers exert an influence on each other. Further, association with delinquent peers predicts delinquency, as one might expect. As a result of these findings and beliefs which have been long-standing in criminology, many programs were designed to influence peer interactions (see for example, Feldman, 1992). Tolan and Guerra identified the following types of programs:

- programs designed to shift peer group norms;
- programs designed to prevent association with antisocial peers and redirect group behaviour;
- peer mediation and conflict resolution programs;
- close interpersonal relations intervention; and,
- proximal social context interventions.

In evaluating several of these programs, the authors find that "...there is little evidence that interventions focused on peer relations are effective in decreasing antisocial or violent behaviour, and some programs have been found to have negative effects" (1994:33).

### 3.6.2 Diversion: Alternative measures

#### 3.6.2.1 Reintegrative Shaming

Braithwaite's ideas concerning reintegrated shaming are based on social control theory. In essence, he says that "central to the endeavour is an

understanding of the relationship between crime and social control which argues for the shaming of criminal acts and the subsequent reintegration of deviant actors once suitable redress and apology has been made" (140). The programs and the ceremonies bring together the offender with people he cares about. In the programs, the offender is brought together with members of his or her nuclear family, friends, other groups that he or she may respect and with the victim of the crime and some supporters of the victim like their own nuclear family. The so-called "conference" is coordinated by a police sergeant in the case of the New Zealand and Australia programs. The "identities" of all participants are challenged during the conference (e.g., the offender as "tough guy" or as "mindless hooligan").

After presenting the components of degradation ceremonies, Braithwaite identifies fourteen conditions which must exist for reintegration ceremonies to be successful. The object of the ceremonies is to confront and denigrate the crime and its harm and to rebuild and reintegrate the offender as a productive member of the community. Braithwaite and Mugford (1994) offer the means for such ceremonies. The basis of these programs in ancient rituals with religious undertones is obvious.

For those committed to social control theory as an explanation of criminality, the Braithwaite and Mugford ideas must have enormous appeal. However, it rests on some assumptions that makes its viability questionable. For instance, it assumes that offenders' families are both willing and able to participate in such a confrontation. While it is reasonable to assume that some families would be willing and even have the ability to carry out the mandate of the ceremonies, it is also obvious that some families (even if willing) would not have the ability to deal with the situation in the way in which Braithwaite and Mugford suggest. Finally, it is reasonably clear that some youth are more amenable<sup>44</sup> to this kind of treatment than others -- it is not a panacea.

As part of a total program, their scheme has tremendous appeal, but the Australia and New Zealand programs have not been systematically evaluated. Braithwaite and Mugford base their conclusions and their descriptions on a few case studies.

### 3.6.2.2 Diversion: Aboriginal Youth Programs

Aboriginal programs should be discussed given the high proportion of Aboriginals who go through the juvenile justice system. The problem is, however, that few, if any of these programs, have been evaluated or even put into

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<sup>44</sup> Braithwaite does not tell us how to determine which youth will benefit most from his scheme.

formal written terms. Rather, accounts tend to be anecdotal or journalistic (or both).

The programs of interest are culturally sensitive<sup>45</sup>. They respond directly to Aboriginal culture and heritage in meeting out punishment. For instance, the Edmonton Native Youth Justice Committee makes recommendations to Edmonton judges after examining the background and circumstances of the offenders and their offences. The offenders sometimes have to face their victims as part of the process. Interestingly, the process is very much like that described by Braithwaite and Mugford. But the term for the process used is "healing". One of the programs that Mugford and Braithwaite describe is also discussed as a healing rather than a reintegration program. Like the Braithwaite/Mugford programs, these committees encourage face-to-face apology to the victim and restitution for the damages as an initial stage in the process. Drawing on Aboriginal culture, the process attempts to establish a relationship between the youth and an Aboriginal elder. Through the Native Youth Justice committees the Aboriginal community exerts control over its own problems (Griffiths & Verdun-Jones 1992).

In a review of Native American delinquency, Troy Armstrong and his colleagues indicate the kinds of elements that programs designed for Aboriginals have in common.

"Authority for decision making as it is related to social deviance was grounded in the wider social group, and approval to pursue any particular course of action against (the deviant) behavior was achieved through a process of attaining tribal consensus... When misconduct did occur, there was often a tendency to generalize this behavior across the wider kin group to which the individual offender belonged."

The result was one in which there was reduced guilt and that guilt was shared by kin. The form of sanction was often verbal shaming (like the Braithwaite/Mugford scenario). At all times, there was an attempt to keep the individual as an integral part of the group. In virtually all of the Aboriginal programs, once amends are made, the individual is "forgiven" in a very real sense. There is **no** de facto ostracism from the group.

Given the cultural difference between Aboriginal youth and the white society around them, it is no wonder that the prevailing justice system is not very effective in dealing with these youth. The idea that is still practiced in the Aboriginal community is that the purpose of the system is to bring peace and

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<sup>45</sup> Many of the comments made by Soriano and Lleva (1995) concerning cultural sensitivity to Hispanics and African Americans in the United States could be applied to programs for Native Canadians.

harmony back to the community, unlike the dominant justice system which tries to protect and punish (Hamilton & Sinclair, 1991).

- **One of our suggestions is that given the proportion of Aboriginal youth in the system, it would seem logical to attempt to both document and evaluate current programs.**

### 3.6.2.3 Pre-delinquent Diversion: Scared Straight

Policy-makers often find the so-called the "Scared Straight" program appealing. The program was based on a television documentary that showed juveniles being confronted with the realities of adult prison through confrontation with inmates and touring the prison. The program claimed phenomenal success in reducing delinquency among those who went through the program.

The idea behind such programs is deterrence theory. This theory suggests that individuals are rational and will weigh the consequences of their actions and do some kind of cost-benefit analysis before engaging in the undesirable behaviour. If the costs outweigh the benefits, then they do not engage in the behaviour. The Scared Straight program is supposed to increase the perception of costs.

We suppose that the program has romantic appeal in that, if it works it could provide a "quick fix" to the problems of nasty juveniles and would be based on some "common sense" notions of frightening children to behave well. However, an exhaustive evaluation by James Finkenauer showed that these programs simply do not work. They do not deter! According to Lundman "at best, taking probationers and other juveniles to prisons for intensive confrontation sessions has no measurable effect. At worst, these programs increase involvement in delinquency." (1993:167).

The fallacies in the program are probably two-fold. First, quick-fixes have never been effective. More important, juveniles who are involved in committing crime are often not acting in a purely rational fashion. They are under pressure from peers or they succumb to spontaneity of the moment or they have been involved with chemicals that heighten their aggressiveness. In any case, going through a prison and having an inmate indicate that he is going to "hurt them" and/or sexually abuse them seems to have no effect in the long run.

### 3.6.3 Post-adjudication Diversion

#### 3.6.3.1 Hand-in-Hand Mentor Programs

The mentoring program draws on college students to act as role models for youth who have been adjudicated by the justice system. The college students provide a role model and help to establish a link to community and family life for the delinquent youth. The mentors help their charges in "social interaction, educational requirements and job readiness". Students volunteer for one term and a minimum of four hours per week (Boseman, no date). Positive results were also achieved in a similar program that was directed at learning-disabled children and evaluated by Zimmerman et al. (1981) and Dunivant (1984).

To our knowledge, this mentoring is not being tried in Canada<sup>46</sup>. It offers some potential especially for youth who have committed relatively minor crimes. It is probably best not to use the program with violent youth. It was found that college students who had some misbehaviour in their own background were often very good mentors as they could empathize with the situation of the youth with whom they were paired.

Such programs should help in the transition to adulthood and should be able to show delinquent youth that there are other possibilities than the road they have taken so far.

### 3.6.3.2 Probation

Probation is the most commonly given sentence in youth courts across Canada. The idea behind probation is certainly a reasonable one. Supervise young people under a given list of terms and conditions. In theory, the terms and conditions are tailored for the youth. That is, they are designed to deal with problems linked to a particular youth.

Like adult probation officers, youth probation officers tend to be overloaded with work. Further, the expectations of them are greater than the expectations for adult probation officers. That is, there is a wider scope of areas in which they can intervene when dealing with youth.

The fact is, probation would have a better chance of stimulating change if it were intensive supervision of youth. It rarely is and most kids go back into the undesirable environment from which they came. It is unreasonable to expect that visiting with one individual even on a regular basis will, in itself, lead to reduced offending.

- **This is probably a good point in history to fund a major longitudinal study to determine the effectiveness of youth probation in Canada. If there is a 10-year review of the YOA, then we suggest that such an evaluation be a part of that review.**

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<sup>46</sup> There was a similar program in operation in Ottawa in the mid-1980's.

### 3.6.3.3 Secure Custody

The mood in the country is one that has led and will continue to lead to a call for harsher penalties for young people. Harsher penalties are generally defined as secure custody -- kid's jail. Most of the public have no idea how often secure custody is used in their own province but there is some evidence that with the advent of the *Young Offenders Act* secure custody has become a more common occurrence at least in some provinces (Corrado & Markwart, 1992).

There is little evidence that secure custody, on its own, does much for juveniles. If it is our goal to rehabilitate, then secure custody institutions are probably not the place where it happens. However, if the goal is incapacitation, then secure custody is all we have. There is no doubt that a small proportion of delinquents are in need of secure custody at least for brief periods of time. Secure custody can be used as a period in which the youth are "calmed down" before being removed to some other program. There are some youth who are dangerous - either to themselves or society -- and can only be dealt with in secure custody.

- **When we deal with youth, our ultimate goal is to educate them both in terms of skills and in terms of civility. For the most serious delinquents this may not be a possibility unless they are in a semi-secure environment. The trick is to determine which children need this kind of attention and can be dealt with in a less secure situation.**

Jerome Miller's Massachusetts experiment (below) showed that most youth that had been in secure custody could be dealt with in other programs and that, if nothing else, were much less costly. For many of these programs the recidivism rate did not change but the cost to the state decreased. That in itself is worthwhile but does not accomplish the ultimate goal of deterring youth from re-offending.

On the one hand, one has to feel that if cost can be reduced without increases in recidivism, it should be done. On the other hand, this does not accomplish the long-term goal of delinquency reduction.

Within the context of programs (including both secure custody and community based), intensive treatment seems to provide a key to success. This may involve intensive counselling, group therapy, or educational programs, but the point is that the ultimate goal cannot be obtained by throwing a bunch of kids into a box and doing little other than forcing them to go to school. The quality of the program content matters a great deal.

It is interesting to note that there has been little or no Canadian research on the effectiveness of "ordinary" secure custody for juveniles. There has been some research

on special programs but nothing that examines the recidivism rate of children who are locked up and then released.

Interestingly, it is obvious that secure custody could be put to good use with the most difficult juveniles were resources available for the intensive kind of treatment that a small minority of youth need. Secure custody ensures attendance at programs even though it cannot ensure attendance with appropriate attitude. Nonetheless, with enough time for diagnosis and treatment, many juveniles could be helped in this environment. Unfortunately, most secure custody arrangements do not have the resources necessary to alter juveniles behaviour<sup>47</sup>.

#### 3.6.3.4 One Model for Secure Custody: The Thomas O'Farrell Youth Center<sup>48</sup>

The Thomas O'Farrell Youth Center is a 38 bed staff secure residential program located near Baltimore, Maryland. It is operated by the North American Family Institute (Danvers, Mass.). The Center serves young males who are considered serious offenders. They have had prior corporate referrals for either property crimes or drug offences. The Center also accepts youth who have failed in less secure settings. The focus for the youth is on a strong special education program and therefore most of the youth sent to the Center have been identified as requiring such services.

The Center suffered from some of the same issues that we have identified in this report as critical. That is, the Center was asked to serve a wide variety of troubled youth including sex offenders and violent offenders. This stretched the abilities of Center staff to the limit. More recently, the Center has begun to focus on youth that it can benefit most. Hence, the program is focusing on chronic and serious property offenders -- especially those active in the drug trade.

Like those youth entering many programs, those entering the Center "evidence poor judgement and weak impulse control. They are emotionally deprived, often coming out of dysfunctional and violent families". Most don't even have basic social and communication skills and have not had positive relationships with law-abiding adults.

The Center's underlying philosophy is "self-help and community support for individual growth and re-socialization". Hence, individuals are asked to take responsibility for their own behaviour and to encourage others. The object is to create a positive environment. The Center is founded on a treatment theory that is known as the "normative model". In essence, the Center tries to instill those norms and values that are a part of an ideal society. The normative model that is

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<sup>47</sup> This is complicated when we overuse facilities and cut back on programs in order to warehouse larger numbers of delinquents.

<sup>48</sup> This section is adapted from the National Council on Crime and Delinquency (1992).

generally encountered by the delinquents who enter the Center is very much as odds with the normative system of mainstream society.

The O'Farrell Center norms clearly indicate the direction expected of those in the program. They state that individuals in the program behave in a way that is positive to themselves, they abhor the use of "chemicals", the individual takes responsibility for his behaviour; he behaves in a way that is positive to the community -- he shows caring concern and helps others when needed; refrains from sexual activity or sex play with others; rejects violence or the threat of violence; smokes only in designated areas; refuses to manipulate situations or others to his benefit; practices courtesy when addressing others; refrains from use of profanity in any situation; respects the property and space of others; does not steal; actively and positively participates in meetings; complies with his treatment plan; does not run away; is not truant; accepts direction from others; and supports the staff as needed.

The Center emphasizes group processes and several times each day, small group discussions are held. The maximum size of a group is about ten. Each group lives in separate dormitory areas and takes meals together and engages in work details as a unit. Of course, the staff are critical in teaching, modelling and encouraging community values. The longer a youth stays in the program, the less direction he will need.

It should be clear that the processes involved are not simple. By the time an individual has reached about 6 years of age, it is very complex to change behaviours, norms and values.

The residential facility is in a rural area. But close to a major urban area. It consists of a campus with small buildings. It is considered a safe and secure environment. Of interest is the notion that there are no time-out rooms, lock-ups, handcuffs or restraint beds at the facility. The staff uses "active persuasion" that is directed to fundamentally changing individual attitudes and values. It should be no surprise that there is resistance to such change. Within the context of the positive community (there is no ridicule involved) the individual is led towards this change.

Most important, the Center engages in a strong aftercare program. It has to be kept in mind that one of the major problems with any kind of program is that once it is over, youth return to the same environment from which they came and which often is responsible for the mess that they got themselves into in the first place. A part of the program is controlled re-entry into the community.

It is important to emphasize that the emphasis at the Center is positive. There is a positive point system rather than a punitive system. The staff members encourage youth and youth encourage each other.

## **Does It Work?**

Recidivism from the Center is about 45 percent which compares with the best United States programs. It was found however, in a short evaluation study that the youth tended to commit fewer crimes and tended to commit less serious crimes than they had before entering the program. It can be concluded then that the program works, but it can also be concluded that it is not cheap. It costs an average of \$148 (U.S) per day per resident which is comparable to other residential programs. A budget of somewhat over two million dollars annually is used to maintain the 38 bed residential program and support about 20 youngsters in aftercare. It is possible that the program could run more efficiently and less expensively in Canada, but that remains an empirical question.

- **Such costly programs as that described above are best aimed at youth who actually need the intensity of this treatment.**

### **3.7 Alternatives to Incarceration**

#### **3.7.1 The Massachusetts Experiment<sup>49</sup>**

The program that proves that cost effective individual attention is possible and beneficial was started in Massachusetts in the early 1970s. The program was actually started within state institutions (training schools). The object was to create a therapeutic community in those institutions. This original initiative failed due to staff resistance and sabotage of the humane policies. Jerome Miller, the commissioner of the Department of Youth Services, concluded that the only way to institute new policies was to shut down the extant system. Miller ordered nearly 1000 youth removed from state training schools and placed in a variety of community programs. The goals and philosophy put forth by Miller in the early 1970s still guide the Massachusetts program. The system has been operating for about 20 years and is considered a success.

When a juvenile enters the system they are assigned to a case manager from one of five regional offices around the state. It is the case manager who designs a treatment plan for the youth based on a number of considerations including the results of clinical and educational evaluations, family history, offence history, and severity of current offence. When the youth approaches the end of a residential placement, the case manager arranges for the youth to participate in community services such as drug and alcohol treatment or counselling as a prerequisite to his or her release.

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<sup>49</sup> This section is based on and taken from Krisberg and Austin (1993: Chapter 5, pages 142-170).

As noted above, most of the commitments are to a wide range of community-based programs including group homes, forestry programs, day treatment programs, outreach and tracking programs and foster care. **With such a wide variety of programs, the Department of Youth Services is better able to individualize programs to meet the needs of the participants.** The facilities include everything from short-term detention while awaiting trial to contracting out to several foster care agencies. What is most fascinating is that many youth are maintained in their own homes, supported by outreach and tracking and family preservation services. Others live at home but attend day treatment programs.

All of the facilities within the program are small. None exceed 30 residents at a time. This is consistent with the original philosophy and the desire to individualize programs. It also makes more feasible privatization of some aspects of juvenile treatment.

When secure custody is needed, the average stay in facilities is between 8 and 12 months. The philosophy adheres to the notion of phased re-entry into the community. After a secure placement the youth is transferred to a less secure facility or a nonresidential facility. The phased re-entry program seems to require less time in lockup. When a youth fails in the community, it may result in a return to a more secure facility -- at least for a short time.

Most offenders in the program (85 percent) experience very short stays in secure confinement (about 4 weeks) while diagnostic tests are done. After that, they are placed directly into community programs. The regional case managers monitor and supervise placement closely. Serious rule violations by youth in the community usually result in secure confinement for a period of 1 or 2 weeks or more if the situation warrants it.

### **Does it work?**

The usual measure of how well a program works is recidivism. Does the program manage to reduce recidivism? The first attempt to evaluate the program (Coates, Miller & Ohlin, 1982) actually found increased recidivism among those managed in the community. There were, however, some flaws in the comparisons made. Essentially, a higher proportion of serious offenders were in the new program. According to Krisberg and Austen (1993) the ultimate results of this study were ambiguous. A second attempt to evaluate the program was conducted by the National Council on Crime and Delinquency. They evaluated a Utah program which emulated the Massachusetts scheme. Their conclusion was that chronic juvenile offenders managed in the community showed a significant decline in recidivism and when they did repeat offend, it tended to be with less serious offences (Krisberg et al., 1988). Further evaluation showed that the recidivism rate in Massachusetts was somewhat lower than in other States (though we should point out that measurement problems are evident in such comparisons).

### **Cost**

If one wanted to take a conservative view of the Massachusetts program one would say that in recidivism terms the program is either better or at least no worse than more costly alternatives. If that is all one could say, what are the advantages? The clear advantage of the system is cost. Krisberg and Austen show that while States often pay up to \$125 (U.S) per day for traditional training schools, the various types of facilities in the Massachusetts program vary from \$170 per day to \$23 per day with the majority of participants in lower cost facilities.

The system can be imported to similar and even very different (for example, Utah) environments. It deserves a close look when reform is considered.

### 3.7.2 Residential Programs

Residential programs are generally used for more serious delinquents. The most common form of residential program offers a behaviourist approach to changing antisocial behaviour. That is, most of them use a reward/punishment system (for example, tokens and "time out") reinforce desirable behaviour and punish undesirable behaviour. There is a relatively persistent finding with regard to these programs. That is, they have a tendency to reduce more minor forms of delinquency and they do increase desirable behaviour within the institution. However, once the youth has been re-established in his or her community, they may initially reduce their delinquent activities but ultimately the effects of the residential program extinguish. That is, ultimately (within a couple of years) delinquent behaviours of these youth are at the same level as youth who do not go through the program.

### 3.7.3 Non-traditional Residential Programs

A review of non-traditional residential programs (Krisberg, 1992) has shown that they have several things in common. The custody arrangement itself ranges greatly from youth who live in their own homes to those who live in wilderness camps. The wilderness camp is, of course, very appealing to many Canadians as we certainly have the environment for them. The idea is that a camp is an isolated area that makes escape unlikely and therefore eliminates the need for any kind of prison atmosphere.

What they have in common is, again, intensive programs sometimes involving group therapy, sometimes involving work experience, but always involving small groups of youth working together towards some goal. Further, the most successful programs have explicit and clear aftercare plans for youth.

Generally, aftercare plans in Canada have been the equivalent of parole in the adult system. Visiting a parole officer without any other kinds of interventions in the

youth's life is likely to have little effect. At this point we can only say likely because the effectiveness of these programs has not been illustrated.

Some of the most innovative programs (e.g., "Jersey Mikes") have involved businesses run by youth (Krisberg & Austin, 1992). There is a similar program being run in the Vancouver area. However, again, no evaluation has been built into this program.

The KEY Program Inc., which is a Massachusetts-based program, monitored youth living in a community on a 24-hour, seven-day a week basis. The youth have to conform to individualized plans for schooling, work and counselling. Many of them also are involved in victim restitution programs. Like the other Massachusetts programs, if the youths violate the terms of their release, they may again be put into secure custody for at least a brief period of time. Another thing that all of these programs require is high-quality staff who have been extensively trained.

According to Krisberg (1992) these programs reach levels of recidivism at least as good as levels obtained in traditional programs, but these are much cheaper to run. Some of them achieve levels of recidivism that are better than traditional programs.

#### 3.7.4 Wilderness Experiments

Winterdyk and Roesch (1982) performed a rigorous evaluation of a wilderness experiential program being offered in Ontario. The program, Accepting Challenge through Others and Nature (ACTION) was designed to help improve youths' self-esteem through getting them to be involved in teamwork and problem-solving together. This is all done in a natural environment. Previous research had suggested that such programs were successful in meeting limited goals and changing behaviour but those previous evaluations were not as rigorous as the Winterdyk and Roesch evaluation. Winterdyk and Roesch show the program was not particularly effective.

We are not terribly surprised by this finding as this is another "one shot" effort to change behaviour. Without appropriate follow-up, any gains made in the program are likely to erode very quickly. In fact, the erosion can start to take place even before the negative environmental pressure of returning to the home community affects the youth. Nonetheless, some wilderness programs have reported success (Greenwood, 1986). Those that do have a few things in common, some of which are also common to other successful programs. First, the staff are all highly trained and the staff-resident ratio is very low. These are very difficult jobs. The staff must have a positive attitude and always be "on" in terms of their relationships with the youth.

The programs in the wilderness projects all involve pretty severe physical challenges. Nature itself becomes a primary reinforcing agent. According to Greenwood, the leadership in these programs is characterized as "charismatic". In terms of the

educational programs, the effectiveness of the principal is critical to the success of the program.

- **Like other reviewers, Greenwood suggests that aftercare is critical to the success of any program.**

### 3.7.5 Non-Traditional Secure Custody: Shock Incarceration and Boot Camps

Shock incarceration and boot camps are a part of the relatively recent "get tough" policies which have been in vogue in the United States. By 1992 "...half the States, plus the Federal Bureau of Prisons were operating 41 programs..." (National Institute of Justice, 1994). These policies come from an understandable frustration with perceived rising delinquency rates and perceived lack of success of existing programs.

The general technique in either case is intensive supervision. In the case of shock incarceration, there are short periods of prison followed by intensively supervised probation. In the case of boot camps, delinquents (or adult criminals) are put into the situation of a military-like camp in which they follow a military-like routine. These focus on exercise and discipline. "They are compelled to rise at dawn, eat meals in silence, speak only when spoken to ("Sir, yessir"). The hope is that the rough treatment they experience will produce a permanent "change of attitude" that will survive after the inmates are released" (Kane, 1989:17).

It is a nice idea to think that a few months of discipline and menial work will lead to changes in attitudes and routines that have been a part of socialization and the activities of the youth for his or her entire life. It is not reasonable to think this should result in any permanent change. In fact, one experiment in "shock probation" in Ohio had disastrous results including "indolence, sodomy and violence" (Kane 1989:17).

The programs have not been particularly successful. In 1994 the National Institute of Justice published the results of an evaluation of eight shock incarceration programs. Participants in the programs were generally males convicted of non-violent offences and who did not have an extensive criminal record. The programs themselves varied greatly. "Recidivism rates of those who completed the shock incarceration program were generally similar to those of comparable offenders who spent longer time in prisons" (1994). Three programs did have somewhat lower recidivism rates.

"The in-prison phase was followed by a 6 month intensive supervision phase in the community. Each program had a strong focus on rehabilitation, voluntary participation, selection from prison-bound entrants, and longer program duration. Each had a high dropout rate. Any or all of these aspects of the programs could have an impact on offenders with or without the boot camp atmosphere" (1994)

On the positive side, boot camp participants felt more positive about their experiences than those who spent time in prison. The more intense the supervision of participants in the community, the better they adjusted.

Shock incarceration is not a panacea. It does not produce magical change in attitudes in a short period of time. It does not seem to reduce recidivism on a consistent basis. Again, it works best if it has an intense follow-up period. From the point of view of the American juvenile justice system, its main benefit is that it reduces the number of prison beds needed<sup>50</sup>.

### 3.7.6 Work

Work programs are popular and have become a mainstay of prisons. Embedded in the philosophy of adult prison is the notion that work will rehabilitate. This is not stated anywhere but it is clear from the way that long-term prisons work. There is some reason to suspect that work, especially if it results in jobs, will have a direct effect on delinquency, particularly among older delinquents. The literature has shown that one of the two elements that are most likely to reduce involvement in delinquent and criminal behaviour among older adolescents is employment. Hence, if programs with older youth can enhance skills to the point where the youth use those skills to get jobs - they may be social training skills or they may actually be physical skills - it is likely that delinquency will be reduced. Again, there are no systematic rigorous evaluations of such programs.

In 1984, the British Columbia Ministry of the Attorney General produced a report which reviewed work-related programs for youth as a method of delinquency reduction. The document catalogues several programs which were designed to give youth employable skills. A review by Romig (1978) concluded that only those jobs in which advancement was available would be successful. The conclusion from these programs is that on their own, employment programs do not reduce delinquency. As a part of a comprehensive program, however, they may.

## 3.8 Innovative Directions

### 3.8.1 Early Prevention

There is little doubt that the best way to prevent delinquency is to intervene before it begins rather than after it has happens. Prevention in the early ages involves very different kinds of tasks than later prevention or intervention.

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<sup>50</sup> The study of "boot camps" seems to have become a mini-industry. At the 1995 meetings of the Academy of Criminal Justice Sciences in Boston, well over a dozen papers on the topic were presented.

One should really start before children are born. Damage done to children via poor prenatal care can have a direct effect on later behaviour. Those most at risk are young relatively uneducated mothers who are barely out of childhood themselves. These young women are unprepared for their children and have no idea of appropriate prenatal care. Many are found smoking, drinking alcohol, and taking drugs, all of which have a severe negative effect on child development. Children who start with a handicap resulting from those maternal neglects are high risk children for delinquency.

- **We have no hesitation in suggesting programs that guide teenage "moms-to-be" into appropriate care of the fetus. Dollars invested at this stage will save many more dollars in care for the offspring in later years.**

Hawkins and Catalano (1992) and Coie et al. (1993) emphasized risk-focused prevention. These authors suggest that one should determine factors that relate to the risk of developing problems associated with delinquency and to emphasize "protective" factors which may decrease the probability of developing the same problems. The object is to focus on risk and protective factors before the point where they develop into real problems.

Substance abuse and inappropriate nutrition in pregnancy are risk factors which can lead to brain damage and cognitive difficulties which later may result in poor reasoning and impulse control which in turn is related to delinquency. The object of intervention would be to prevent those kinds of damage from happening and to protect the child. As a first step, the "at-risk" group must be identified, then steps can be taken to educate and change behaviour.

### 3.8.2 Family and Community

While in the earliest stages of development, risk factors tend to be physiological and chemical, after birth problems emanate from or are decreased by the family environment. Within the family, all sorts of problems can be seen: chemical abuse (alcohol and drug), lack of ability on the part of the parents in terms of "raising" their children, conflict between family members, parental involvement in crime and other forms of deviance, child abuse and spouse abuse. Any and all of these factors when observed by children can result in their own misbehaviour. There have been correlations found between substance abuse on the part of family members and children's misbehaviour; and between child abuse and later delinquency. Interventions, then, must target the family environment.

Early antisocial behaviour generally predicts later delinquency or criminal involvement. Many of these factors are also related to academic failure which, as we have mentioned, is a major predictor of later delinquency. There are also risk factors in the community. Essentially, children who live in economically deprived areas and in

areas characterized by general social disorganization are those with higher risk factors especially when coupled with dysfunctional families.

If one takes the positive approach to delinquency prevention then one's goal should be "healthy children". Health here is defined both in terms of physical health and family and community environment.

If the risk factors have been appropriately identified then what can we do about reducing risk and enhancing protective factors? Hawkins and Catalano (1992), Hawkins et al. (1992), Institute of Medicine (1994) and Olds and Kitzman (1993) and Yoshikawa (1994) have reviewed studies of preventive intervention and conclude that there are, in fact, successful intervention techniques that can be applied.

### 3.8.3 Pre- and Peri-natal

One of the things that is necessary here is intensive education of the mother. The mother must understand the consequences of good versus poor nutrition and the effects of drugs and cigarettes. Home visitation programs may be appropriate to supervise the progress of the pregnancy. Hopefully, such educational programs can reduce the mother's involvement in chemical abuse and in turn prevent brain damage to the infant.

At a more controversial level, these programs should be rigorously promoted in the schools. That is, there should be intense and active "parent training" from an early age. We can probably do more for society by educating young people before they encounter the risks than we can in most other ways.

Parent training can help to reduce poor socialization practices. It can also reduce aggressive behaviours (Hawkins et al., 1992; Levenstein, 1992; Olds & Kitzman, 1993; Tremblay, 1992). Contrary to popular belief, there is nothing "natural" about knowing how to be a parent. Some people are better at it than others but generally this reflects their own upbringing. Parents can learn to better "manage" their family. Successful parent training can be achieved in a variety of ways including home visits, training groups and even videotape instruction (Webster-Stratton, 1984, 1992).

If at risk parents are indeed drawn from the most economically deprived areas then various types of support should be given to them besides those already mentioned. For instance, transportation to health facilities may be necessary and, should the mother wish to work or continue in school then daycare facilities once the child has reached the appropriate age are also necessary.

One prenatal, early infancy project targeted mothers who were unmarried and from the lowest socioeconomic group. Nurses visited with the mother from the early days of pregnancy through to when the children reached two years of age. These nurses provided health education, parental education, job and education counselling, and links

with health and social service agencies. As well, they provided emotional and social support (Olds et al., 1986). On every criterion measured, the mothers who had the visitations did much better than mothers in a control group.

#### 3.8.4 Birth to Age 6

As children age, but prior to their entering schools, programs that have been successful attempt to raise their pro-social skills in order to reduce their antisocial behaviour. Two such programs are the "interpersonal cognitive problem solving program" which aims to decrease impulsivity and inhibition (Shure & Spivack, 1980; Spivack & Sure, 1989). The program emphasizes elements which are essential to later problem solving skills. An evaluation indicated that children who went through this program had higher levels of social competence than those who had not gone through the program. The second program (PATHS), "providing alternative thinking strategies", attempts to integrate emotional, cognitive, and behaviour skill development in young children (Greenberg & Kusche, 1993).

Hawkins and Catalano (1992) suggest that interventions between infancy and age six are best approached using a comprehensive strategy which they entitled *Communities That Care*. Their suggestion is that communities target high risk individuals and provide them with a comprehensive strategy (outlined in their book) for reducing risks and enhancing pro-social behaviour. We will have more to say on this in the final section of the report.

Many of the more current programs depend on social control theory as their guide to intervention. Control theory suggests that strong social bonding to a community and to parents will protect individuals from the lures of delinquency. Hence, community-based programs are often oriented toward strengthening the bond between the community and the youth. The theory goes on to suggest high involvement in conventional activities also protects youth from being involved in delinquent activities. All programs that are based on recreational activity seem to have this as an underlying model.

Hawkins and Catalano (1992) argue for a community prevention strategy based on risk reduction. Their book is at least part of the basis for the comprehensive program suggested by Office of Juvenile Justice and Delinquency Prevention. The family is the first place to look for both risk and protection against risk. As Hawkins and Catalano suggest, bonding to family is a life-long protective factor against delinquency.

The model presented in their book -- which focuses on drug and alcohol abuse prevention -- serves as a model for much broader delinquency prevention. It is the philosophy of prevention and protective factors from early (i.e., prenatal) prevention through early parenting to school and beyond which forms the comprehensive program. Hence, in the case of the family, they promote parent training approaches such as those used by Tremblay (see below). In the case of school, they promote programs which

increase student commitment to school and reduce academic failure. For an example, they use the W.T. Grant consortium on school-based promotion of social confidence as offering a set of criteria for evaluating school-based drug and alcohol curricula in terms of their abilities to reduce risk and increase protective factors (pg. xvi).

"Communities that care is a risk-focused drug abuse prevention approach that translates the social development strategy into a comprehensive, community-wide plan to prevent drug abuse" (pg. 18). It is modelled after programs such as the Stanford Heart Disease Prevention Program and the Minnesota Heart Health Program. "These projects employed mass media, community mobilization, voluntarism, and educational strategies" (pg. 18). Hawkins and Catalano argue that "...risk and protective factors are lodged in all aspects of the community; in schools, families, individuals, and the community" (pg. 19).

### **3.9 Risk Assessment**

Gendreau and Ross are very much in favour of using risk assessment techniques determining programs for offenders. However, they suggest that risk assessment tools that measure such things as age in previous convictions are not very helpful when developing treatment programs. They instead emphasize "dynamic variables" that are represented by the needs of the individual offender. Hence, those whose problems are linked with substance abuse should be in programs that target those areas.

### **3.10 Early Intervention in Montreal: Richard Tremblay**

The work of Richard Tremblay and his colleagues at the University of Montreal involve identifying problem children at an early age and intervening at that time. The program is multi-faceted involving parent training, school intervention, and training of the child in social skills. Children are chosen for the study on the basis of an assessment by their kindergarten teacher after their first year in school. The questionnaires used by the teachers help to identify disruptive, anxious, inattentive and pro-social categories of behaviour. Disruptive behaviour was further divided into fighting, oppositional behaviour and hyper-activity.

The study is a true experiment in that the boys are randomly assigned to a treatment, observation, and a control group. In the treatment group, the researchers worked with parents, trained the boys in social skills and taught them to use fantasy and to be critical of television. The treatment lasted two school years. Family interventions were modelled on the Oregon Social Learning Center procedures. "The procedures involved: giving parents a reading program, training parents to monitor their children's behaviour, training parents to give positive reinforcement for pro-social behaviour,

training parents to punish effectively without being abusive, training parents to manage family crises, and helping parents to generalize what they have learned". The specifics of the training are outlined in some detail in the many published works of Tremblay and his colleagues.

The goal of the program was to prevent long-term anti-social behaviour. The assessments were held annually. The boys were asked to report on their own anti-social behaviour. Parents filled out questionnaires and attended observation sessions. Initial results from the study are encouraging. Less than two years after the study began boys were reporting less fighting than the untreated groups. Further, the behaviour of the treated boys in the classroom suggested that the treatment had been beneficial. The measures used include both the boy's observations and those of their peers and teachers.

There is little doubt that boys who maintain an aggressive stance through their elementary school years have a very difficult time maintaining the kind of discipline necessary to get through the school experience.

Tremblay and his team identify three childhood behavioural dimensions that have been associated with later anti-social behaviour: hyper-activity, anxiety, and prosociality. As well, aggression has been identified as one of the predictors of later delinquent behaviour but they argue that this should be considered an anti-social outcome rather than one of the predictors. They go on to show that the issues have been identified elsewhere in the experimental literature as being related to anti-social behaviour.

They found that "kindergarten boys with high novelty seeking, low harm avoidance, and reward dependence were found in the most delinquent behaviour category from age ten to twelve, almost three times as often as the base rate." (1992:218).

In effect, Tremblay has identified measurable personality characteristics which can be used to predict later delinquency. These, of course, have to be considered risk factors. If one takes a risk based model as a way to prevent future delinquency, then early intervention to ameliorate the problems which are related to these factors is necessary.

### **3.11 Comprehensive Programs/Strategies**

The Office of Juvenile Justice and Delinquency Prevention reports on comprehensive programs focuses on serious violent offenders (1994a, 1994b). They point out that there are now a series of studies which show that most violent offences by juveniles are committed by a small proportion of those juveniles. In fact, the national youth survey in the United States indicated that about five percent of juveniles at each age between 12 and 17 were classified as serious violent, and on average each of those committed 132 delinquency offences annually with eight of those being classified as "serious violent" (1994: 6).

The report indicates that, as we have said earlier, "the major factors influencing delinquency were identified as delinquent peer groups, poor school performance, high crime neighbourhoods, weak family attachment, and lack of consistent discipline and behavioral monitoring". Further, abused and neglected children have a higher risk of becoming involved in delinquency (Smith & Thornberry, 1993).

Essentially, the Office of Juvenile Justice and Delinquency Prevention nominates the Hawkins and Catalano "social development" model as a key factor in effective treatment. Further, they use Krisberg's findings regarding intensive supervision as a replacement for secure custody and an intensive aftercare program as key components in a comprehensive model. They argue that there have been many successful programs (including some of those we discuss above) which can be used as components of successful overall treatment.

The general principles which they see as necessary in combatting youth crime include the following:

- **Strengthen the family** [this, of course, is an argument for early intervention and for training parents].
- **Support core social institutions** [here, they emphasize the role of schools, religious institutions and community organizations in their role of developing mature capable responsible youth].
- **Promote delinquency prevention** [they suggest that the strengthening of these core socializing institutions is the most cost-effective way to reduce delinquency. These institutions have to plan active roles in preventing delinquency. They have to take responsibility for the youth.
- **Intervene immediately** [intervene immediately and effectively when delinquent behaviour occurs. This is a rather sound psychological principle that immediate reinforcement is more effective than later reinforcement. The method for intervention would, of course, involve police and other justice officials. Those who support diversion may find alternatives as more acceptable].
- **Identify and control** [identify and control the small groups of serious, violent, and chronic juvenile offenders. Identifying the most serious offenders should be relatively easy if one recruits the police and judges to nominate those they see most often. These individuals need special treatment and may in fact need community-based facilities or even secure custody for some periods of time].

The major thrust of programs suggested by the Office of Juvenile Justice and Delinquency Prevention is to identify risk factors involved in delinquency and either intervene or try to prevent them in the first place. These risk factors include individual characteristics, family influences, school experiences, peer group influences and neighbourhood and community. They indicate ways of attacking each type. Below, we provide examples of the kinds of programs that might be used in each case.

### **Individual Characteristics**

Among programs noted by the Office of Juvenile Justice and Delinquency Prevention are: youth service core; adventure training; mentoring; recreational programs; summer camps; literacy and learning disability programs; law-related education. A variety of well-established programs are also mentioned such as: Head Start; Boys' and Girls' Club; Scouting; 4-H Clubs; and so on.

### **Family Influences**

Among the family influences noted that can be countered are: inadequate pre-natal care; parental rejection; inadequate supervision and inconsistent discipline by parents; family conflict, marital discord and physical violence; and finally, child abuse. Some programs which directly address negative family involvement include: teen abstinence and pregnancy prevention, parent effectiveness and family skills training, parent support groups, home instruction program for pre-school youngsters, family crisis intervention services.

### **School Experiences**

As Tremblay shows, one can identify problem children early in their school career. Several early intervention programs can be run within the school as long as school personnel are willing. These include: drug and alcohol prevention education, bullying prevention, violence prevention, alternative schools, truancy reduction, school discipline and safety improvement, values development, vocational training.

### **Peer Group Influences**

Among programs listed as possibly mediating the effects of peer group influences are: conflict resolution-peer mediation, peer counselling and tutoring, self-help fellowship for peer groups, individual responsibility training, community volunteer service, competitive athletic team participation.

### **Neighbourhood and Community**

Neighbourhood and community projects generally involve highly committed volunteers. Programs mentioned include: community-policing, safe havens for youth, neighbourhood mobilization for community safety, drug-free school zones, after school programs and tutoring, recreation, mentoring, and cultural activities, community and business partnerships, foster grandparents, neighbourhood watch, job training and apprenticeships for youths, and victim programs.

### 3.11.1 Comprehensive Findings, Comprehensive Programs

As noted, the most innovative work in juvenile delinquency intervention and prevention is being done in the United States. Three groups have recently completed major overviews and evaluations of both what has been successful and what is needed. Findings of the groups (Office of Juvenile Justice and Delinquency Prevention, National Council on Crime and Delinquency, and Elliott and his colleagues at the University of Colorado) are remarkably consistent with one another. They show first that there are a distinguishable group of correlates which also are risk factors with regard to delinquency (see also Andrews et al., 1992). They further suggest a comprehensive program based on successful prevention projects to contravene and intervene in delinquency.

Interventions must be based on individual needs which includes the stage of development of the youth with regard to their age and the kinds of offences they are committing. Hence, older children need different programs than do younger children, sex offenders need different programs than do property offenders, and girls may need different programs than boys (see for examples, James, 1995; Albrecht, 1995).

The single, easy "cure" that was sought in programs like Scared Straight simply do not exist. The way to approach delinquency is to look for its underlying correlates and attempt to change those either before they happen or after the fact. We are firm supporters of the earliest possible intervention (i.e., pre-natal care) as saving a great many more dollars later than will be invested in health care systems needed to deal with anti-social youth later.

### 3.11.2 Preventing Violence

After reviewing the most successful programs that have dealt with violent youth, Jones and Krisberg (1994) listed the components of successful programs for violent offenders. "These include (1) continuous case management; (2) careful emphasis on reintegration and re-entry services; (3) opportunities for youth achievement and program decision-making; (4) clear and consistent consequences for misconduct; (5) enriched educational and vocational programming; and (6) a diversity of forms of family and individual counselling matched to adolescent needs. (A)ll of the components need to be present if a program is to be successful". All of these programs can be instituted outside of traditional incarceration. That is, they can be "effectively managed in well-structured community-based programs" (1994:37).

The U.S experience suggests that small secure facilities for the very small group of dangerous young offenders can easily replace large-scale custody. To be successful, these need to be "intensively staffed and programmed". Success depends to a great deal on resource availability.

### 3.11.3 Graduated Sanctions

The Office of Juvenile Justice and Delinquency Prevention suggests a system of graduated sanctions and treatment for delinquent offenders. In effect, this means that they get a few chances before being given the most severe sanctions and being put into the most intensive kinds of treatment situations. As far as we know, there have been no evaluations of this kind of effort.

## 3.12 A Compendium of Programs

Montgomery et al. (1994) take a unique and innovative approach to identifying successful programs which could be applied in the Canadian case. The object of their project was to assemble a compendium of effective prevention and treatment programs used for juvenile offenders in the United States. They "...designed a research methodology that first identified essential components of effective programs including goals and objectives, community involvement, case management (assessment, treatment plan, interventions, and services), security and monitoring, behaviour management (program and participant accountability, staff, and evaluation mechanism, and aftercare" (pg. ix). They asked 3,000 juvenile and family court personnel (judges, court administrators and chief probation officers) to designate and write about programs that they had used recently. On the basis of the responses from the judges they sent questionnaires to the administrators of the programs.

The result is a compendium of 425 programs which exist throughout the United States. In the compendium, each entry "...contains the program name, contact person, address, target population, gender, age, program type, type of administration, structure, staff diem rights, annual budget, evaluation date, program summary and primary intervention" (pg. ix). They group the programs by type and provide both an alphabetic listing of programs and an index by target populations.

A listing of the types of programs covered includes: academic education, behaviour management, community service, control/monitoring, crisis intervention, education/employment, individual/family counselling, intensive probation, mediation, mentoring, milieux-management, outdoor activity, reality therapy, recreation/fitness, referrals, sex offender treatment, shoplifting awareness, skill development, special education, substance abuse treatment, therapeutic milieux, use of speakers, and vocational training. Offender populations targeted by these programs include: arsonists, runaways, drug dealers, emotionally disturbed/mentally ill offenders, female offenders, first-time offenders, gang members, mentally ill offenders, minority offenders, offenders/family, pre-delinquent/at-risk youth, property offender, prostitutes, school failures, serious chronic and violent offenders, sex offenders, substance abusers, young offenders and weapons carriers.

The compendium will be, no doubt, very useful to individuals wishing to begin programs. However, the compendium does not tell us anything about program success as its focus is on "program procedures" and program availability. Further, it does not give

us a means of judging the comprehensiveness of program evaluation. All we know, is that well-placed court personnel individual have nominated the program as one which they like. It is to be assumed that the court personnel believe that these programs work. However, we would be much more comfortable if programs were accompanied with formal evaluations. Without such evaluations, we may simply be throwing away our money if we try them.

Nonetheless, a similar survey would be very useful in Canada. Most of our comments in this report are based on research that has been conducted in the United States. The reasons for this are very simple. First, the United States has a much more serious problem than we do and they have been willing to commit many more resources to dealing with the problem. They have also committed substantial resources at both the national and the local level for program evaluation. The same cannot be said for Canada.

Many of the on-going programs in Canada at the moment are grassroots. They are established by individuals in local environments; they are rarely evaluated and they may or may not be successful. Court personnel certainly know about them and would have feelings as to whether these programs are successful or not. The point is, though, that currently, we do not even know about most of the programs that are ongoing in Canada. A compendium modelled after that done by Montgomery et al. (1994) would at least identify those programs currently under way in Canada. Such research could be done in a relatively inexpensive manner.

## 4.0 FINDINGS AND SUGGESTIONS

The programs discussed in this report can become reference points for future policy considerations in Canada. Programs which have had the greatest success have had community support. Therefore, the issue of community support should be discussed widely. Further, **all programs which receive public funding should have built-in evaluation which is conducted by parties not associated with the programs.** While we have said that we already know enough to proceed with a discussion of programs, there are also other specific research agendas which must be considered.

The findings and suggestions from prior reviews of the delinquency prevention literature are remarkably consistent and few in number. Our suggestions, based on both those reviews and our own, reflect a growing consensus in the academic community.

As we point out earlier, there have been several very recent and comprehensive literature reviews which guided our discussion. The findings and suggestions from these reviews were remarkably consistent and few in number. Our suggestions, based on both those reviews and our own, reflect a growing consensus in the academic community.

### 4.1 Required Research

There are obviously many programs going on in Canada but few of them have built-in evaluations, and even fewer make their way into published reports. One research effort that we strongly suggest is an examination of programs currently being undertaken in Canada. Such a survey could be modelled on the work of Montgomery et al. (1994). The object would be to identify and categorize programs that exist across the country and describe the level of confidence one should have in their claims.

- We suggest such an effort as a first step in determining which programs should be evaluated.
- Special emphasis should be given to evaluation of Aboriginal Youth Programs.

### 4.2 Examining Probation

A major study of the effectiveness of probation -- the most common outcome of court hearings in Canada -- should be instituted.

### **4.3 Identify Serious Delinquents**

Develop techniques to identify the "core" of delinquents who do the most damage (see Wolfgang et al., 1972). Target these youth for interventions based on the "graduated sanctions" model discussed by the Office of Juvenile Justice and Delinquency Prevention. These are the youth who will likely need periods of secure custody.

### **4.4 Comprehensive Programs**

The model developed by Hawkins and Catalano in *Communities that Care* and that described as a comprehensive program by the Office of Juvenile Justice and Delinquency Prevention are models that could be tried in Canada. The programs are based on identification of risk factors and concentrate on programs which focus on those known conditions and patterns.

### **4.5 Early Intervention**

The most cost effective programs, in the long run, are early intervention programs. We suggest targeting high risk mothers and families and intervening with appropriate educational tools. The object of these interventions is to: a) produce healthy children; b) prepare mothers and fathers for the job of parenting; c) strengthen the family; and, d) ensure a bond between the family and the community.

There are several models for such programs among those discussed in this report (see, for examples Hawkins & Catalano 1992, Tolan & Guerra 1994).

### **4.6 Reducing Violence at an Early Age**

Try to institute early intervention on a broader scale (See Tremblay et al., 1992, 1994). The goal is to reduce violence at an early age which may influence violence at later ages.

### **4.7 Community-Based Treatment**

Secure custody is necessary only for a small group of serious repeat offenders. Community-based treatment is less expensive and has at least as good a success rate in terms of recidivism. We suggest serious consideration of community-based treatment programs in lieu of secure custody.

### **4.8 Flexibility in Programming: One Size Does Not Fit All**

Flexibility in programming is critical so that individual needs can be met and is likely the most effective approach. Hence, different kinds of offenders with differing problems respond best to specific kinds of programs. One size does NOT fit all. The object of the first suggestion (above) is to determine exactly what we have available to juveniles and which problems the programs target.

#### **4.9 Use of Secure Custody**

The use of secure custody institutions is necessary but should be limited to those few cases who really need the intensive supervision and security provided by such facilities. Within the institutions there must be an emphasis on individualized treatment or the facility merely becomes a warehouse.

#### **4.10 Aftercare**

One lesson learned from the programs in the United States is that aftercare is critical to the successful outcome of all programs. After release from any program, guided re-entry to the community must be facilitated (see for example, Altschuler & Armstrong, 1995).

#### **4.11 A Final Word**

There is little that is new in this review and there have been several recent (and more comprehensive) reviews of the research literature in the area of juvenile intervention/prevention. These tell us both "what works" and "what does not work". Using these findings as a guide, both additional research and program initiatives should be well grounded.

Too often decisions about programs are based on "opinion" or political efficacy. There is no need for that kind of approach given the wealth of literature and program evaluation that has already been conducted. We strongly support data based decisions in these matters. Sound policy decisions which are both cost efficient and effective are possible as long as decision makers are willing to accept the notion that there are no "quick fixes" and that changing behaviour is a difficult and, often, imprecise endeavour.

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