Juvenile Court 101: Purpose of The Juvenile Court

To provide rehabilitation and treatment to youth to hold them accountable and maintain public safety, while recognizing fundamental differences between youth and adults.
Juvenile Court 101: Ohio’s Juvenile Justice System

Unique things:
• “Home rule” state – 88 counties do things 88 ways
• For offenses committed before the age of 18, juvenile court has jurisdiction over youth up to age 21
• Data challenges
Juvenile Justice Involvement: Type of Youth

What type of youth come before juvenile courts?

• Abuse, neglect, and dependency cases (A/N/D)
• Custody cases
• Youth accused of status offenses (i.e. underage drinking, truancy, running away from home)
• Youth accused of delinquency offenses
Juvenile Justice Involvement: Courts’ Responses

What are the courts’ levels of responses to youth?

- Prevention
- Referral to juvenile court
- Diversion or specialized docket
- Formal Processing (Adjudication and Disposition)
- Adult court
Juvenile Court 101: Youth Development

- Adolescent brain development

- U.S. Supreme Court case law
Brain Development - Interrogation

  - As long as the child’s age was known or should have been known at time of questioning, police must take a child’s age into account when determining if a youth can knowingly waive *Miranda* rights.
  - A youth’s age affects how a reasonable person would view his or her freedom to leave, makes them more susceptible to outside pressure, “lack the experience, perspective and judgment to recognize and avoid” detrimental choices.
  - Can’t put “reasonable adult” eyes in a youth’s head
Brain Development – Interrogation

• IACP and OJJDP released a report (Reducing Risks: An Executive’s Guide to Effective Juvenile Interview and Interrogation) and launched an online training on youth interrogation

• Research has indicated that youth are more likely to falsely confess (42% of youth versus 13% of adults)

• Highlighted the negative impact of interrogating juveniles, including:
  - False confessions, which can lead to wrongful convictions and the real perpetrator remaining at large
  - Negative emotional and psychological impacts on youth, including a possible negative association with law enforcement or traumatization
  - Reputational harm
  - Costs to both police and taxpayers (settlements both against the city and individual officers)
IACP – Adolescent Development and Policing

- Approach youth calmly
- Establish rapport
- Be patient
- Model respect
- Age-appropriate language
- Repeat/paraphrase statements

- Nonverbal communication
- Model/praise calm confidence
- Empower through choices
- Serve as positive role model
Juvenile Justice Reforms: Goal

Moving toward a “right sized” system that ensures an individually tailored, evidence-based appropriate response for each youth designed put youth on the right path.
Negative Impacts of Juvenile Justice System Involvement

Overly punitive responses are:

• Expensive

• Ineffective and may actually reduce public safety

• Reduce youth’s ability to develop skills needed for positive adulthood

• Create collateral consequences for youth, including for employment
Negative Impacts - Detention

• Research shows that:
  - Detention is one best predictors of recidivism.
  - Youth who spend any amount of time in detention are more likely to abuse substances, less likely to complete high school, less likely to find employment, and less likely to form stable families.
  - Detention ($60-$136/day) is more expensive than community-based alternatives, like electronic monitoring and day reporting programs ($3.75-$50/day).
Negative Impacts - Arrest

“Arrest in adolescence hinders the transition to adulthood by undermining pathways to educational attainment”

- 73% of youth arrested dropped out compared to 51% non-arrested

- 18% of youth arrested enrolled in 4-year colleges compared to 34% non-arrested
Race/Ethnicity in Ohio's JJ System

- Population:
  - Black: 80%
  - White: 17%
  - Latino: 6%

- Felony Adjudication:
  - Black: 51%
  - White: 44%
  - Latino: 3%

- Committed to DYS:
  - Black: 60%
  - White: 31%
  - Latino: 7%

- Adult Court:
  - Black: 83%
  - White: 25%
### Relative Rate Index (RRI) Numbers

<table>
<thead>
<tr>
<th>Category</th>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
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<tbody>
<tr>
<td>Arrest</td>
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<tr>
<td>Refer to Juvenile Court</td>
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<td>Diversion</td>
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<td>Adult Court</td>
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</table>
Juvenile Court Reforms: How Do We Get There

Goal: Reducing recidivism

• Low reoffending risk – Diverted from the juvenile justice system altogether

• Moderate or high reoffending risk – Subject to the minimal level of supervision and control consistent with public safety and be provided with appropriate, effective therapeutic services

• Recognize that “punishment beyond that which is inherent in the level of control necessary for public safety is likely to be counter-productive to reducing recidivism.”
# Juvenile Justice Reform: National Trends

<table>
<thead>
<tr>
<th>Moving Away From:</th>
<th>Moving Towards:</th>
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<tbody>
<tr>
<td>Placing youth in locked facilities</td>
<td>Community-based programming alternatives</td>
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<tr>
<td>Prosecuting youth in adult court</td>
<td>Keeping youth in juvenile court</td>
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<tr>
<td>One-size-fits-all approach</td>
<td>Assessing youth’s individualized needs and appropriate responses</td>
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<tr>
<td>“Gut feelings” about what works or what youth need</td>
<td>Utilizing evidence- and research-based assessments and programs</td>
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<tr>
<td>Long-term collateral consequences</td>
<td>Minimizing collateral consequences</td>
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Racial and Ethnic Disparities (RED)

**National Efforts:**

- Federal law requires states to “address” disproportionate minority contact with the juvenile justice system
- No “silver bullet” – successes have been **locally driven and purposeful** with:
  - Carefully selected leadership teams
  - Quality-driven data collection and analysis
  - Using objective screening and assessment instruments, and
  - Creating and monitoring plans to reduce RED.
Ohio Efforts:

- Since 2007, Ohio has devoted most of its federal funding to reducing RED
  - Focus on 14 counties that have 86% of the minority youth in the state
  - Each county has done an assessment led by DYS
  - Efforts have been targeted at African-American youth in prevention and early intervention programs
- Programs: Mentoring, life skills, diversion, truancy and school-based interventions