

**“CATCH’EM EARLY BEFORE THEY GET
CAUGHT UP”. A FIRST-TIME
OFFENDER PROGRAM AS
A DETERENT TO A
LIFE OF CRIME**

By

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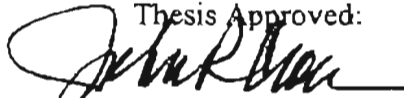
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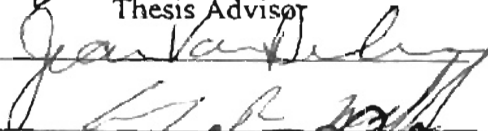
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CHAPTER 1

INTRODUCTION COMMUNITY-BASED CORRECTION REVIEW

*There is evidence; in fact, that there may be grounds for concern that children receive the worst of both worlds: that they get neither the protections accorded to adults nor the solicitous care and regenerative treatment postulated for children
Kent v. United States, 1966*

The Purpose Of This Study

The study was undertaken to examine the recidivism rates of juvenile offenders who participate in a diversion program called first-time offenders program. In 1998, more than 4,763 juvenile arrestees in Oklahoma were assigned to these programs. First-time offenders programs have become an increasingly popular way of handling juvenile first-time and status offenders due to growing concerns about recidivism. Status offenders are behaviors that are illegal because of the offender's age (Feld, 1993). Examples include underage drinking, underage tobacco use, truancy, and curfew violations. Recidivism refers to the continuation of law-breaking behavior after being arrested, processed, and released following some sort of legal intervention. In this regard, it is generally believed that full involvement with the juvenile justice system for first-time and status offenders often perpetuates rather than prevents reoccurrences of the offending behavior (Butts and Harrell, 1998; Godwin, 1996; Krisberg and Austin, 1993).

The purpose of this study is to examine the benefits of Community-based correction prevention/intervention, more specifically, First Offenders Programs as an alternative to the traditional incarceration of juvenile offenders. Furthermore, this study was undertaken to examine the issue of recidivism among young offenders. For this research,

a model based upon the theories of Labeling Perspective and Community-Based Correction/Diversion Programs will provide a foundation to the study in order to describe the proliferation of new programs and the tremendous influx of tax dollars. The Labeling Perspective provides a theoretical foundation for juvenile diversion by calling attention to the potentially dangerous effects of formal system processing. The author will review different models of community-based programs and related examples in an attempt to demonstrate the current paradigm of individualized justice, and, finally narrowing the scope of this study, the author will focus on two First-Offender programs in Oklahoma: Tulsa's Misdemeanant Alternative Program (MAP) and Oklahoma City's First Offender Program (Skill). The following research questions will guide this study:

- Do juvenile offenders in Community-based programs show lower recidivism rates as compared to custodial juvenile offenders?
- Does the county (Tulsa or Oklahoma) impact the level of recidivism rates of first-time offenders?
- Is there a significant difference in recidivism rates between racial groups?
- Do female juvenile offenders show lower recidivism rates than male juvenile offenders?
- Does the county have an impact on recidivism when controlling for type of program?"
- Do older juvenile offenders show a higher recidivism rates than younger juvenile offenders?

Using the benchmark of recidivism, the author will compare Oklahoma and Tulsa counties' recidivism rates for juveniles in the First-offenders programs. Furthermore, the author will assess the impacts of community-based model program and of juvenile secured detention, by comparing their recidivism rates. Lastly, the author will examine

the correlations between recidivism rates and the years in which the programs were administered and offender characteristics. The results will serve as a guide for local government agencies, law enforcement, and surrounding Juvenile Bureaus to ensure that adequate allocation of funding and resources are given to Community-Based Correctional initiatives. Chapter 2 begins with a chronological review of deinstitutionalization, which led to the implementation and creation of diversionary programs. Chapter 3 presents an outline of the theoretical framework of the labeling and community-based perspectives, followed by the review of community-based diversionary models in chapter 4. Chapter 5 outlines the methodology of the research designs; concluding with a discussion of chi-square, and research questions to be tested; furthermore, presents the findings of analysis, beginning with bi-variate effects of each of the variables on recidivism. Finally, concluding with a summary and conclusion of the results representing the analysis of effects.

In order to understand alternatives to custody in a contemporary sense and appreciate attempts currently made by governments, it is necessary to explore the historical antecedents that led to the emergence of alternatives and the prison institution (Bailey, 1981; Cohen, 1985; Foucault, 1977; Garland, 1985; Ignatieff, 1978, 1983; Rothman, 1971; Scull, 1977; Vass, 1984: 6-41; Vass, 1990).

Over a century ago, the juvenile justice system was created because children were subjected to unspeakable atrocities in adult jails and returned to society as hardened criminals. As the prison system developed, it became clear that housing young offenders and adult inmates together was self-destructive and self-defeating (Ziedenberg & Schaeradi, 1998).

However, it was not until early 1961, as an outgrowth of the White House Conference on Children and Youth, was the President's Commission on Juvenile Delinquency and Youth Crime established. The Commission was able to recommend and secure enactment of the Juvenile Delinquency and Youth Offenses Control ACT of 1961 and its amendments of 1964 and 1965. This statute authorized the Secretary of Health, Education, and Welfare to provide grants to state, local, and private agencies to conduct various projects in search of improved methods for the prevention and control of juvenile delinquency (Bartol and Bartol, 1989).

Historically, juvenile justice policy has oscillated between rehabilitative and punitive approaches to managing young offenders. For example, policy and practice in the 1970's and 1980s emphasized individual treatment for young offenders in non-secure, community-based programs. However, increases in violent youth crime during the past two decades have renewed interest in punishing delinquent youths (Jenson and Howard, 1998).

Overcrowding has been pervasive in juvenile facilities across the country. In 1987, 36 percent of the confined juveniles were in overcrowded facilities. By 1991, that number had risen to 47 percent. A 1993 report issued by the United States Department of Justice found that nearly half of all youthful offenders were housed in facilities that were too crowded. The daily average populations of juvenile facilities had increased by 30 percent to 65,000 between 1979 and 1991. According to Forst 1995 more than 570,000 youth spent at least some time in detention in 1990. Forst concluded that crowded conditions at many juvenile facilities have led to higher rates of violence, more suicide attempts, reduced health care, and declining safety and security (Forst, p. 228).

Juvenile justice policies have again moved to the center of public attention and political debate in recent years. An increase in youth crime, stories of frustrated parents seeking help for their troubled children, and criticisms of juvenile justice programs have led to demands for change in the way young offenders are charged, punished and treated (Howell, Krisberg, & Jones, 1995; Jenson, Howard, 1998).

Public concern about violent juvenile crime is at an unprecedented high (Butterfield, 1996). The increasingly violent nature of contemporary youth crime and the escalating number of young people involved with the juvenile justice system have challenged established beliefs guiding policy and practice with offenders. The needs of all troubled youth should be considered while a policy change in the juvenile justice system is debated. Crimes have been one of the top issues on the public agenda now for a quarter-century. Over the course of that period, the public responses have been to progressively increase the rate at which criminals were sent to prison and the length of time they stay there. The 1980's saw the largest growth in the U.S. prison population since the penitentiary was invented, as legislatures around the country passed a flurry of new bills establishing mandatory minimum sentences for various crimes. In most states, the number of prison inmates more than tripled (Greenwood, Model, Rydell, & Chesi, 1996). The number of juveniles referred to the juvenile justice system each year has decreased 13.4 percent from 19,168 in FY1996 to 16,590 in FY2; due in part to prevention and intervention program, such as the First Offender Program. Overall, arrest rates of persons under age 18 (per 100,000 persons age 10 to 17) in Oklahoma for the total crimes reported in 1996 were 7,454; total crimes for 1997 were 7,915 total crimes

for 1998 were 7,685; total crimes for 1992 were 2,781 and total crimes for 2000 were 6123.

Given the scope of the problem, it was surprising that incarceration was the only remedy evoking widespread endorsement. Incarceration's main goal was to incapacitate criminals so they can commit no further crimes for a period of time and to deter those who might contemplate criminal activity. However, incarceration also served as a breeding ground for more crime, not less, by exposing the naive offender to the more sophisticated and hardened criminal elements (Friday & Petersen, 1973). Hence the argument was that incarceration contaminated the juvenile and thus impeded any chance of reform. Also, incarceration carried such a severe social stigma that it frequently hinders the rehabilitation of juvenile offenders. The primary stimulus invoking this concern is the cost of incarceration. For instance, the estimated cost ranges from \$10,000 to \$15,000 per inmate annually (Allen, Latessa, and Vito, 1986; Sudipta, R., 1990).

History of mishandling of juvenile detention centers

Because of growing social problems and shrinking budgets for social programs, overcrowding in detention facilities has worsened in virtually all jurisdictions (Ghezzi and Loughran, 1996). When Young and Pappenfort (1977) searched the literature on the usefulness of detaining children, they concluded that the main issue was what they had always been detained. Detention was misused for large numbers of youths awaiting hearings before the nation's juvenile courts.

Some of the ways detention was misused happened within the many jurisdictions that were unable to mobilize the resources necessary for attending to children with neurological and psychiatric needs. These children were often detained, sometimes for

excessive lengths of time. Use of secure detention for dependent and neglected children appeared to be on the decline as more jurisdictions developed either shelter-care facilities or short-term foster home programs. Some jurisdictions, however, misclassified dependant and neglected children as youths in need of supervision and placed them in secure detention. The extent of this practice is unknown (Smykla, 1981).

Status offenders tended to be detained at a higher rate and for longer periods than youth apprehended for adult-type criminal offences. Youth of racial and ethnic minorities tended to be detained at higher rates and for longer periods than whites; females were detained at higher rates and longer periods than males (Smykla, 1981).

Jenson and Howard (1998) asserted that contemporary juvenile justice policy stresses punishment and control of young offenders. Policies implemented since 1985 have lowered the age at which juveniles can be tried as adults, enacted stricter punishments for drug- and gang- related offenses, and introduced stringent treatments such as boot camps for all juvenile offenders (Office of Juvenile Justice Department Prevention, 1996).

Without meaningful involvement by the local community and the public addressing the problem, detention centers will continue releasing children who are worse when they leave than when they first entered. It may be that today's urban, industrial society, with its small, geographically mobile, isolated family units and the de-emphasis of meaningful community involvement and responsibility has created the potential for increasing, not decreasing, child abuse in our nation's juvenile detention (Smykla, 1981).

CHAPTER 2

RATIONALE FOR DEINSTITUTIONALIZATION

To fully understand the purpose of this study and its significance to the juvenile justice community, it is important to look at the factors that led to the deinstitutionalization of status offenders reform movement as well as the controversies that surrounded it. Chapter two will provide groundwork in which to understand deinstitutionalization. In layman's term deinstitutionalization, simply means total removal of status offenders from institutions where serious and violent youthful offenders are housed, thereby providing community-based alternatives that permit status offenders to receive treatment and remain within the community.

The treatment of status offenders, youths who have been charged with violations that would not be criminal if committed by an adult, for example, had long been a contested issue (Speirs, 1989). Several theorists have assessed philosophical and institutional development in juvenile justice policy. Traditional or orthodox explanations for developing total institutions and juvenile institutions in particular, emphasized the evolutionary progression from traditional forms of corporal punishment to the development of correctional institutions, separate juvenile institutions, and eventually a separate juvenile justice system (Hawes, 1971; Pickett, 1969; Mack, 1909; McGarell, 1988).

The first juvenile court in the United States was established in Chicago in 1899. In the long history of law and justice, juvenile justice was a relatively new development. The juvenile justice system has weathered significant modifications in the past 30 years,

resulting from Supreme Court decisions, Federal legislation, and changes in state legislation (Juvenile Offenders and Victims: 1999 National Report). Such modifications were the decline of juvenile correction institutions, particularly training schools for the purpose of detaining and incapacitating to a reintegration juvenile justice system, by providing treatment/intervention through diversion. Most importantly, it has evolved from a debilitating kind of system to a reintegration system due to the Office of Juvenile Justice Delinquency Prevention Act of 1974. This important act eliminated the old Youth Development and Delinquency Prevention Administration and replaced it with the Office of Juvenile Justice and Delinquency Prevention within Law Enforcement Assistance Administration. In 1980, the Law Enforcement Assistance Administration was phased out the Office of Juvenile Justice Delinquency Prevention and became an independent agency in the Department of Justice, Attorney General's Office.

Nationwide, the number of juveniles committed to or detained in public correctional facilities for status offenses has currently declined. The Office Juvenile Justice Delinquency Prevention Act of 1974 mandated that status offenders, dependent and neglected youth, and abused youth be removed from adult jails, detention centers, and training schools. In other words it ordered that juveniles could not be housed in facilities where they would have regular contact with adult criminals. The Office of Juvenile Justice and Delinquency Prevention coordinated all federal delinquency prevention and control efforts. In addition, the Office of Juvenile Justice led and supported research, provided training for juvenile justice professionals, and gave technical assistance to state and local policymakers and practitioners. The ACT also encouraged the development of community-based alternatives to the institutionalization

of nonviolent and non-dangerous delinquent youth. Although participation in the federal juvenile delinquency program was voluntary on the part of the states, their receipt of federal funds was tied to the achievement of specified objectives (Schwartz, 1989).

One of the most important juvenile justice policy initiatives had been to remove status offenders from secure detention facilities that also house delinquents. Along with removing all juveniles from adult jails, the Juvenile Justice and Delinquency Prevention Act of 1974 made the deinstitutionalization of status offenders a cornerstone of its policy. The purpose of removing status offenders from secure detention facilities was two-fold: to reduce their interface and personal relationships with serious delinquent offenders and to insulate them from the stigma and negative labels associated with being a detainee in a locked facility. Deinstitutionalization was rooted in freeing juveniles from forced restrictive contact with more serious offenders, thus countering the primary causes of delinquent careers (Siegel and Senna, 1991).

The 1970's witnessed phenomenal growth in community-based corrections. Often this growth was poorly planned and /or implemented. When research began to demonstrate that community-based correctional strategies were valuable, but not always effective, program growth slowed. Speaking on behalf of legislation, Birch Bayh (1971) summed up the sentiments of the early and middle 1970's:

Today, too many young people are thrown into custodial institutions that should be handled in the community. We wanted to find ways to established meaningful alternatives to incarceration...punishment isolation, neglect, and abuse seems to be the hallmarks of institutional life. This includes harassment, injury to human dignity, and the gross denial of human rights.

These sentiments were then translated into legislation. The Juvenile Justice and Delinquency Prevention Act of 1974, and subsequent revisions of it, made federal funds available to states in order to encourage deinstitutionalization, the Act also required recipients to remove all status offenders, but not delinquent offenders, from secure places of pre-court detention and post adjudication incarceration. (Senate & House of Representative, 1974; Empey, 1982). The federal objective with regard to status offenders and deinstitutionalization implied at least a partial acceptance of a non-interventionist labeling philosophy toward juvenile justice (Korbin and Klein, 1983).

Passage of the Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974 marked the beginning of the major federal efforts to prohibit the incarceration of juvenile status offenders in our jails, detention centers, correctional facilities, and other institutional settings. Status offenders were youths who had been charged with violations that would not be criminal if committed by an adult (Korbin and Klein, 1983).

A basic tenet of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, is the development of community-based alternatives to incarceration in lieu of large congregate institutions. The Act states:

[I]t is the declared policy of Congress to provide the necessary resources, leadership, and coordination . . . to develop and conduct effective programs to prevent delinquency, to divert juveniles from the traditional juvenile justice system, and to provide critically needed alternatives to Institutionalization. (42 U.S.C. 5602, sec. 102 (b)(2)).

It defines a community-based facility, program, or service as:

[A] small, open group home or other suitable place located near the juvenile's home or family and programs of community supervision and service which maintain community and consumer participation in the planning, operation,

and evaluation of their program which may include, but not be limited to, medical, educational, vocational, social, and psychological guidance, training, special education, counseling, alcohol treatment, and other rehabilitative services (42 U.S.C. 5603, sec. 103 (1)).

Pressures from the legislative reform of the nation's juvenile detention centers were building. The Juvenile Justice and Delinquency Prevention Act provided federal funds to states and local communities to set up new programs for juvenile offenders instead of detention (Smykla, 1981). A major goal of the Juvenile Justice Delinquency Prevention Administration overall was the deinstitutionalization of status offenders and, if at all possible, all non-serious delinquents. Some members of Congress felt that none but the most serious offenders should be incarcerated, but, as it turned out, only status offenders were protected from institutionalization (Bartol and Bartol, 1994).

Deinstitutionalization simply meant avoiding the placement of juveniles in correctional institutions. The Juvenile Justice and Delinquency Prevention Act of 1974 called for developing a series of deinstitutionalization programs for status offenders (Rojek, 1982; Bynum and Thompson, 1996). The most convincing argument for community-based corrections lies in the failure of prisons and other custodial institutions. Prisons have incurable problems: riots, assaults, homicides, suicides, rapes, homosexuality, gambling, loan sharking, drug abuse, corruption, and alienation. Prison is not a place for correction. Prison is a place of coercion where compliance was obtained by force (Sandu, 1981).

The political conservatism and economic recession of the 1980's also contributed to the decline in the program growth. The slow growth of programs could best be viewed as an opportunity for reassessment and improvement (McCarthy and McCarthy, 1984).

Although what constituted the community was often not well defined, community-oriented interventions have been at the forefront of policy and program innovation in a wide range of areas relevant to understanding, preventing, and controlling juvenile crime (McCord, Wisdom, and Crowell, 2001).

In 1980, Congress specified that status offenders and non-offenders be removed from "secure" juvenile detention and correctional facilities and, as part of the continuing effort to reduce the number of juvenile offenders who become adult offenders, added a third mandate that prohibited states from detaining juveniles in jails and local lockups. Community-based correctional programs have many rationales, but their principal correctional goal is to reintegrate offenders into the community (McCarthy and McCarthy, 1984).

The federal government traditionally has preferred to leave the subject of juvenile crime to the states. The policy of deinstitutionalization was made explicit in the overhaul of federal statutes pertaining to crime in the Comprehensive Crime Control Act of 1984. Nevertheless, the federal government did and continues to maintain control over state practices by making receipt of federal funding contingent upon meeting the provisions of the Juvenile Justice Delinquency Prevention Act. Therefore, if a state receives federal funds for its delinquency-related programs, it was mandated to deinstitutionalize status offenders. The Juvenile Justice Delinquency Prevention Act also strongly encouraged developing alternatives to incarceration for dealing with delinquent youth (Krisberg and Schwartz, 1983; Bartol and Bartol, 1994)

Deinstitutionalization included both "decarceration" and diversion to non-institutional programs or nonpunitive facilities. Deinstitutionalization did not mean that

juvenile status offenders could not be placed in group homes or residential treatment programs. They were to be diverted from juvenile justice processing to alternative services and treatment facilities (Hellum, 1979). Since these facilities could be residential, some status offenders were in effect still confined, though not incarcerated.

While the juvenile court was founded upon the philosophy of protection and rehabilitation and viewed its foremost goal as preventing juvenile offenders from becoming adult criminals, many actions taken by the juvenile justice court have, until recently, been viewed as punitive in nature. Consequently, as the treatment and prevention ideologies have gained support in juvenile corrections, we have experienced a noticeable trend toward deinstitutionalization and the diversion of youths from the formal juvenile justice system (Bartol and Bartol, 1994).

A local precedent for the deinstitutionalization status offenders mandate was established in 1972. The Commonwealth of Massachusetts closed the last of its juvenile institutions after years of failed reforms had been proven inadequate. This came at a time when Jerome Miller was commissioner of Massachusetts' Department of Youth Services (Holden and Kopler, 1995).

Massachusetts led the movement to keep juvenile offenders in the community. Massachusetts' juvenile correctional system is invariably cited as the "founding father" of deinstitutionalization, having accomplished wide-scale reforms that began in 1970. The Massachusetts Department of Youth Services' closure of its large-scale training schools for youths in 1970-71 predated the events that are now unfolding in some states. The history of the Massachusetts juvenile justice system reveals a cyclical process that

has repeated itself over the 126 year existence of the reform schools (Guarino-Ghezzi and Loughran, 1996).

At first, reformers such as Jerome Miller revealed the futility of exposing youths to the hardships of high-security institutions. Miller knew that the success of Massachusetts' experiment with deinstitutionalization status offenders would depend on his ability to transform an institution-centered juvenile justice program into a community-based network of programs and services for troubled youth. Before closing the institutions, Miller decentralized Department Youth Services by creating seven regional offices and a program through which it could purchase beds, equipment, and services from private companies.

Then in 1974, the Juvenile Justice and Delinquency Prevention Act tied the receipt of federal funds for programs to the removal of status offenders from institutions. Consequently, many states removed their juvenile offenders from institutions. Most states now have provisions banning the institutionalization of status offenders with delinquents (Siegel and Senna, 1991).

The Deinstitutionalization of status offenders provision was one of the Act's original mandates. As enacted in 1974, it required States to "provide within two years that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult shall not be placed in juvenile detention or correctional facilities, but must be placed in shelter facilities." The Juvenile Justice Delinquency Prevention Act also mandated that juveniles be separated by sight and sound from adult offenders in detention and correctional facilities (Holden and Kopler, 1995).

In 1976, the Deinstitutionalization of Status Offenders mandate was clarified through the formulation of a substantial compliance standard, which required States to reduce the number of status offenders and nonoffenders confined in their detention and correctional institutions by 75 percent over a 2-year period (Holden and Kopler, 1995). Congress amended the Juvenile Justice Delinquency Prevention Act in 1977 to bring "nonoffenders" such as dependent and neglected youths under the Deinstitutionalization of Status Offender provision and to provide States with broader alternative placement options for status offenders and nonoffenders, including nonplacement. The amendment accomplished this goal by removing the requirement that deinstitutionalized youths be placed in shelter facilities. The 1977 amendments also gave states an additional 3 years—up to a total of 5 years—in which to comply with the Deinstitutionalization of Status Offenders mandate (Holden and Kopler, 1995).

Initially, many of the early programs suffered from residential isolation and limited services. Over time, however, many of the group homes and unlocked structured residential settings were relocated in residential community environments and became highly successful in addressing the needs of juveniles while presenting little or no security risk to themselves or others. Early examples of community-based programs were established through private agencies (Siegel and Senna, 1991).

The impetus for correctional reform in Massachusetts at that time was an outgrowth of various public scandals and governmental investigations of the corrupt and deplorable conditions that pervaded some of the state's secure correctional institutions for juveniles (Miller and Ohlin, 1981). Miller describes in his 1991 book, an environment

filled with open toilets, the stench of urine, rules of silence, the frequent use of solitary confinement, and staff brutality.

The private sector was a critical player in expanding placement options. In Massachusetts, over 60 percent of the total Department Youth Services budget was allocated to purchasing services from private vendors in the community. Forty-five private, nonprofit companies account for approximately ninety individual accounts (Guarino-Ghezzi-Loughran, 1996). Roxbury YouthWorks, an inner-city program in Boston, MA was just such a private community-based agency controlling juvenile delinquency through a comprehensive range of resources that included: (1) evaluation and counseling at a local court level; (2) employment and training; (3) detention diversion; and (4) outreach and tracking to help youth re-enter the community. YouthWorks was one of twenty-four independent programs, both residential and non-residential, contracted with the state's Youth Services Department to provide intensive community supervision for almost 90 percent of all youth under its jurisdiction (Siegel and Senna, 1991).

The success of the Massachusetts experiment has been tied to the network of community-based alternatives that it spawned (Hamm, 1993). Proponents of deinstitutionalization and community-based corrections believe that, through carefully designed programs and employment of quality staff, most delinquent youths could be handled in the community without jeopardizing public safety. According to Robert Coates (1981:481), placement decisions regarding youths "Should be guided by the principle that the best choice is the least restrictive alternative appropriate for a particular

youth.” Clearly, secure corrections remain necessary for some offenders, especially those who have demonstrated a capacity for violence (Coates, 1981).

Responding to the call for deinstitutionalization, California passed a law in 1977 that included an article on home supervision. Rather than being sent to a detention home, youths were allowed to remain in their homes during court disposition and probation officers were to make daily checks (Johnson and Elmer, 1987).

There were other dramatic examples of jurisdiction that had attempted to reduce the need for high-security institutions in treating delinquent offenders. Similar to the Massachusetts experience, Vermont closed Weeks School—the only training school in the state in 1979—and moved to a non-institutional system. As of 1985, Vermont did not operate a Juvenile facility. In 1975, Pennsylvania removed youths from the Camp Hill Penitentiary, which had been used to house the most hard-core juvenile offenders. In 1978, Utah established a system of seven community-based programs as an alternative to traditional institutionalization in the states’ Youth Development Center (Siegel, and Scnna, 1991).

Traditionally, the juvenile courts have strived to maintain a balance between rehabilitating and punishing offenders. The extent to which policy with influence over young offenders had emphasized rehabilitation versus punishment had changed intermittently over the past 30 years. Influenced by principles of deinstitutionalization, practice in the 1970s and 1980s was based on individual treatment models, encouraging the placement of offenders in non-secure, community-based programs. Since 1990 these practices have been de-emphasized in favor of strict sanctions and incarceration (Office of Juvenile Justice and Delinquency prevention (OJJDP, 1996).

Juvenile justice policies emphasizing decriminalization and deinstitutionalization were adopted by all states between 1975 and 1985. Public policy encouraged rehabilitation and individualized treatment over punishment and incarceration of offenders. Although several studies found that community-based treatment reduced recidivism and did not pose a significant threat to public safety, widespread application of community-based and other rehabilitative interventions was short-lived. (Coates, Miller, & Ohlin, 1982; Krisberg, Austin, Joe, & Steele, 1988; Jenson and Howard, 1998). Changes in the nature of youth application of crime and in the political climate during the mid-1980s signaled a return to policies of punishment and criminalization. These included an increase in violence, youth involvement in crack cocaine use and distribution, and highly publicized incidents of gang activity led to a gradual reduction in treatment oriented policies and services between 1985 and 1990 (Jenson and Howard, 1998).

In 1992, Congress added a fourth mandate requiring that States receiving Office of Juvenile Justice Delinquency Prevention Act formula grants provide assurances that they would develop and implement plans to reduce the overrepresentation of minorities in the juvenile justice system. A state was subject to the Juvenile Justice Delinquency Prevention Act's disproportionate minority confinement mandate if the proportion of minority juveniles confined in that State's detention and correctional facilities exceeds the aggregate proportion of minority groups in the general population (Holden and Kopler, 1995).

Juvenile delinquency prevention programs rest on the premise of humanely putting a stop to delinquency, before it occurs rather than react to it, punitively, after it occurs - a view bolstered by sociological theory (Empey, 1982), concern for victims

(NCJISS, 1979), and, occasionally, economic analysis (Falkin, 1979). Though the humane benefits of a prevention strategy maybe apparent, these times of stringent human service budget necessitate a more probing analysis (Lipsey, 1984). Deinstitutionalization policies must be broadened to take into account the interrelatedness of the juvenile justice, child welfare, mental health, and the many new chemical dependency and private youth residential systems (Thompson and Bynum, 1991).

CHAPTER 3

LITERATURE REVIEW

Theoretical Development

In this chapter the practical and theoretical foundation of this study are examined. A brief history of the diversion movement will be discussed to provide an understanding of the first-time offenders program. A rich body of historical literature provided the theoretical groundwork for tracing the evolution of the penitentiary, house of refuge, asylum, reformatory, and the juvenile court. The concept of diversion was based on the theoretical framework of the Labeling Theory, which argues that processing certain youths through the juvenile justice system may do more harm than good (Lundman, 1993; Sheldon, 1999).

When an individual commits an offense, it is assumed that law enforcement officials will take all possible measures to apprehend the offender and process them through the Criminal Justice System. Rooted in this assumption, is yet another, which assumes that state intervention reduces crime, either through punishment, rehabilitation, or simply locking up the offender, so they are no longer free to reoffend.

Labeling theorists argue that, rather than reducing crime, state intervention can have the unanticipated and even ironic consequences of fostering the very behavior it was ultimately meant to deter. In other words, from a labeling perspective, the criminal justice system is not only limited in its capacity to deter and prevent crime, but in fact plays a major role in creating more crime. Processing offenders through the system creates more crime, not less (Lilly, Cullen and Ball, 1989).

The labeling perspective was the first to dispute the notion that behaviors were somehow inherently criminal. Prior to the emergence of the labeling theory, many criminologists defined crime simply as behavior that violates laws (Lilly, Cullen and Ball, 1989). However, what labeling theorists argue is that many of these criminologists failed to take into account the fact that crime is a socially constructed phenomenon. Therefore, labeling theorists argue that societal reactions cannot be ignored in the analysis of crime, especially when it is the state acting as the labeling agent.

Frank Tannenbaum (1938) was one of the first sociologists to recognize the negative impact of the application of stigmatizing labels. Tannenbaum (1938) coined the term “dramatization of evil”, in which he argued that “officially labeling someone as a delinquent can result in the person becoming the very thing he is described as being (p. 19).” Not all youths who commit an offence are caught, although all offenders are equally guilty. Central to his argument is the consequences of being caught. Once a youth is caught, he or she is forced to participate in “ritualistic confrontations.” Ritualistic confrontations are the events that follow being caught and are experiences other youths do not share, such as possible institutionalization. As a result of this initial dramatization of evil, the youths self-identity begins to change. The youth is so overwhelmed by the response to his or her actions that he or she begins to internalize the delinquent stigma. The youth becomes bad because he or she is defined as bad (Tannenbaum, 1938).

It was not until the 1950’s that any systematic attempt was made to develop what is currently known as the labeling perspective. Edwin Lemert developed the concepts of primary and secondary deviance.

Lemert's (1951) labeling theory took into account the fact that most adolescents occasionally experiment with delinquent behaviors of status offenses. This initial experimentation is analogous to what Lemert called primary deviance. Primary deviance refers to initial acts of deviance that go undetected by others. Primary deviance is behavior that violates social norms or laws but does not affect an individual's performance in social roles or psychological structure. These behaviors are considered transitory and may be maintained until reacted to, or disposed of for seemingly arbitrary reasons. However, when a youth was arrested and convicted for delinquent behavior, he or she becomes publicly labeled. The youth may react to this label by continuing to engage in illegal activities. The individual's deviant reaction to this label is called secondary deviance. The impact a label has upon the offender's identity, social relationships, and employment opportunities (now that he or she has a record) limit his or her ability to assume a conventional role in society (Lemert, 1951).

Some individuals may self-label by merely reflecting on social expectations in relation to their behavior. These self-labels can reinforce perceived inappropriate behaviors and ascribed public labels and result in a self-fulfilling prophecy. If people think they are "bad" then why try to behave differently (Schur, 1971). In other words, these self-labels can carry the same consequences as public labeling thereby increase the likelihood of continued delinquent status (Becker, 1963; Lemert, 1951).

A renewed interest in the labeling theory arose nearly a decade later when Howard Becker (1963) proposed that deviance was created by rule enforcers.

"Social groups create deviance, by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labeling them as outsiders (Becker, 1963, p.9)."

Becker (1963) argues that deviance is not a quality of the act an individual commits, rather it is a consequence of the application of rules and sanctions by others. Thus, deviance is created by social groups who make and enforce rules and a deviant is one to whom a stigmatizing label has successfully been applied (Becker, 1963).

Becker (1963) distinguishes between rule breaking behavior and deviant behavior. He argues that rule breaking behavior was simply the act breaking rules Whereas, deviant behavior is seen as unfolding in a career-like progression, where “one of the most crucial steps in the process of building a stable pattern of deviant behavior was likely to be the experience of being caught and publicly labeled as deviant (Becker, 1963, p. 31). Thus the application of a stigmatization label has a direct and significant effect on subsequent deviant behavior. This is further emphasized by those who apply these labels, namely the police, the courts, and the agents of social control. The theoretical and empirical bases of labeling have been evaluated extensively in past research. Punitive social responses have been associated with subsequent internalization of a deviant identity and conformity to deviant roles. Gold and Williams (1969) found that apprehended youths commit more subsequent offenses than non apprehended youth.

A brief history of the diversion movement is important for understanding the First-offender program. Juvenile delinquency has its roots in both the delinquents themselves and the community of which they are a part. A comprehensive intervention must be responsive to both sources. It must work towards developing the youth’s optimal repertoire of pro-social proficiencies, that is, the collection of competencies that permit him or her to lead a satisfying and effective life without resorting to illegal avenues of reward.

A youngster's delinquent behavior most typically has multiple community roots and is influenced by all of the main actors in his or her interpersonal world—peers, parents, classmates, siblings, and others. Each may model antisocial behavior, reward it when it is displayed by others, and show indifference or hostility when pro-social alternatives are employed. For many delinquent youths, schooling in the diverse antisocial proficiencies that constitute delinquency may thus be very much of a “total-immersion” matter, with the lessons, models, and rewards for delinquency being displayed by a great many of these actors a great deal of the time. The youth, in short, may spend most of his or her life as member of a culture that teaches and reinforces delinquent behavior with great consistency. For this very reason, the juvenile justice system must allow first offenders to be treated in the community through diversion programs (Goldstein, Glick, Irwin, McCartey, Rubene, 1989).

Diversion refers to an attempt to divert, or channel out, youthful offenders from the juvenile justice system. Like deinstitutionalization, diversion was primarily intended for status and non-serious property offenders. Richard Lundman (1993) argued that diversion should be the standard response for juveniles who have committed status offenses and non-violent crimes (Bynum and Thompson, 1996).

The term “diversion” was commonly applied to the employment of non-justice centered resources in responding to juvenile offenders. They are also diverted “to” service and treatment alternatives available within the community. However, with regard to status offenders, recent emphasis have been given to “front-end” diversion where police, schools, parents, and others were encouraged to bypass the juvenile justice system

completely and refer incidents involving status violations directly to the appropriate community-based service agency (Korbin and Klein, 1983).

Community-based correction was a by-product of attempts to improve juvenile detention and to divert non-violent juveniles away from a life of crime. Diversion implied more than simply screening out cases that were trivial or unimportant and for which no additional treatment was needed. Diversion encourages an individual to participate in some specific program or activity by express or implied threat of further prosecutions (Siegel and Senna, 1991).

The fundamental goals of diversion programs have been to contain recidivism. Recidivism is a term often used to refer to some absolute measurement of involvement in post-program illegal or morally disapproved activity or behavior. In the case of juvenile offenders, data regarding recidivism reinforces the "criminal" label (Regoli and Hewitt, 1991).

Programs that do not make lowering recidivism an explicit goal ordinarily depend on control or recidivism to achieve other goals. Diversion recidivism often culminates in formalized processing, thereby nullifying certain other goals, such as conserving resources, minimizing system penetrations, and avoiding stigma (Kammer and Minor, 1997).

Outcome studies of diversion programs have produced findings ranging from promising to bleak. Studies examining the recidivism of diverting juveniles relative to that of juveniles in comparison conditions have reported lower recidivism for divertees (e.g., Baron and Feeney, 1976; Bohnstedt, 1978; Davidson, et al., 1990; MetaMetrics, 1984; Pogrebin et al., 1984; Quay & Love, 1977), more recidivism among divertees

(Brown et al., 1989; Lincoln, 1976), and no difference (Dunford et al., 1981; Rausch, 1983). This mixed pattern of findings is not surprising when one considers variation among juveniles involved, among the program and among the research method employed to study them (Kammer and Minor, 1997).

Developing community-based programs in the field of juvenile corrections had been encouraged not only because traditional institutionalization, fraught with predatory violence, manipulation, and exploitation of inmates, may have done more harm than good, but because of the serious problem of strained resources. Problems such as these, coupled with high rates of recidivism, have overburdened correctional systems in states and raised important questions about the feasibility of cost-effective alternatives for addressing the problem of juvenile delinquency (Krisberg, Austin and Steele, 1989). In Oklahoma, the Community-Based Youth Services Unit (CBYSU) administers and manages the Oklahoma Juvenile Affairs' contracting process with designated Youth Services Agencies. Youth Services Agencies develop, implement, and operate community-based delinquency prevention, diversion, and treatment programs. CBYSU's mission is to ensure that contracted services are accessible and that they meet the needs of children, adolescents, and families in their local communities. Mandates of The Community-Based Youth Services Unit are authorized under O.S. Title 10, § 7302-3.2, -3.5 and -3.6 to enter into agreements for establishing and managing community-based delinquency prevention, diversionary, and treatment youth services programs. Designated "Youth Service Agencies" contract with the Community-Based Youth Services Unit to establish and maintain locally governed emergency shelters, diagnosis services, crisis intervention, counseling (individual and group) services, case supervision,

job placement services, first time offender programs, recruitment and training of volunteers, consultation, brokerage of services, and agency coordination (<http://www.state.ok.us/~oja/#EXEC>).

The use of alternatives to incarceration for nonviolent accused adjudicated offenders must be increased. Most nonviolent offenders, including minor offenders, first-time serious offenders, repeat property offenders and drug-involved juveniles, can be rehabilitated successfully and controlled without adjudicating youths. A combination of non-residential and residential sanctions should be used (Wilson, 1994).

The majority of diversion programs handle status and minor delinquent offenders, and diversion was frequently justified as a way of precluding escalation into more serious patterns of offending (Kammer and Minor, 1997). Community treatment referred to a wide variety of efforts to provide care, protection, and treatment for children in need. These efforts included probation, diverse treatment services such as social casework, group work, and the use of volunteers in probation, as well as restitution and other appropriate programs. The term community treatment also referred generally to the use of non-secure and non-institutional residences, such as foster homes, small group homes, boarding schools, or semi-institutional cottages, living programs, forestry camps or outdoor camps and non-residential programs. In community treatment, youth generally remain in their own homes and receive counseling, education, family assistance, diagnostic services, case work services or vocational training (Siegel and Senna, 1991).

The early innovative diversion programs shared the common goals of attempting to intervene with youthful first offenders prior to court processing or possible commitment to a correction facility and to keep the youth in a local community treatment

programs if at all possible. Robert (1989a:82-84) had identified three such early programs worthy of special attention because of their innovations and effectiveness: Project Crossroads, St. Louis Diversion and the Baltimore Diversion Program.

The first, Project Crossroads, was a highly structured community treatment program established in Washington, D.C., in the late 1960s. Project Crossroads combined counseling, vocational training, and academic development to enhance the youth's feeling of self-worth and, thereby, to increase the likelihood of the juvenile's ability to become a productive member of society. Secondly, the St. Louis Diversion Program was established in 1971. The St. Louis Diversion program was aimed at providing home detention as an alternative to placing juveniles in the city's already overcrowded detention center. Finally, as in Project Crossroads, Baltimore's diversion program was funded by the U.S. Department of Labor. Drawing upon the unique experience and expertise of adult ex-offenders, Project Crossroads focused its efforts on job counseling and placement (Regoli and Hewitt, 1991).

Rehabilitation was implicit in the call for an "individual program plan" (often called an individualized treatment plan). An individual program plan also implied that each person's needs were different, and the juvenile court and correctional establishment must take those individual needs into account (Forst, 1995). Observers of the juvenile court system argue that we have expected too much of it, overloading it with cases and calling on it to deal with difficult and complex behavioral and social problems, without equipping the system with the resources for achieving those goals.

Diversion of minor offenders may be viewed as a way to negate the adolescent's transition from primary to secondary deviance (Frazier, 1983). Community-based

intervention programs designed for youngsters designated as juvenile delinquents were largely a phenomenon that began in the late 1960's and early 1970s. The phenomenon arose from several converging influences. During this period, the movement toward deinstitutionalization gathered strength and nearly 800 community mental health centers were established in the United States (Goldstein, et al, 1989).

Some sociological thinker began to call attention to the stigmatizing effects of the label "juvenile delinquent," and many began to call not only for deinstitutionalization for such youth, but also for diversion from the juvenile justice system altogether. According to Feldman, Caplinger, and Woodarski (1983):

The factors that interfere with effective treatment in closed correctional institutions are myriad and potent: They include severe manpower deficiencies, multiple and conflicting organizational goals, overpopulation and accompanying social control problems, prisonization, the emergence of negative inmate sub-cultures, homogenization of inmate populations, adverse labeling and stigmatization, inadequate generalization and stabilization of desired behavior changes, and finally, excessive cost in comparison with virtually all other treatment alternatives (p. 26).

A number of suggestions have been made regarding candidates for diversion. Sarri (1975:12) argued that diversion should be automatic for "first offenders charged with status offenses, minor misdemeanors, repeated status offenders, or youth known to have received services [treatment] in community agencies" (Sarri, 1975). Despite differences in specific aspects of diversionary programs, they all share some common goals. The most important of these goals is to divert juveniles from official adjudication procedures in an effort to avoid the stigma associated with being labeled a juvenile delinquent. Moreover, these programs were designed to ease the caseloads of overcrowded juvenile courts and overworked correctional officials so that their efforts

could be focused on more serious chronic juvenile offenders (Bynum and Thompson, 1996).

Who is to be screened out, diverted, or sent on to court referral will most probably differ among communities. The nature of the delinquency problem varies widely from community to community, from the level of community concerns to the patterns of juvenile misconduct (Regoli and Hewitt, 1991).

The great variety of community-based correctional programs for youths should make it possible to appropriately meet the needs of all juveniles, but most communities have established only a few programs. A lack of resources, as well as a lack of agreement regarding program objectives, often results in the misuse of community corrections programs. Much planning and conscientious program implementation were required if the juvenile justice system is to help prevent youthful offenders from becoming adult criminals (McCarthy and McCarthy, 1984).

Community-based programs were preventive rather than simply reactive; they emphasized building the strengths and capabilities of young people and their families, rather than simply treating their deficiencies or preaching virtue at them. They encouraged productivity and responsibility, and they tackled concrete, real-world problems that undercut life chances and bred hostility, stress, and demoralization. Most of the successful programs were comprehensive or what some would call "ecological". They addressed the multiple problems of children, youths, or families wherever they arose: in the family, the community, the health-care and school systems, and the housing and labor markets. Many of the best programs were quite modest and often inexpensive.

Each type of community-based correctional program has its own unique history. Some programs, such as halfway houses and restitution, have been in existence for centuries. Others, such as alcohol detoxification programs and citizen dispute settlements centers, were relatively new developments, although the desirability of such efforts has long been recognized. In the late 1950's and 1960's, however, the general concept of community-based corrections began to gain recognition and support. Gradually, the diverse programs now known under the umbrella term community-based corrections began to be viewed as distinct and essential components of the correctional policy of reintegration (McCarthy and McCarthy, 1984). A brief history of diversion models is undertaken in the next section. It is important to explore new approaches for providing effective services to juvenile offenders. Then the discussion turns and examines youth services agencies and the implementation of First Offenders Programs.

CHAPTER 4

MODELS OF COMMUNITY-BASED CORRECTIONS

Models of Diversions

There were many strategies for diverting offenders from the juvenile justice process. Many diversion programs differ slightly in their approaches; however, their efforts to treat juveniles while in the community remains the same. Theoretically, their goals were to rehabilitate the general offender by treatment, guidance, support and supplemental programs while the child remains in the community. In this section, three areas of community-based correctional treatment programs for status offenders and first-time offenders will be presented: Short-term Residential, Long-term Residential, and Non-Residential. Several variations of these three program areas will be presented as well. Furthermore, included in this discussion are previous outcome studies of community-based correction.

Short-Term Residential programs

A number of factors have affected the placement of juvenile offenders in non-secure community-based facilities. In some instances, it may be beneficial to treat the child outside the context of the family when that environment is momentarily inadequate or threatening. For example, situations of "family crisis" may dictate the temporary removal of the child from the home until the crisis was resolved. Residential programs allow children to be placed outside the home without the more destructive and stigmatizing outcome of institutionalization (Berger, 1996).

Short-term residential programs for children include shelter care, small group homes, emergency foster care, and runaway services. Shelter care facilities, also called

attention homes, are public or private non-secure facilities designated to provide temporary placement for alleged or adjudicated status offenders prior to the issuance of a dispositional order. A stay of three weeks is about average, but it is not uncommon to find that some children are neglected by juvenile court and left in these facilities for five or six months while the court deliberates (Smykla, 1981). Generally, shelter care facilities were used to house youths awaiting trial on charges that do not warrant secure confinement. Such programs provided five hours of academics daily, interim group counseling, vocational training, medical and recreational services (Guarino-Ghezzi and Lougham, 1996).

Shelter care centers should not to be confused with group homes, long-term residential facilities that will be discussed later. On the surface, they seem similar, and quite often the children they serve are similar. Costs of the two are also often comparable since both must furnish transportation and living, sleeping and eating facilities. The difference, however, is that shelter care provides short-term residential care prior to the juvenile court's disposition; while group homes provide long-term residential care for adjudicate children (Guarino-Ghezzi and Lougham, 1996).

Shelter care facilities were especially useful in situations calling for short-term, non-secure placements. Normally, shelter care facilities were used for dependent and neglected children and status offenders who may be runaways or truants or who are often the victims of sexual or physical abuse (Siegel and Senna, 1991). These facilities, which may provide care for a small group (5 to 10) of youngsters, are particularly suitable for runaways and /or abused children. Short-term shelters have been established in some

communities through the efforts of private groups and organizations and many depend on private funding or donations (Rogers and Mays, 1991).

One noteworthy short-term residential program is the "Attention Home" in Anaconda, Montana. The home was first developed as an alternative to jail. Most referrals were from the court probation department. Two-thirds of the admissions (forty-seven in all) in 1975 were alleged status offenders. However, the Attention Home received juveniles whose problems differed greatly. At one extreme were youths who stayed for short periods, an average of less than four days and no more than two weeks. At the other extreme were a small number of youths with complicated personal problems for which it was difficult to find solutions. These adolescents may remain in residence for periods as long as two to five months (Smykla, 1981).

Long-term Residential Programs

Other examples of effective models of community-based correctional are long-term residential programs. Long-term residential programs can be divided into four major categories: (1) group homes, including boarding schools and apartment type settings, (2) foster homes, (3) family group homes, and (4) rural programs.

Group Homes

The Office of Juvenile Justice and Delinquency Prevention (1993) recommended that effective treatment be facilitated by small programs as opposed to large institutions. Group homes are non-secure, structured residences that provide counseling, education, job training, and family living for children in trouble; group homes are staffed by a small number of qualified persons, and they generally hold twelve to fifteen youngsters. The institutional quality of the environment is minimized, emphasizing family-style living

home atmosphere. Children are given the opportunity for a close but controlled interaction and relationship with the staff. Children reside in the home, attend public schools, and participate in community activities in the area.

Group homes for children generally provide a structured living environment and personal and social services to youth who have usually been placed there through court commitment or as a condition of probation. Group homes are also used as transitional living facilities for those juveniles reentering the community after having been institutionalized. In practice, however, juvenile justice officials must wonder to what extent group homes meet these idealized goals and are truly meaningful community corrections.

During the 1980's and 1990's extensive work was done on group home settings. Two pioneering community-based residential treatment programs in the field of juvenile corrections served as models for many other programs: The Silverlake experiment and the Highfields project (Siegel and Senna, 1991).

The Silverlake experiment presented the opportunity to consider in microcosm some of the hopes expressed by the President's Commission on Law Enforcement and Administration of Justice for research and experimentation in corrections (Empey and Lubeck, 1971). The Silverlake experiment occurred in Los Angeles County in the Mid-1960's. Seriously delinquent youths were placed in a large family residence in a middle-school neighborhood. Some of them attended local high schools. Only twenty boys at a time lived in the residence. They were responsible for maintaining the residence and for participating in daily group interaction meetings. The Silverlake program sought to structure a social system with positive norms by discussing the youths' problems and

offering positive alternatives to delinquent behavior in the group sessions (Siegel and Senna, 1991).

Research on the impact of the Silverlake community-based program indicated that boys freely shared information about their problem behavior with each other and that the effectiveness of the boys' peer culture as a social control measure increased over time. However, very little difference was found after one year between the Silverlake project youths and those in the control group. Yet, the cost for the Silverlake program was one-third of what the cost would have been for institutionalizing these youth (Bynum & Thompson, 1996).

Not all sociologically oriented treatment and prevention programs involved such ambitious attempts at mobilizing and focusing community resources as these two programs, Highfields Project and Silverlake Project. One of the classic small group treatment programs in a sociological framework, the Highfields Project, began in New Jersey in 1950. The Highfields Project took boys who had been placed on probation by the court and assigned them to a facility where they lived, worked, and played in supervised, small social groups. The Highfields project was a short-term residential non-secured program for boys. The boys were kept for periods of three or four months. The recidivism rates were lower for the Highfields participants, but not dramatically. Still, the project was viewed as having been effective with a large number of boys and was much less expensive to operate (Bynum and Thompson, 1996). The Highfields project was evaluated by using a controlled group of boys sent to Annadale, a juvenile reform school in the same state. One year after release, Highfields boys had a lower recidivism rate than Annadale boys. However, the validity of the recidivism rates was questioned

because of the difficulties associated with matching the control treatment groups (Siegel and Senna, 1991).

Group homes offer several advantages to their residents. First, they typically provide fewer restrictions and more freedom than do state correctional institutions. Second, residential programs based on the group-home concept may offer educational, course, remedial, vocational, or academic, and individual and small group counseling (Rogers & Mays, 1991).

Because many centers now view treatment of a child apart from his or her family as artificial or unnatural, many group homes have implemented some form of family counseling or psychotherapy as part of the treatment strategy. The purposes of such a family-oriented approach are threefold. First, parental involvement helps the parents to identify the agency as being therapeutically valuable for the child. Apparently, this may increase parent-staff cooperation, which in turn could benefit the child's treatment. Second, it is hoped that greater contact with agency staff will make the parents themselves more responsive, empathetic, and caring. Finally, the family's involvement in the treatment process may make the child's return to home much faster and his or her reintegration into the family and community much easier (Berger, 1996).

The final historical review of group homes is the Vision Quest. Vision Quest is a diversion program created as an alternative to sending juvenile delinquents to correctional institution. Vision Quest operates nine residential treatment centers in Tucson, staffed by house-parents who are assisted by two counselors. Several youngsters live together in these homes, located unobtrusively in comfortable middle-class neighborhoods (Regoli and Hewitt, 1991).

Group homes take many forms in order to meet the growing need for alternative treatment today. The historical precedents of group homes warrant the mentioning of several variations of group homes in Oklahoma that are imperative to addressing individual needs.

Rogers State University contracts with group homes to provide community residential care programs ranging from Level C to Level E. Level care is a step down from secured detention. Level C programs are for juveniles who do not require 24-hour supervision. Levels D, D+, and E programs provide around-the-clock supervision. Educational services are provided at Level D+ and E programs, while Level D+ and E programs are considered staff-intensive, because of the higher staff-to-resident ratio required (<http://www.state.ok.us/~oja/#EXEC>).

In Oklahoma, Rogers State University operates four group homes: a seven-bed male facility in Enid, a ten-bed male facility in Lawton, and two eight-bed facilities in Tulsa, one for males and the other for females. Each of these homes focuses on assisting juveniles in obtaining an education or developing employment skills, or both, while concentrating on the individual needs of each juvenile (<http://www.state.ok.us/~oja/#EXEC>).

Foster Care

Another example of long-term Residential Programs is Foster Care Programs. Foster care refers to the placement of a youth in an alternative home in which the adult or adults maintaining the home serve as surrogate or substitute parents. The parental surrogate(s) may care for the child for a period as short as a few days or for as long as several years. The length of the stay depends upon the youth's need, as determined by

his or his legal status, family circumstances, and, finally, the success of the child-foster parent relationship. Children who demonstrate a strong desire to break free of parental authority and achieve independence are generally poor candidates for foster care. In most cases, youths placed in foster homes require individual attention and are capable of responding to affection; they are normally not delinquents and do not usually have extensive prior criminal records (McCarthy & McCarthy, 1994). Foster homes are most often used for younger juveniles, 10 to 14 years old, and provide closer supervision and greater support (Rogers & Mays, 1991).

The first systematic use of foster care for delinquent children occurred in Massachusetts in 1866. In return for taking youths into their homes, these New England foster parents were paid for the child's board. The use of foster care grew with the juvenile court movement. Placing a child in an improved family environment seemed to most reformers an ideal solution to the problem of a troubled child in a troubled family (McCarthy, and McCarthy, 1984).

The low cost of foster care relative to other out-of-home placements, as well as its intrinsic benefits, makes it an appealing correctional alternative. Typically, one or two juveniles live with a family, usually a husband and wife, who serve as surrogate parents. The juveniles enter into a close relationship with the foster parents and receive the attention, guidance and care that they did not receive before. The quality of the foster home experience depends on the foster parents and their emotional relationship with the children. Foster care for adjudicated juvenile offenders has not been extensive in the United States. It is most often used for orphans or for children whose parents cannot care for them. Welfare departments generally handle foster placements and funding has been

a problem for the Juvenile Justice System. However, foster home services for delinquent children and status offenders have expanded as an approach in the area of community treatment (Siegel and Senna, 1991)

A number of foster homes may even work together in clusters to better develop the sense of a caring community of which the child can feel a part. To insure even greater supervision and individual treatment, "intensive" foster care such as Kaleidoscope Inc. in Chicago, IL, usually requires that no more than two children be housed with any married couple (Berger, 1996). A comprehensive, national study of children's community-based programs published in 1976 by the University Of Michigan National Assessment Of Juvenile Corrections found that foster homes in the United States have not been part of states' efforts to deinstitutionalization children in prison. This major study recommended that foster homes be a viable option in states' deinstitutionalization policies since they constitute a promising direction for extending community corrections at less than \$2,500 per child per year. The foster home is a vital part of meaningful community corrections. A foster child struggling with past experiences and present adjustments can be reassured by the presence of an accepting family that offers the emotional and material resources to sustain him or her during the difficulties of adolescence (Smykla, 1981).

In Oklahoma, Rogers State University (RSU), contracts with families in the local community to provide foster care so a juvenile can live in a family's home and be part of the family. Foster care provides an option for juveniles who need to learn to form healthy relationships with others, benefiting from the family environment but not posing a threat to public safety or requiring additional services to achieve treatment goals.

Therapeutic foster care is contracted through other agencies authorized by the state to recruit, train, and license foster homes. The foster homes are designed for juveniles who require a home-like environment but also need access to additional treatment programs available in the community for the placement to be successful

(<http://www.state.ok.us/~oja/#EXEC>).

Family Group Homes

Family group homes combine elements of both foster care and group home placements. Emphasizing the family environment, a single family rather than professional staff members run group homes. This model can help troubled youth learn to get along in family-type situations and at the same time help the state avoid the start-up cost and neighborhood opposition often associated with public institutions (Siegel and Senna, 1991). Surprisingly, almost two-thirds of the residents can be categorized as middle or upper class, based on their parents' occupation. This finding may be at least partially explained by explaining the types of offenses the youth committed: fifty-seven percent were status offenses; 20 percent were property crimes; and only 7 percent were crimes against the person (McCarthy & McCarthy, 1984). Family group homes can be found in many jurisdictions throughout the United States, while group homes are frequently privately run facilities located in the older residential sections of the cities.

Rural Programs

Rural programs include forestry camps, ranches, and farms that provide specific recreational activities or work in a rural setting. Farm, ranch and camp programs are based on the philosophy found frequently in early juvenile corrections programs, namely, that the child can best be treated if he or she is removed from the perceived city's

corrupting influences. Although there is no clear distinction among these programs, camp programs generally work with older youths in conservation or forestry, and ranches combine half-days of work with half-days of school (Rogers & Mays, 1991). An individual program handles from thirty to fifty children. A more popular diversion program in recent years has been the Wilderness program. The purpose of the wilderness program is to teach youths how to be self-reliant, interdependent, and confident of their own abilities. High-risk youth are removed from their familiar home environments and placed in a situation where they must learn to deal with the basic needs and problems associated with camping, hiking, and living off the land for a considerable amount of time and engaging in required activities. While the philosophy behind the wilderness programs has been well received in the literature, very little carefully designed research has examined their effects on delinquency (Bartol & Bartol, 1984).

In Oklahoma, the Foss Lake Youth Residential Program provides a wilderness program for 12 delinquent boys at Foss Lake, using a 12-bed facility for boys who rotate through the program every 60 days, accommodating 72 juveniles per year. Furthermore, Lake Tenkiller Youth Camp in Cherokee County also operates a 12-bed facility for boys who rotate through the program every 60 days, again accommodating 72 juveniles per year (<http://www.slate.ok.us/~oja/#EXEC>).

Rural and wilderness programs undoubtedly have been effective in helping many juveniles deal with their problems. However, such programs have the disadvantage of isolating children from the community, but reintegration can be achieved if the child's stay is short and if family and friends can visit. Most residential programs use group counseling techniques as the major treatment tool. Although group facilities have been

used less often than institutional placements in the years past, there is definitely a trend toward developing community-based residential facilities (Seigel & Senna, 1991).

Criticism of Residential programs

Although residential treatment may provide short-term benefits in situations of “family crisis,” many practitioners since the 1960’s have believed that residential intervention strategies provide an artificial or unnatural environment in which to treat children. Because a child’s behavior could be influenced by the novelty of the treatment setting, it could not be determined whether deviant behaviors were, in fact, “normal” or an artifact of the unfamiliar treatment surroundings (Berger, 1996).

Non-Residential Community-Based Correction Programs

Restitution

One of the most well-known non-residential community-based correction treatment models is restitution. The use of restitution as a sanction for juvenile delinquents was one of the most marked changes in juvenile justice during the decades. The recent growth of interest in the United States in the use of restitution as a dispositional option for the courts was tied to a number of factors: efforts in the 1960’s and 1970’s to introduce major reforms in the juvenile justice system, the continuing search for innovative correctional programs, and concern for the plight of victims. The steps to deinstitutionalize and divert adolescent offenders during the 1960’s and 1970’s represented the emergence of a correctional ideology that was a reaction to the excesses and failure of institutional, custodial care. (Galaway, 1983)

The history of monetary restitution could be traced from Babylonian codes, through Hebrew, Greek and Roman law and the codes of the ancient German and the English (Smykla, 1981). The goal of restitution/community service was to establish a plan whereby youths were assigned a community service or job to reimburse their victims, as well as serve justice and instill a sense of accountability in the offenders (Guarino-Ghezzi and Loughran, 1996). In most jurisdictions, restitution was part of a probationary sentence and administered by the county probation staff. In some jurisdictions, such as Oklahoma City and Prince George's County, Maryland, independent restitution programs have been set up by local governments, while in others, such as Covington, Louisiana, and Charleston, South Carolina, restitution is administered by private, non-profit organizations (Siegel and Senna, 1991).

Restitution presents a number of justifications. It provided the court with alternative sentencing options. It offers direct monetary compensation or services to the victims of a crime. It is rehabilitative, because it gave the juvenile the opportunity to compensate the victim and take steps toward becoming a productive member of society. It also relieved overcrowded juveniles courts, probation caseloads, and detention facilities. Finally, it has the potential for allowing a vast savings in the operation of the juvenile justice system (Siegel and Senna, 1991).

The criticism of juvenile training schools led to the evolution of a new set of ideas about the appropriate treatment of juvenile offenders and favored the use of community-based alternatives as a major alternative to institutionalization. Community-based services were less expensive than institutional services and, since program staff and clients were closer to meaningful community contacts, community-based alternatives

were expected to improve the probability of client reintegration. Restitution as alternative sentencing appeared to fit well with all these assertions. Restitutive sentencing was designed to “emphasize accountability on the part of the offender, and responsibility for one’s actions, could have an effect on the offender’s behavior” (Regnery, 1986). This sentencing also provided the opportunity for potential recovery of losses for victims (Sudipta, 1990).

The public called for total justice for victims complicated the quest for alternatives to incarceration. Advocates of restitution argued that this sentence would meet the demands of the public. It would address victims' right to compensation by their young offenders and reduce the justice system cost associated with incarceration (Conrad, 1985), thereby improving the image of the juvenile justice system. Consequently, restitutive sentencing has been incorporated into the juvenile justice system.

Juvenile restitution served as an important deterrent to repeated offenses. Youths who were held accountable for their actions were given the chance to accept personal responsibility for their lives. To the community, restitution offered a juvenile justice response, which made sense. It was an understandable, observable, tangible, logical consequence to unlawful behavior (Rubin, 1988).

Restitution programs for juveniles invariably offered assistance in locating a part-time job so the juvenile could make financial restitution. Community service activities were similar to those for adults although there was a greater effort to include direct service to the victim as part of the youth’s service to the community (McCarthy and McCarthy, 1984).

An example of a successful restitution program was developed in the Quincy Massachusetts District Court in 1975. The Alternative Work Sentencing Program, or Earn-It, handled juvenile cases referred by the court, the county probation department, and the district attorney's office. The program brought the child together with the victim of the crime in order to develop an equitable work program. During its first year of operation, in 1975, the program returned \$36,000 in restitution payments. Well over \$100,000 was returned to victims, the courts, and the community each year. While it was difficult to assess the total impact of programs like Earn-It on a national level, a federal government evaluation of eighty-five projects over a two-year period found that they had collected \$2,593,581 in monetary restitution and had assigned 355,408 community service hours and 6,052 victim service hours (Siegel and Senna, 1991).

The success of Earn-It and similar programs has encouraged the development of restitution programs in other communities. The fundamental goals of corrections were to find effective and inexpensive alternatives to incarceration. Restitution had been warmly received by the proponents of the suspending of prison construction as well as prison abolitionists in the United States. Many citizens felt that restitution provided a civilized alternative to prison, which they considered an unjust punishment in this progressive society (Siegel and Senna, 1991).

What was the effect of restitution on the juvenile system and how successful were restitution programs? The evidence does indicate that restitution was an inexpensive alternative, that it avoids juvenile stigmatization, and helped compensate victims of crime (Siegel and Senna, 1991). It is possible that restitution programs were important alternatives to incarceration, benefiting the child, the victim, and the juvenile justice

system. H. Ted Rubin, a leading juvenile justice expert, even advocated that courts place juveniles in day-treatment and community-based residential programs and also included restitution requirements be fulfilled during placement (Rubin, 1988).

Criticisms of Restitution

A problem restitution programs must deal with is the charge that they foster involuntary servitude. For the most part, the courts have upheld the legality of restitution even though it has a coercive element. A person who is unable to make restitution payments can have probation revoked and thus face incarceration. Finally, restitution orders are subject to the same abuse of discretion as traditional sentencing methods. The restitution orders a delinquent offender receives may be quite different than those given another, similarly situated youth (Siegel and Senna, 1991).

Lastly, critiques of restitution suggested juvenile offenders often found it difficult to make monetary restitution without securing new or additional employment. William Staples, say who he is, stated that making restitution seemed almost absurd at a time when unemployment rates for youth were “tragically high”. Since most members of such programs have been convicted of a crime, many employers were reluctant to hire them. Problems also arose when offenders who needed jobs suffered from drinking, drugs or emotional problems (Siegel and Senna, 1991). Public and private agencies were likely sites for community service restitution, but their directors were sometimes reluctant to allow delinquent youth access to their organizations.

First Time Offenders Program

The last community-based correctional model is the First Time Offenders non-residential Program, which is the focus of this study. Non-residential programs for children, also referred to as day treatment centers, are expected to provide intensive services to youth who live at home and report to the program on a daily basis. The theory underlying the need for non-residential programs is based on the finding that since there are many different kinds of children in trouble, there must be a multiplicity of program options available for these children (Smykla, 1981).

Some communities have come to rely more and more on these programs to meet the specific needs of offenders who do not require secure incarceration or high levels of supervision. Typical of these programs are storefront operations in high delinquency-risk neighborhoods, teen centers, day-care programs and out-patient counseling and substance abuse programs. Another kind of non-residential program is individual and family counseling service delivered directly to the home (Rogers & Mays, 1991).

Juvenile delinquents living in their own homes benefit from programs developed specifically as alternatives to residential treatment and to incarceration. For example, parental involvement in treatment is more likely to be realized when the treatment setting is the home rather than an office or other facilities located away from the family's residence (Berger, 1996).

Non-residential programs have multiplied very quickly around the country because of federal and state monies. A strong case could be made for non-residential centers inasmuch as most children do not need the security of a residential program. Another benefit of non-residential treatment is that it makes parental participation easier

since programs are generally in areas of high population density. Such programs are also less expensive, since they do not provide living and sleeping quarters, and school lunch programs generally provide meals. Also, fewer staff is needed than for residential settings (Smykla, 1981).

Non-residential programs are often associated with the Provo Program, which began in 1959 in Utah and the Essexfields Rehabilitation Project, which started in the early 1960's (Siegel and Senna, 1991). Non-residential or day treatment settings consist of all-day, or much of the day, alternative education and psychologically oriented treatment. The programs may include recreation, cultural enrichment, and job skill orientation. Today, the most well-known approach is the New Pride, Inc., in Denver CO, that serving 12-18 year old delinquent youths referred by the court as an alternative to residential or institutional placement (Thompson and Bynum, 1991). New Pride, begun in 1973, goals were to work hard-core youth back into the mainstream of their communities and to reduce the number of re-arrests. Generally, reintegration into the community means reenrolling in school, getting a job or both (Siegel and Senna, 1991).

Youth Services Agencies/Youth Services Bureau
YSB: The Creation of First Time Offenders Program

The President's Commission on Law Enforcement and Administration of Justice (1967) suggested the creation of Youth Service Bureaus (YSBs) to work with juvenile offenders in local communities. These bureaus were primarily designed to work with non-serious juvenile offenders, but, depending upon the particular community, provided a wide range of service to youthful law violators (McCord, Wisdom, and Crowell, 2001).

The Youth Services Bureau (YSB) originated in urban centers in the Midwestern United States in the 1950's. The program generated considerable support and after receiving an enthusiastic endorsement from the 1967 president's commission on Law Enforcement and Administration of Justice, the bureau expanded throughout the nation. Although the discontinuation of federal funds in the late 1970's and early 1980's led to the closing of many programs, YSBs still operate across the United States. Their names vary; some are known as Youth Assistance Centers, other as Youth Resource Bureaus but they all share a single aim--meeting the needs of troubled youth (McCarthy & McCarthy, 1984).

Youth Services Agencies provide prevention, diversion and intervention programs to keep juveniles from entering or further penetrating into the juvenile justice system. YSAs are non-profit and are governed by local boards of directors who are made up of volunteers from the community. Youth Service Bureaus are publicly or privately administered agencies, developed to address a broad range of youth problems. Their most immediate objective, however, is often diverting delinquents and pre-delinquents from the juvenile justice system, especially when the bureau is administered by a police or juvenile probation department. The basic functions of YSBs include

- (1) Identifying community problems affecting juveniles
- (2) Developing, monitoring, and strengthening community response to youth
- (3) Improving the attitudes and practices of social services and juvenile justice agencies through youth advocacy (system medication)
- (4) Referring youths to appropriate community resources and monitoring these referrals (service brokerage)

(6) Gathering and distributing information (Smykla, 1981).

Previous success with community-based alternatives to address juvenile delinquency, coupled with enormous budgetary constraints, prompted Oklahoma and Tulsa county Juvenile Affairs Office to sub-contract a community-based program First Time Offenders, with Youth Service Agencies. Furthermore, this program is in response to community needs and meets the requirements in the Oklahoma Juvenile Reform Act of 1994 (House Bill 2640).

A First Time Offender Program is defined in Oklahoma Statutes as follows: “Alternative diversion programs for first time offenders means programs for juveniles who have been identified by law enforcement personnel, the Director Attorney or the Court as having committed acts which are not serious enough to warrant adjudication through the Juvenile Court process, but which do indicate a need for intervention to prevent further development toward juvenile delinquency.” Youth who meet the above definition may be referred to the program. We will now examine these two programs in Oklahoma and Tulsa counties (House Bill 2640).

Operated in every county by youth services agencies, the First Time Offender Program is designed for juveniles who have committed a first-time misdemeanor or nonviolent felony and are referred to the program by local law enforcement, OJA staff, juvenile bureau staff and the juvenile courts. The program involves juveniles and their parents in 12 hours of skills development assistance with communication, anger management, problem solving, decision making, values, and understanding the consequences of criminal conduct.

Tulsa's Misdemeanant Alternative Program (MAP) began through a grant in November of 1989. At that time, Youth Services of Tulsa entered into an agreement with the Juvenile Bureau of the Tulsa County District Court to work together on first time misdemeanor offenders. The MAP program was designed to relieve JBDC of those referrals that might not otherwise have received personalized attention due to the large number of intake referrals. The referrals to MAP come through the intake supervisor. He/she reviews all potential referrals to insure that they are appropriate concerning age (12-17), residence (child must reside within reasonable driving distance of Tulsa), and type of offense (misdemeanor offense excluding violence, weapons, and sexual offenses). All referrals are first time offenses.

The family referred to MAP has the option of declining the program and having the matter referred back to JBDC for disposition. The goal of the MAP is to offer youth, ages 12-17, and their parents services to add and correct the negative behavior of these youths at the time of their first offenses, thus preventing further involvement in the juvenile justice system. Professionals who specialize in prevention services and child advocacy can assist many of these juvenile offenders and their families. The objectives of the program are to divert early offenders from further involvement in the juvenile justice system. Working in coordination with the Juvenile Bureau of the District Court of Tulsa County and Broken Arrow, Owasso, and Bixby municipal Courts, counselors assesses clients, and when appropriate, direct youth and parents to the Misdemeanant Alternative skill-building classes. Any youth 12-17 who has committed a first-time, non-violent offense is eligible. Youth may also be referred to Tulsa Youth Court or any appropriate YST program (Youth Services Bureau Communication).

Oklahoma's Youth Services program, the Skills Education Program/First Time Offender Program, is based on the premise that "an ounce of prevention is worth a pound of cure." A fast, effective, and positive intervention can keep a youth from becoming a more serious offender. Through this form of special attention, the community and the juvenile justice system can fulfill its obligation to insure an immediate consequence for the youths and their parents to help them become more responsible and productive members of the community. (Youth Services Bureau Communication)

The Skills Education Program provides a service to first-time juvenile offenders and their parents. The curriculum was designed to teach youth the skills they need to prevent further involvement in juvenile delinquent activity. The program consists of twelve (12) hours of educational group services delivered in two-hour sessions twice each week for three weeks. Groups are divided into age appropriate categories: 8 to 12 years old, 13 to 15 years old, and 16 to 17 years old. The sessions teach pro-social skills in problem-solving, communication, anger management, and conflict values.

Classroom participation and completion of homework assignments are required for successful completion of the program. Youth and parents must attend all sessions. Parents and their children are together twice during the six sessions to practice skills techniques in problem solving and communication. All participants must complete evaluations on each session and the total program. Instructors complete evaluations on each participant. When the course is completed, a dispositional report is sent to the referring entity informing them of the status of the youth's participation.

Referrals are received from local law enforcement agencies, the Oklahoma County Juvenile Bureau, the Oklahoma County District Court, the Oklahoma City Municipal

Court, and other Youth Service Agencies. Local school systems can also refer youth as an alternative to suspension. When a referral is received, an intake appointment is made. During the intake process, the child's physical, mental and emotional development, as well as age, sex, and offense, are considered in determining a youth's eligibility and appropriateness for enrollment in the program (Youth Services Bureau Communication).

Statement Of Problem

Detention facility and training school populations must be decreased to their design capacity. Abt Associates, a research firm which applies rigorous research and consulting techniques to a wide range of issues in social and economic policy, international development, business research and consulting and clinical trials and registries, funded an Office of Juvenile Justice Delinquency Prevention study that found more than 75 percent of the confined juvenile populations were housed in facilities that violate one or more standards related to living space. Further, crowding is associated with higher rates of institutional violence, suicidal behavior and a greater reliance on short-term isolation (Wilson, 1994).

The need for positive youth development programs is especially significant among urban youth whose environments, characterized by substantial risk factors, generally resulted in approaches that focused on their deficits rather than their strengths (U.S. Department of Education & U.S. Department of Justice, 1998).

While the juvenile court was founded upon the philosophy of protection and rehabilitation, and viewed its foremost goal as preventing juvenile offenders from becoming adult criminals, many of the actions of the juvenile justice system have been viewed as punitive in nature (McCord, Wisdom, and Crowell, 2001). Too many juvenile

justice experts have suggested that institutionalizing even the most serious delinquent youths in a training school, reform school, or industrial institution was and is a great mistake. A period of confinement in a high-security juvenile institution usually cannot solve the problems that brought a youth into a delinquent way of life, and the experience may actually help to amplify delinquency once the youth returned to the community (Siegel, L and Senna, J, 1991). Previous surveys indicated that about 30 percent to 40 percent of adult prison inmates had been juvenile delinquents and many had been institutionalized as youths. There is little reason to believe that an institutional experience could have a beneficial effect or reduce recidivism.

However, communities have not always been viewed as holding the answers to offender problems. In fact, for many years, the community was viewed only as harboring the causes of crime; the evil influences of drink and bad companions were seen as the principal sources of criminal behavior. Not surprisingly, correctional institutions seemed to offer a respite from temptation. Removed from a corrupting environment and placed in solitary confinement, an offender supposedly could repent and change his ways (McCarthy and McCarthy, 1984).

Preventing the delinquent behavior is one means of avoiding the expense and difficulties of treating adult offenders. If delinquents could be deterred or deflected from their careers, many basic problems of adult crime would be solved. Prevention and early intervention programs for non-offenders and first-time offenders were the most cost-effective strategies for deterring youths who were at risk of becoming serious, violent or chronic career criminals (Wilson, 1994). If we do not adopt strategies to address juvenile

violence, these children will become tomorrow's adult inmates, draining more and more of society's resources.

Research Questions

- Do juvenile offenders in Community-based programs show lower recidivism rates as compared to custodial juvenile offenders?
- Does the county (Tulsa or Oklahoma) impact the level of recidivism rates of first-time offenders?
- Is there a significant difference in recidivism rates between racial groups?
- Do female juvenile offenders show lower recidivism rates than male juvenile offenders?
- Does the county have an impact on recidivism when controlling for type of program?"
- Do older juvenile offenders show a higher recidivism rates than younger juvenile offenders?

Assumption

This study assumes that FOP participants have a lower recidivism rate than custodial juvenile offenders. This study surmises that the FOP has a positive influence on juvenile offenders who were involved in the program. Furthermore, juvenile offenders are successfully diverted from a life of crime, thereby saving tax dollars. This study will be performed under the belief that the information provided by the Juvenile On-Line Tracking System (JOLT's) data-base was accurate. The following chapter will discuss the data set in this study and explain the method of analysis used.

CHAPTER 5

METHODOLOGY

First-time offenders programs continue to grow in popularity under the conviction that they help to divert youth from future deviance, by being given a second chance, it is believed that offenders will re-evaluation their mistake and grow in a positive direction from the experience. A series of research questions were formulated based on what the literature seeks to indicate concerning delinquency and recidivism. Research questions rather than hypotheses were used to emphasize the exploratory rather than the conclusive nature of this research. The study is a non-experimental, descriptive survey design that used data collected from the Juvenile On-Line Tracking system.

For this study the dependent variable is recidivism. Recidivism is measured for all juveniles who complete program services. Recidivism is defined as the occurrence of a new referral or arrest for a criminal offense within a year of completion of services followed by revocation of parole; or placement on informal probation ;or by adjudication as a delinquent or as a youthful offender; or by conviction as an adult. For the purpose of this research recidivism rates are determined by coding the data set; 0 means (Did not recidivate), and 1 (Was re-referred for a felony or misdemeanor within 1 year of date of discharge from the program and was re-referred for a felony or misdemeanor within 1 year of date of discharge from the program and was subsequently adjudicated as a delinquent for that new referral or was convicted as an adult for that new referral or stipulated to the new charge and was placed on terms and conditions related to a deferred prosecution agreement, deferred filing agreement or deferred adjudication. The dependent variable is treated as a continuous variable for the purpose of this study and

analysis. The independent variables for this research are the county and type of residential environment for juvenile offenders. Each of the research questions will be analyzed using the SPSS-PC (V11.0) for Windows.

Data Source

The study utilized secondary data made available from Oklahoma Juvenile Affairs. Documentation of clients' characteristics and disposition of services come from the client records maintained. The data provided was obtained through using JOLTS, Juvenile On-line Tracking System. It was developed by Maricopy County in Arizona around 1984 and sold to Oklahoma Juvenile Affairs by Anderson Consulting.

Sam Davis, MIS director for the Oklahoma Juvenile Affairs, provided the data entry manual. The JOLTS system has separate modules for data entry regarding intakes, court history, custody placement, detention and services. Intake data entry regarding referrals, demographic information, and court history and custody placements are performed by field staff and by the juvenile bureau staff. The juvenile bureau staff input unprotected data. The staffs at the 42 youth services agencies participate in the system and input protected data for their own clients and services such as shelter stays, First Offender Program and the other services they provide to their communities. Youth services staff also input services data for services they provide for OJA under contract and this data is not protected from view by the field staff. Of course, MIS staff and the staff of these units are able to access all data in JOLTS.

The samples analyzed are juvenile offenders in Oklahoma and Tulsa counties. The selected sample consisted of juveniles that received services between the years 1998 to 2001. This analysis indicated there were 1484 juveniles arrested during 1998; 1473

juveniles arrested during 1999; 1627 juveniles were arrested during 2000 and 1655 juveniles were arrested during 2001. The characteristics of this sample are broken down into categories of gender, race and age. In addition, statistics related to this study will come from reports by OJA's annual 2001 report.

Sample Demographics

Table 1 displays the frequency counts for the demographic variables.

In this study, 5269 of the juveniles were classified as first offenders, 487 were custodial juveniles, 425 were long-term Residential and 58 were group home residential program. Two-thirds of the total juveniles included in this research were 4043 (64.8%) male, with a total number of female juvenile offenders being 2196 (35.2%). The ages for the juveniles ranged between 7 to greater than 18 years old, with a median age of 15.86 years old. In this study, the racial break down of the juvenile offenders is, 1556 of the total juvenile offenders were African American; 3950 of the total juvenile offenders were Caucasian and 733 of the total juvenile offenders were considered other. The racial make-up of the other category includes, Asian, Hispanic, Native American and Other as shown in (Table 1).

Measure

In addition to frequencies distribution, the author will employ the use of chi-square statistic. Chi-square is a non-parametric test. A non-parametric test is one that is used when the assumptions about a normal population can not be met or when the level of measurement is ordinal. The variables are nominal and ordinal level. A cross-tabular

analysis will show proportional distribution of the dependent variable for each of the independent variables of the study. The proportional distribution shows the percentage of respondents with different characteristics.

Limitation

The accuracy of human data input of the JOLTs is questioned in the area of recidivism rate of offenders identified as 18 and older. Also, this research did not take into account the offenses of the juvenile offenders included in this research. More specially, the author did not take into account the increasing number of drug offenses of juvenile offenders in recent years. One of the most difficult aspects of evaluating community intervention programs is to devise an appropriate control group (McCord, Wisdom and Crowell, 2001; Hollister and Hill, 1995) It is much more difficult to use random assignment with neighborhoods or communities than with individuals. All the other methods of establishing comparison groups are problematic.

FINDINGS

As noted before in previous chapters, the intent of this study was to examine the benefits of community-based prevention/intervention and more specifically, first-offenders programs as an alternative to traditional incarceration of juvenile offenders. The section is to discuss the findings and their significance within the theoretical framework of Labeling and Community-based diversion models. Data for 6239 juvenile offenders were tabulated and summarized. The demographics of the sample are displayed in Table 1.

In the sample, 64.8% of the offenders were male. Data were gathered across four program years between 1998 and 2001. These numbers were gathered in two counties in the state of Oklahoma: Oklahoma County (62.5% of the sample), and Tulsa County (37.5%). Four program types were examined: the First Offender program (84.5%); secure institutional setting (7.8%); group home setting (0.9%); and long-term care (6.8%). Fifteen percent of the offenders showed recidivism within one year. The racial/ethnic background for the offenders was 24.9% African-American, 63.3% Caucasian, and 11.7% were from other groups. The median age was 16.5 years (Table 1).

Table 1

Demographics of the Sample (N= 6,239)

Characteristics	n	%
Gender		
Female	2,196	35.2
Male	4,043	64.8
Fiscal Year		
1998	1,484	23.8
1999	1,473	23.6
2000	1,627	26.1
2001	1,655	26.5
County		
Oklahoma	3,901	62.5
Tulsa	2,338	37.5
Program Type		
First offender	5,269	84.5
Secure institution	487	7.8
Group home	58	0.9
Long-term care	425	6.8
Recidivism Rate		
No offense	5,286	84.7
Offended	953	15.3
Race		
African-American	1,556	24.9
Caucasian	3,950	63.3
Other	733	11.7
Age		
7-12 years	316	5.1
13 - 15 years	1,971	31.6
16 - 17 years	2,743	44.0
18 or more years	1,209	19.4

Research Question One

Research Question One asked, “Do juvenile defenders in community based programs show a lower recidivism rate, when compared to custodial juvenile offenders?” Table 2 displays the chi-square comparison for the four types of programs, based on recidivism. Overall, 15.3% of the offenders committed another crime, with only 9.3% of those in the First Offender program, compared to higher amounts for secure institutional (44.8%), group home setting (43.1%), and long-term care (51.5%). The chi-square test was significant, $\chi^2 (3, N = 6,239) = 938.02, p = .001$. A cross-tabulation was run to determine the effect of disposition on recidivism. Overall, results from these analyses suggest that the quality of the First-time Offenders Program has a great impact on preventing subsequent offending behavior. The results of the research question are in accordance with previous research. One reason may be that the initial disposition operates as a strong deterrent for youths who do not internalize the delinquent identity. Nonetheless, this variable alone is not significant in predicting recidivism.

Research Question Two

Research Question Two asked, “Does the county (Oklahoma or Tulsa) impact the level of recidivism rate of first-time offenders?” Table 2 displays the chi-square comparison based on the recidivism rate, based on the county where the services were provided. Oklahoma County had a lower rate (14.7%) than did Tulsa County (16.3%). This difference just failed to reach significance, $\chi^2 (1, N = 6,239) = 3.01, p = .08$ (Table 3). Although the observed differences between counties were not statistically significant, there still a visible difference between counties. Reasons for this may include; difference in handling juvenile according to their age level.

Table 2

Recidivism Rate, Based on Type of Program (N = 6,239)

Type of Program ^a	No Offense		Offended	
	<i>n</i> = 5,286		<i>n</i> = 953	
	<i>n</i>	%	<i>n</i>	%
First Offender	4,778	90.7	491	9.3
Secure Institution	269	55.2	218	44.8
Group Home	33	56.9	25	43.1
Long-term Care	206	48.5	219	51.5

^a $\chi^2 (3, N = 6,239) = 938.02, p = .001.$

Table 3

Recidivism Rate, Based on County (N = 6,239)

County ^a	No Offense		Offended	
	<i>n</i> = 5,286		<i>n</i> = 953	
	<i>n</i>	%	<i>n</i>	%
Oklahoma	3,329	85.3	572	14.7
Tulsa	1,957	83.7	381	16.3

^a $\chi^2 (1, N = 6,239) = 3.01, p = .08.$

Research Question Three

Research Question Three asked, “Is there a significant difference in recidivism rates between racial groups?” Table 4 displays the chi-square comparison based on racial/ethnic background and recidivism rate. The African-American juveniles in this study had a recidivism rate of 24.2%, as compared to a rate of 11.6% for Caucasian offenders, and 15.8% for offenders from other racial/ethnic groups. This difference was significant, $\chi^2 (2, N = 6,239) = 136.76, p = .001$. Table 5 displays the recidivism rate, based on county, controlling for race/ethnicity. For African-American offenders, Oklahoma County (22.2%) had a lower recidivism rate than Tulsa County (29.1%). This difference was significant at the $p = .003$ level. For Caucasian offenders, no significant differences were found in the recidivism rate between the two counties ($p = .27$). For other racial/ethnic groups, Oklahoma County (14.3%) was found to have a lower rate than Tulsa County (19.6%) ($p = .08$) (Table 5).

Table 4

Recidivism Rate, Based on Race/Ethnicity (N = 6,239)

Ethnicity ^a	No Offense		Offended	
	<i>n</i> = 5,286		<i>n</i> = 953	
	<i>n</i>	%	<i>n</i>	%
African-American	1,179	75.8	377	24.2
Caucasian	3,490	88.4	460	11.6
Other	617	84.2	116	15.8

^a $\chi^2 (2, N = 6,239) = 136.76, p = .001$.

Table 5

Recidivism Rate, Based on County, Controlling for Race/Ethnicity (N = 6,239)

County—Controlling for For Race/Ethnicity	No Offense		Offended	
	<i>n</i>	%	<i>n</i>	%
African-American Only ^a				
Oklahoma	850	77.8	242	22.2
Tulsa	329	70.9	135	29.1
Caucasian Only ^b				
Oklahoma	2,030	88.8	255	12.2
Tulsa	1,460	87.7	205	12.3
Other Race/Ethnicity Only ^c				
Oklahoma	449	85.7	75	14.3
Tulsa	168	80.4	41	19.6

^a $\chi^2 (1, N = 1,556) = 8.52, p = .003.$

^b $\chi^2 (1, N = 3,950) = 1.24, p = .27.$

^c $\chi^2 (1, N = 733) = 3.16, p = .08.$

Research Question Four

Research Question Four asked “Do female juvenile offenders show a lower recidivism rate than male juvenile offenders?” Table 6 displays the chi-square comparison of recidivism rate, based on gender. Female offenders had a recidivism rate of 6.4%, as compared to male offenders with a rate of 20.1%. This difference was significant, $\chi^2 (1, N = 6,239) = 207.40, p = .001$. Table 7 displays the recidivism rate by county, controlling for gender. For female offenders, the recidivism rate for Oklahoma County was significantly lower than for Tulsa County, $\chi^2 (1, n = 2,196) = 3.94, p = .05$. However, no significant difference in the recidivism rate was found for male offenders, based on their county ($p = .20$). The results of research question four are consistent with previous outcome studies. Table 6 shows that compared to females, males showed a significantly higher proportion of males were rearrested. Reasons for these differences between the sexes may include the fact that males and females are socialized differently (Midemeter, 1992; Wheeler; Verdi, 1992; Beary, Bacon and Child, 1957). Nonetheless, this issue could be an entire thesis on its own.

Table 6

Recidivism Rate, Based on Gender (N = 6,239)

Gender ^a	No Offense		Offended	
	<i>n</i>	%	<i>n</i>	%
Female	2,056	93.6	140	6.4
Male	3,230	79.9	813	20.1

^a $\chi^2 (1, N = 6,239) = 207.40, p = .001$.

Table 7

Recidivism Rate, By County, Controlling for Gender (N = 6,239)

County Controlling For Gender	No Offense		Offended	
	<i>n</i>	%	<i>n</i>	%
Females Only ^a				
Oklahoma	1,275	94.4	75	5.6
Tulsa	781	92.3	65	7.7
Males Only ^b				
Oklahoma	2,054	80.5	497	19.5
Tulsa	1,176	78.8	316	21.2

^a $\chi^2 (1, N = 2,196) = 3.94, p = .05.$

^b $\chi^2 (1, N = 4,043) = 1.69, p = .20.$

Research Question Five

Research Question Five asked “Does the county have an impact on recidivism when controlling for type of program?” In Table 8, recidivism rate is examined, based on county, controlling for type of program. For the First Offender programs, those who are in Oklahoma County (8.7%) had a significantly lower recidivism rate than did those from Tulsa County (10.4%). This difference was significant ($p = .04$). No differences were found between the two counties for offenders in secure institutional settings ($p = .66$), group home settings ($p = .16$), and long term care settings ($p = .55$) (Table 8). Reducing recidivism, treatment and rehabilitation are more likely to be successful than surveillance and experience.

Table 8

Recidivism Rate, By County, Controlling for Type of Program (N = 6,239)

County--Controlling For Type of Program	No Offense		Offended	
	n	%	n	%
First Offender Only ^a				
Oklahoma	3,020	91.3	287	8.7
Tulsa	1,758	89.6	204	10.4
Secure Institution Only ^b				
Oklahoma	165	54.5	138	45.5
Tulsa	104	56.5	80	43.5
Group Home Only ^c				
Oklahoma	15	48.4	16	51.6

Tulsa	18	66.7	9	33.3
Long-term Care Only ^d				
Oklahoma	129	49.6	131	50.4
Tulsa	77	46.7	88	53.3

^a $\chi^2 (1, N = 5,269) = 4.31, p = .04.$

^b $\chi^2 (1, N = 487) = 0.20, p = .66.$

^c $\chi^2 (1, N = 58) = 1.97, p = .16.$

^d $\chi^2 (1, N = 425) = 0.35, p = .55.$

Research Question Six

Research Question Six asked, “Does age have an impact on the level of recidivism rates among juvenile offenders?” Offenders in this program were broken into four age groups: 7-12 years, 13-15 years, 16-17 years, and 18 and older. The recidivism rates were lowest for the 7- to 12-year-old offenders (6.6%), and highest for the offenders in the 16- to 17-year-old group (18.6%). This difference was significant, $\chi^2(3, N = 6,239) = 93.90, p = .001$. Interestingly enough category “age 18 and older” showed a slight lower recidivism. One reasons for this may be that the majority of youth are reaching the point where they are no longer classified as young offenders, but adult offenders. Nevertheless there has been an increasing trend appear to be occurring as youth become older, the frequency of reoffending increases. Perhaps this may deter older youth from taking another step into the adult justice system.

One step further in the analyses reveals in table 10 a dramatic difference between age 7-12 and counties. Table 10 displays the recidivism rate by county, controlling for the age of the child. For juvenile offenders who were 7-12 years of age, a lower recidivism rate was found in Oklahoma County (4.9%), as compared to Tulsa County (15.4%). This difference was significant ($p = .006$). No significant differences between counties in the recidivism rate was found for offenders in the 13- to 15-year-old category ($p = .42$), the 16- to 17-year-old category ($p = .91$), and for the 18 and over category ($p = .98$).

Table 9

Recidivism Rate, Based on Age (N = 6,239)

Age ^a	No Offense		Offended	
	n = 5,286		n = 953	
	n	%	n	%
7 – 12 Years	295	93.4	21	6.6
13 – 15 Years	1,644	83.4	327	16.6
16 – 17 Years	2,234	81.4	509	18.6
18 Years or Older	1,113	92.1	96	7.9

^a χ^2 (3, N = 6,239) = 93.90, p = .001.

Table 10

Recidivism Rate, By County, Controlling for Age of Child (N = 6,239)

County—Controlling For Age	No Offense		Offended	
	n = 5,286		n = 953	
	n	%	n	%
7 – 12 Years Only ^a				
Oklahoma	251	95.1	13	4.9
Tulsa	44	84.6	8	15.4
13 – 15 Years Only ^b				
Oklahoma	1,044	83.9	200	16.1
Tulsa	600	82.5	127	17.5

16 – 17 Years Only ^c

Oklahoma	1,305	81.5	296	18.5
Tulsa	929	81.3	213	18.7

18 Years and Older Only ^d

Oklahoma	729	92.0	63	8.0
Tulsa	384	92.1	33	7.9

^a $\chi^2 (1, N = 316) = 7.66, p = .006.$

^b $\chi^2 (1, N = 1,971) = 0.64, p = .42.$

^c $\chi^2 (1, N = 2,743) = 0.01, p = .91.$

^d $\chi^2 (1, N = 1,209) = 0.01, p = .98.$

Criticism

Diversion has been viewed as a promising alternative to official procedures, but over the years its basic premises have been questioned by a number of experts. The most damaging criticism has been that diversion programs, rather than reducing or eliminating stigma and system penetration, actually involved children in the justice system who previously would have been released without official notice. This phenomenon is referred to as widening the net. Various studies indicate that police and court personnel are likely to use diversion program services for youth who ordinarily would have been turned loose at the intake or arrest stage. Diversion has also been criticized as ineffective and unproductive that is youth being diverted make no better adjustment in the community than those who go through official channels (Siegel and Senna, 1991).

Moreover, the community treatment approach has limitations. A word of caution is that, while the movement to place juveniles in non-restrictive, community-based programs continues, the actual number of incarcerated youths has increased in recent years. A community correction truly has supplemented but not replaced institutionalization.

Much of the early criticism of community treatment was based on poor delivery of services, shabby operation, and haphazard management, follow-up and planning. In the early 1970's when Massachusetts deinstitutionalized its juvenile correction system, there was a torrent of reports about the inadequate operation of community treatment programs. This was caused by the absence of uniform policies, different procedures in various programs were hampered, and available resources were misplaced (Siegel and Senna, 1991).

If the clients of community-based corrections are offenders who don't really need help, instead of persons who would otherwise be formally preceded or institutionalized, then community-based corrections can become a costly luxury rather than a low-cost reform, in the end, social control rather than reintegration will become the program's function (McCarthy and McCarthy, 1984).

There is no absolute answer to how effective community-based programs are; there are three reasons for the lack of demonstrable program results. The complex phenomena of children in trouble or delinquency have too many causes to be prevented by any one program. Second, some children's misbehavior may simply require community tolerance until the children mature rather than bombardment with program

intervention. Third, the state of the art of evaluation research is not an exact science and is heavily influenced by politics (Smykla, 1981).

Some experimental programs indicate that young people can be treated in the community as safely and as effectively as children placed in institution. However, commitment to an institution guarantees that the community will be protected against further crime, at least during the time of the child's placement. More research is essential to evaluate the success of community treatment programs (Siegel and Senna, 1991).

Proponents

Not all delinquency experts are critical of diversion. Arnold Binder and Gilbert Geis claim that there are many benefits to diversion that more than balance its negative qualities. They challenge the net-widening concept as being naïve—how do we know that diverted youths would have had fewer interfaces with the justice system if diversion didn't exist? They suggest that even if juveniles had escaped official labels for their current offense, it may be inevitable that they would eventually fall into the hands of the police and juvenile court. They also point out that the rehabilitative potential of diversion should not be overlooked. Although diversion programs are not the cure-all their originator believed them to be. At least they offer an alternative to official processing. They can help the justice system devote its energies to more serious offenders while providing counseling and other rehabilitative services to needy youths (Siegel and Senna, 1991).

Beyond criticisms, has community treatment generally proven successfully? Some research efforts have shown success. Lloyd Ohlin and his associates found that youths in non-secure institutions were less likely to recidivate than those placed in more

secure institutions. The greatest advantage community corrections have been its cost. A national survey of the costs of treating youths found that the average annual expenditure per child in a training school was \$27, 000, while community-based programs may cost half as much. If community-based correction were only equally successful as secure institutional care, it could be justified on the basis of savings to the taxpayer alone (Siegel, L and Senna, J, 1991).

Identification of treatment needs must be improved. Advanced techniques are available to assist juvenile justice professionals in assessing their clients' treatment needs. Needs-assessment technology, which helps officials allocate and target scarce resources more effectively and efficiently, has improved greatly over the past few years (Wilson, 1994).

CHAPTER 6

DISCUSSION/CONCLUSION

We're Drowning

*Take a trip in my mind
See all that I've seen,
And you'd be call me a
Beast, not a human being...*

*Fuck it, cause there's
not much I can do,
There's no way out, my
Screams have no voice no
Matter how loud I shout..*

*I could be called a
Low life, but life ain't
As low as me. I'm
In juvenile hall headed
For the penitentiary.*

George Tevino, sixteen, "Who Am I?" (Humas, 1997)

The poem that opens this chapter raises a question about the real value of developing and expanding traditional correctional programs. The world changes minute by minute, some changes are hardly noticeable, while others can alter the course of international relationship and the world itself. It has been said that 80 to 90 percent of what a person must know to be successful in corrections actually is happening outside of corrections. That is why adult and juvenile correctional employees and volunteers must be committed to lifelong learning and increasing their knowledge based in correctional and in a broader range of subjects as well (Keho, 2001).

A sociologically informed approach to delinquency prevention requires a comprehensive strategy that focuses on a number of fronts, including the family, schools, peer groups, the economy and the community. While simply "throwing money" to address problems in these areas is no solution, most observers agree that lack of adequate

funds is "a major obstacle to implementing effective programs" (Waegel 1989:250; Lundman et al. 1976; Williams and Kornblum 1985). Our society must establish priorities and invest in its people. Those of us who do not live in high crime areas may try to run, but as the saying goes, we cannot hide. Investment in prevention will save money in the long run, if we have the foresight to sacrifice short-term tax cuts for long term societal gains.

Research findings have presented vital information pertaining to general characteristics associated with juvenile delinquency, few investigations have included females in their participant pool. This may largely be attributed to the predominance of males involved in juvenile delinquency. A review of recent trends in the juvenile justice system indicate that males continue to account for an overwhelming majority (76%) of the offenses committed by youths under age 18 in the United States (Poe-Yamagata and Butts, 1996). Similarly the results of this study yielded the same results, as shown in the data (table 1) twice as many males were arrested during 1998 through 2001. More males than females have traditionally been involved in the juvenile justice system (Budnick and Shields, 1998). Furthermore, table 6 revealed findings that show a lower recidivism rate of 6.4 % as compared to male offender with a rate of 20.1%, which is three times higher. However recently, girls are showing significantly higher numbers of offense. This increase is due to drug related offenses.

Based on the evidence present in table 2 there were significant difference between community-based programs and secure detention, group home settings, and long-term care residential settings. First Offender Programs appear to be working. The information presented would suggest there should be more concentration of prevention effort through

alternative sanctions, before it becomes necessary to use more stringent sanctions, such as, secured detention.

Surprisingly, the results of table 7 revealed a slight difference in recidivism between Oklahoma and Tulsa counties. The results were not statistically significant. However, given the difference in the number of juvenile offenders treated, it is interesting that Oklahoma county served almost twice as many juveniles than Tulsa county, and still revealed a slightly lower recidivism rate than Tulsa county. When looking at the recidivism rate based on county and controlling for race/ethnicity, there is an area of statistic significance regarding African-Americans. Again, based on recidivism rates, Oklahoma county had lower recidivism rates than Tulsa county; there was a chi-square significance of .003. It is becoming evident that Oklahoma county is doing a better job in reducing recidivism rates for juvenile offenders.

Again, surprisingly enough, when examining recidivism rates by counties controlling for ages of children; Oklahoma again, for the age category of 7-12 showed the largest difference between the two counties. Future research is needed to examine the reason for large difference in recidivism. A possible explanation of the difference could involve categorizations of the nature of offense for this age group.

Does Oklahoma County justify a separate program from older status and first time offenders, due the large number of status and first-time offender?

Current literature, suggests that First Offender Program overwhelmingly consist of juveniles initially referred for less serious delinquent offenses. This was built into the design of the program. It is rare that repeat offenders or serious felony offenders are referred to this program. Generally, first time felony offenders are placed on deferred

prosecution or deferred filing agreements with terms and conditions that go beyond 12 hour didactic programs provided by most First Offender programs. Furthermore, much of the research on the incidence and prevalence of delinquency has found that most first timers don't repeat even in the absence of intervention. The significance of this is that 1) it's an expectation that First Offender Programs and others like it would have low recidivism rates and 2) it's difficult to determine whether the low recidivism is due to the program or other factors in the absence of data or risk factors for the program participants.

In contrast custody juvenile population overwhelmingly consists of juveniles who have serious offending histories. Some are first timers who committed a violent crime, but most are habitual offenders. Most of the custody population has been court involved multiple times and has previously been on probation and on deferred prosecution of filing agreements. In addition, the treatment costs and recidivism rates for the custody population are higher. Since Oklahoma and Tulsa counties youth comprise significant proportions of the First-time Offender Program population and the custody population, if further research was conducted, it would be very surprising to see if the statewide patterns for these programs differed when all counties but Tulsa and Oklahoma counties are excluded.

The effective use of community-based correctional programs requires planning. Policy, program, and operational planning are necessary if community-based programs are to accomplish the goal of reintegration and overcome the current prison crisis (McCarthy and McCarthy, 1984). The cost associated with juvenile corrections must be reduced. The annual cost of confining juveniles in public facilities alone exceeds \$2

billion. The use of Office of Juvenile Justice Delinquency Prevention's strategy, coupled with the use of sophisticated risk assessments to identify juveniles who do not require secure confinement and who can be safely treated in community-based programs, would result in substantial savings nationwide.

Cost Effectiveness

There are many reasons to utilize community-based correctional programs as dispositions for large numbers of criminal offenders. These programs facilitate reintegration, can be less expensive than institutional programs, and can be more humanitarian than incarceration. These advantages become significantly more important when one considers the crisis confronting American prisons (McCarthy and McCarthy, 1984).

The cost to Tulsa and Oklahoma county taxpayers for removing children from their homes has rapidly increased, reaching an alarming \$14 million. At a cost of \$34.72 per day to provide services to first offenders, this community-based model does not place a substantially higher cost burden on Tulsa or Oklahoma county taxpayers. Not only is the program cost-effective, but also statistics indicating reduced recidivism. These figures show that community-based programs are the most economical to operate, especially since it costs Tulsa and Oklahoma counties \$12,762,788 annually and on an average of \$ 186.00 per day for institutional placement of juvenile offenders. Research findings indicate that community-based correctional programs for juveniles are as effective as institutional programs, which are more costly. The success rate of a delinquency prevention program is the relative amount of those clients with delinquent

potential who have one or more arrests prevented by the treatment intervention (Lipsey, 1984).

The strength of the juvenile justice system lies in its ability to balance policies of prevention, rehabilitation, and punishment. History suggests that reform based on anyone of these policies cannot be interdependent. The underlying premise is that better long-term outcomes evolve from increasing developmental supports and opportunities available to young people. In the coming years, we may anticipate the continued growth of community-based programs for youth both residential and nonresidential programs can serve as viable alternatives to institutionalization (McCarthy and McCarthy, 1984). Juvenile delinquency prevention is rather like the old story about the man standing on the street corner snapping his fingers to keep elephants away. When his skeptical friend says, "there aren't any elephants around here," the man replies, "See, it works." A prevention program expends tangible resources in doing its work, but must measure its success in terms of the absence of something that might not have occurred anyway (Lipsey, 1984).

RECOMMENDATIONS

Social Significance

This section presents topics for further consideration and discussion. Program evaluations often produce as many questions as they answer. In light of the growing theoretical and practical interest on juvenile community-based corrections, especially its probable impact on reducing the number of juvenile offenders that re-offends becomes increasingly significant: What impact does providing community treatment and lowering

the recidivism rates of juvenile offenders have on the global economy? What are the cognitive, affective and behavioral consequences that impact the juvenile justice system?

Societal factors

The present study, hopefully, expanded the interest in exploring further the consequences of juvenile incarceration that can also lead to social problems. The obvious societal problems are the increase number of violent offenses committed by juvenile offenders. There are trends that show little signs of abating juvenile involvement, such as drug relation offenses and sexual assaults. Furthermore, the need to treat juvenile offenders with mental health issues is on the rise. The impetus for articulating the social implications of juvenile delinquency becomes more complex to address given the continued demands on education, which remain competitive with less manpower and financial resources. This cost associated with juvenile corrections must be reduced. An estimated \$2 billion a year is spent on housing costs and treatment of juvenile offenders. This creates further strains not only on the rehabilitation and drug treatment for juveniles, but also a struggle to provide adequate training/ programming for parents. Effective prevention, at this level, is more likely to come from governmental regulations and social policy decisions that emphasize preservices and training along with preparing the juvenile justice system practitioner to cope with the multitude of juvenile risk factors.

Recommendations for Practitioners

There must be a commitment from the community. Local officials need to make an active commitment to the goals of community-based alternatives to incarceration if the program is to succeed. Whenever youth are taken into custody, they come in contact with

law enforcement officials, juvenile judges, probation officers, detention center directors, and intake personnel. Law enforcement participation is especially critical because it is the responsibility of the referring officer to notify intake personnel when a youth is taken into custody and may be placed in jail. Any breakdown in intake services increases the likelihood of juvenile incarceration.

Written policies and procedures are critical in the sustainability of community-based initiative programs. Carefully written policies and procedures do not prevent juvenile jailing, since formal guidelines can be ignored. But written policies and procedures represent a commitment to an efficient and consistent program that is effectively administered. Written guidelines also convey a commitment to a philosophy and articulate the program's methodology. With specific guidelines to follow, personnel can avoid problems that would otherwise arise. Local funding; using local funds and personnel to administer community-based alternatives to incarceration ensure that those most directly affected by the program will understand and support it, which will contribute to the program's success. Local funding also increases the community's incentive to support the program and to provide seed money, without which the program could not begin. An overdependence on non-local funding may lead to the failure of the program. While these elements are important factors in building a continuum of community-based alternatives to incarceration, the most significant is the development of a specific and objective set of criteria for placement.

The essential role of specific and objective criteria for placement expanding the use of alternatives to incarceration requires that key players in the juvenile justice system agree to a viable mix of programs. They must also agree on which juveniles are suited for

which options, based on specific and objective placement criteria. All parts of the juvenile justice system must work together to produce the desired results. The failure of the juvenile justice system to achieve these goals stems from three causes. First, key players in the justice system do not agree on which juvenile offenders are best suited for a particular placement option. Second, agency personnel do not understand how the various components of the system work and do not have adequate information about the juvenile offenders who go through the system. Third, agency personnel fail to communicate clearly with each other about organizational capabilities or about the limitations of specific programs and placement options.

The State must provide a legislative framework for community-based services and high-quality care and custody; objective and specific criteria for placement in the continuum; a process for the efficient delivery of services; training to avoid local duplication; and, in some cases, funding support to ensure comprehensive coverage in all counties address the disproportionate confinement of minority youth provides the criteria for developing and assessing the continuum of community-based alternatives to incarceration.

Many research studies examine the prevention of juvenile delinquency. This study is no exception. It attempted to take a more integrated look at recidivism rates and community-based program models. The juvenile justice reform literature has primarily examined punishment in relation to the offense; however, this study showed that there is need for further investigation of the main effect of community-based program models. Hopefully, the present research will encourage other researchers to further explore best practice. Whereas this study focused on first-time offenders in community-based

programs, more controversial research, such as the disproportionate confinement of minorities must be brought to the forefront. Disproportionate representation of minorities in secure juvenile facilities must be eradicated. Most of the previous studies have involved predominantly Caucasian participants; further research is needed among a more diverse population and with emphasis on the importance of cultural sensitivity.

Research Limitation

As an intervention, the First Offender Program could hardly be described as minimal. At the same time, though, it is by no means the end all. There were several research limitation. The author did not control for the type of offense. The type of juvenile offense was included in the data that was obtained from the JOLT's system. Other factors the author did not control for was social class. It was unknown the social class of the juveniles included in the study. Furthermore, The author only analyzed those who completed or were released from a program; thereby, inflating the success rate of program participation. The author did not examine the difference between the different types of program. By grouping all community based programs together the audience can not tell if restitution, boot camps are better than community service, etc.. Finally, the regional limitation should be noted; many states differ in the use of these programs, thereby, questioning their effectiveness. This line of argument suggests that the question of who needs intervention should be given as much consideration as the issue of what intervention is needed. Future *diversion* programs that have a similar slanted emphasis are likely to reinforce the long-standing contention of critics.

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VITA 2

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Master of Sciences

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