An Evidence-Based Decision-Making Platform: Fairness and Equity in the Juvenile Justice System

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Moving in a New Direction

Subjective Decision-Making → Objective Decision-Making
Lack of Research-Based Framework to Guide Decisions
Detention / Incarceration
Lack of Research on “What Works”
Deficit-Based Approaches

Objective Decision-Making
Approaches Based on Risk, Need, and Responsivity
Community-Based Services
Effective and Evidence-Based Programming
Developmental Approaches

Multi-System Coordination

There is an increased recognition that juvenile justice agencies cannot do the work alone. They must collaborate with partners, including but not limited to:

- Judges
- Law Enforcement
- Attorneys
- Community-Based Organizations
- Families
- Youth
- Education
- Behavioral Health
- Child Welfare
The Ecological Model: Nesting Theory

Youth “nested” within multiple systems that impact behavior, such as:
- Families
- Peer Groups
- Schools
- Communities
- Individual

Effective System Interventions

- Common traits of effective system interventions
  - Respond to identified risk and need
  - Address criminogenic factors
  - Address family, school, community and peer dynamics
  - Connect youth to appropriate services with correct dosage and setting, i.e., structured decision making
  - Are applied in probation and correctional settings
  - Are perceived as being fair and equitable

Risk, Need and Responsivity

In recent years, juvenile justice professionals have recognized the research that shows that we are more likely to achieve positive youth outcomes and reduce recidivism if decisions regarding services and placement for court-involved youth are based on:

1. The youth’s level of risk for reoffending; and
2. The factors that play a role in the youth’s offending, also referenced as Criminogenic Needs

Risk, Need and Responsivity

- **Risk Principle**: Supervision and services should be focused on youth most likely to reoffend.
- **Need Principle**: Services should address the youth’s criminogenic needs or dynamic risk factors—that is, those factors associated with delinquency (e.g., negative peer associations, anti-social attitudes, substance abuse, poor academic performance, family problems).
- **Responsivity Principle**: Services should help youth overcome barriers to learning, improving behavior, and responding to treatment (e.g., mental health, motivation, cognitive functioning).


Risk/Needs Assessments

- Estimate the likelihood of continued delinquent behavior without intervention and identify the factors driving the youth to delinquency
- Must be validated (i.e., proven to accurately predict what it is intended to predict)
- Must be standardized (i.e., implemented consistently and with fidelity) but allow for professional overrides in isolated and relatively infrequent situations


Matching Risk Level and Needs to Services

Across the U.S., systems use risk/needs assessment information to drive:

- Dispositional, Placement and Service Decisions (e.g., matrices)
- Case Planning
- Graduated Response Systems
Criminogenic Domains

Prior and Current Offenses
Education
Substance Abuse
Family
Personality/Behavior
Peers
Leisure/Recreation
Attitudes/Orientation

Matching Supervision and Services: Utilizing a Dispositional Matrix

- Case planning and dispositional recommendation tool
- Developed based on historical case information: offense type, risk level and recidivism
- Creates range of preferred levels of supervision and types of services to be recommended for youth at disposition
- Provides opportunity to track rate at which recommendations are followed and recidivism rates for preferred options and court ordered dispositions if they differ
- Tool should at some point be validated
Comparison of Clinical vs. Statistical Prediction of Recidivism

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Following the Dispositional Guidelines Reduces Recidivism

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Moving Towards Effective System Interventions

- Evidence-based programs: programs shown, through current scientific research to lead to a reduction in recidivism
- Typically certified by national body, such as:
  - Blueprints for Violence Prevention
  - OJJDP Model Programs Guide
  - National Registry of Evidence-based Programs and Practices (NREPP)
Classic “Brand Name” EBPs

- Functional Family Therapy
- Multi-Systemic Therapy
- Multi-Dimensional Treatment Foster Care
- Aggression Replacement Training


Effective System Interventions

- However, “brand name” EBPs are not the only solution!
- “Home grown” programs can also be EBPs if:
  - grounded in research on “what works”;
  - implemented with fidelity; and
  - evaluated for effectiveness.

So What Matters in Designing and Implementing an Effective Program?

- Program Type:
  - Therapeutic approaches work (e.g., skill-building; counseling)
  - Programs emphasizing “control” or “fear” have small or negative effects on recidivism (e.g., boot camps, prison visitation programs)
- Service Quantity and Quality:
  - Duration and total hours of service
  - Protocols; training; monitoring of service delivery
  - High quality implementation
- Targeting Youth’s Risk Level:
  - Larger effects with high risk youth

Standardized Program Evaluation Protocol (SPEP)

- Tool to assess programs for youth regarding their expected effectiveness to reduce recidivism
- Developed by Mark Lipsey, Director of the Peabody Institute at Vanderbilt University
- Implemented in nine sites around the U.S.

Juvenile Justice System Improvement Project and the Juvenile Justice Reform and Reinvestment Initiative

- Designed to help states improve outcomes for youth by translating “what works” into daily practice
  - Incorporates Lipsey’s research and the Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders developed by Dr. James C. Howell and James Wilson
- Four jurisdictions (state/pilot) engaged in JJSIP
  - Arizona (Maricopa County), Connecticut (Hartford)
  - Florida (Pinellas County), Pennsylvania (Berks County)
- Three jurisdictions engaged in JJRRI
  - Delaware, Iowa and Milwaukee County

SPEP Summary

- No one approach to EBP: There are different definitions of practice with correspondingly different bodies of evidence.
- Meta-analysis can be used to develop evidence-based practice profiles for generic interventions with wider applicability than the model program approach.
- Real world programs that better match those EBP profiles do indeed show better outcomes.
Creating an Evidence Based Operating Platform

Special Topic Focusing on Fairness

Research indicates that youth who feel that the justice system has treated them fairly are more likely to:

- Accept responsibility for their actions
- Respect authority
- Embrace pro-social activities
- Decrease their delinquent behavior


Focusing on Fairness

What impacts youth’s perceptions of fairness?

- Opportunities to express “voice”
- Neutrality and fact-based quality of decision making
- Being treated with respect
- Whether authorities appear to “care”

So strategies focused on empowering the youth voice; reducing racial and ethnic disparities; and enhancing relationships between system staff and youth are all arguably evidence-based policies and practices

Special Topic: Family Engagement

- Defining and identifying “family”
  - Broadening the definition of family
  - Vera Institute of Justice’s Juvenile Relational Inquiry Tool
  - Family Finding

- Supporting the family voice through teaming
  - Family-centered, strength-based engagement
  - Supervision and service decision making
  - Ongoing assessment of youth’s progress

- Facility-level approaches
  - Encouraging visitation/contact
  - Acknowledges research on impact of family contact on youth behavior and academic performance*
  - Measuring practices
  - Performance-based Standards on family engagement

- Empowering families
  - Parents’/Families’ “Bill of Rights” (Texas JJD, DC DYRS, Indiana DYS)
  - Skill-building and support (Ohio DYS)
  - Family councils (Oregon YA; Indiana DYS)


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