



# THE DEVELOPMENTAL APPROACH

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# WHAT IS THE DEVELOPMENTAL APPROACH?

- Taking a “developmental approach” to juvenile justice embraces policies and practices at every decision point, and by every actor or participant, that are informed by, and compatible with, evolving knowledge about adolescent development and with research evidence on the effects of juvenile justice interventions.
- Knowledge about adolescent development aligns with the goals of the juvenile justice system (holding youth accountable, being fair, and preventing reoffending).

# ADOLESCENT DEVELOPMENT

- The processes of neurobiological and psychological maturation occur well into their early twenties.
- From a developmental point of view, there is no single chronological age that marks the boundary between adolescence and adulthood.
- A developmental approach is relevant to the treatment of adolescents over age 17 who are either within the dispositional and treatment jurisdiction of the juvenile court or who are prosecuted in a criminal court.

# ADOLESCENTS DIFFER FROM ADULTS IN THREE IMPORTANT WAYS:

- As compared with adults, adolescents are:
  - 1) less able to regulate their own behavior in emotionally charged contexts,
  - 2) more sensitive to external influences to their own behavior such as the presence of peers and the immediacy of rewards, and
  - 3) less able to make informed decisions that require long-term consideration.

In general, these capacities improve as adolescents get older and progress into young adulthood.

# JUSTICE INTERVENTIONS - EMERGING SCIENCE

- Being held accountable for wrongdoing and accepting responsibility in a process perceived to be fair promotes healthy moral development and legal socialization.
- Being penalized, especially with severe sanctions, in a process perceived as unfair reinforces social disaffection and antisocial behavior.
- Predominantly punitive policies and programs do not foster prosocial development or reduce recidivism.

# JUSTICE INTERVENTIONS - EMERGING SCIENCE

- ◉ No convincing evidence exists that confinement of juvenile offenders beyond the time needed to deliver intensive services reduces the likelihood of reoffending.
- ◉ Programs that aim to reduce risk factors associated with crime by fostering prosocial development and by building promotive (protective) factors at the individual, family, school, and peer levels, have been shown to be successful at preventing re-offending with more benefits than costs.
- ◉ Racial and ethnic disparities, even if unintentional, contribute to perceptions of unfairness among justice-involved youth, their families, and members of minority communities.

# HALLMARKS OF A DEVELOPMENTAL APPROACH

- ◉ Accountability without Criminalization;
- ◉ Alternatives to Justice System Involvement;
- ◉ Individualized Response Based on Assessment of Needs and Risks;
- ◉ Confinement Only When Necessary for Public Safety;
- ◉ A Genuine Commitment to Fairness;
- ◉ Sensitivity to Disparate Treatment; and
- ◉ Family Engagement.

# ACCOUNTABILITY WITHOUT CRIMINALIZATION

- Adolescents need opportunities to accept responsibility for their actions and, where appropriate, to make amends to affected individuals and communities. However, given that adolescence is a transient period, when youth are involved in the justice system, measures should be taken to fully preserve the youth's opportunities for successful integration into adult life.



# ALTERNATIVES TO JUSTICE SYSTEM INVOLVEMENT

- Interventions aiming to prevent re-offending often are more effective if services needed by adolescents are provided within the community and not through the justice system, as long as accountability is also achieved when appropriate.
- Well-designed community-based programs are more likely than institutional confinement to facilitate healthy development and reduce recidivism for the majority of youth who come to the attention of the juvenile justice system.

# INDIVIDUALIZED RESPONSE BASED ON ASSESSMENT OF NEEDS AND RISKS

- Individualized assessment of the treatment and intervention needs of the adolescent, as well as the risk of subsequent offending, helps to match needs appropriately to available levels of supervision and services.

# CONFINEMENT ONLY WHEN NECESSARY FOR PUBLIC SAFETY

- Even when youth are adjudicated as delinquent, alternatives to confinement often serve the goals of the system. This does not mean that all services need to be provided outside of residential placement, which is necessary for some adolescents from a public safety perspective.
- Studies have shown, however, that confinement of juveniles beyond the minimum amount needed to deliver intensive services effectively is not only wasteful economically but also potentially harmful, and it may impede prosocial development.

# A GENUINE COMMITMENT TO FAIRNESS

- Treating youth fairly and ensuring that they perceive that they have been treated fairly and with dignity contribute to several important features of prosocial development, including moral development, belief in the legitimacy of the law, and the legal socialization process more generally.

# SENSITIVITY TO DISPARATE TREATMENT

- As perceptions of unfairness have been corrosive to minorities, their families, and communities, jurisdictions' efforts to reduce racial/ethnic disparities are extremely important and can ameliorate the effects of disadvantage and discrimination by reducing unnecessary involvement with and confinement in the justice system.

# FAMILY ENGAGEMENT

- A positive family experience is a central feature of positive youth development, even for system-involved youth. The juvenile justice system has the opportunity and responsibility to encourage family involvement whenever possible, including interactions with law enforcement, court proceedings, service delivery, intervention, and re-integration, in order to produce successful outcomes and to reduce re-offending.

# PARTICIPANTS IN THE JUVENILE JUSTICE PROCESS

- ◉ Range of decision-makers who interact with youth at various stages of cognitive and emotional development and throughout the justice process.
- ◉ Training justice personnel and associated service providers on findings from developmental science can help them understand adolescent behavior and how best to respond to youth involved in the system.

# DIFFERENT PARTNERS WORKING TOGETHER

- ◉ Community-based service providers
- ◉ Defense counsel
- ◉ Judges
- ◉ Juvenile justice case managers
  - Coordinate the provision of community-based services such as tutoring, vocational services, family counseling, mentoring, and mental health or behavioral health services. Assignments should be based on careful understanding of adolescent needs.
- ◉ Police officers
- ◉ Prosecutors
- ◉ Residential facilities
  - Ensure that all placement staff are trained to understand normal adolescent risk-taking behavior and the developmental need for prosocial interactions between peers and with adults and opportunities for decision making.
- ◉ School administrators and personnel



# OJJDP'S ROLE

- ◉ Develop a staff training curriculum based on the hallmarks of a developmental approach to juvenile justice reform.
- ◉ With the assistance of a team of external experts, it should implement the training curriculum on an ongoing basis and train, assign, or hire staff to align its capabilities with the skills and expertise needed to carry out a developmentally-oriented approach to juvenile justice reform.
- ◉ Promote the development and strengthening of the State Advisory Groups (SAGs) to be juvenile justice reform leaders by supporting meaningful family and youth engagement, fostering partnerships, delivering strategic training and technical assistance aimed at facilitating reform, and ensuring that SAG members and staff are knowledgeable about the hallmarks of a developmental approach to juvenile justice.

# TECHNICAL ASSISTANCE FRAMEWORK

- TA framework provides capacity building support to state, local, and tribal jurisdictions, including the SAGs, in two broad categories, tactical and strategic.
- Tactical forms of technical assistance are specific and short in duration, such as the development of a risk assessment tool and training on its use.
- Strategic technical assistance is more comprehensive, provided over a long time horizon, and better suited for addressing complex issues. Strategic technical assistance spans multiple years, and when it is well executed, it is customized to the local level and decisions are guided by data.

# TECHNICAL ASSISTANCE FRAMEWORK

- Both types of assistance are tools necessary for OJJDP to guide reform.
- Given the expense of a long-term commitment of technical assistance and the scarcity of resources, OJJDP must be strategic in deciding which localities or states are eligible to receive the assistance, under what specific circumstances, and through which carefully selected providers that have demonstrated expertise in adolescent development.
- TA providers need to be both academically and experientially proficient in development science.