

Recommendations for Programming for Status Offenders

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Abstract

Status offenses are crimes that can only be committed by juvenile offenders. Status offenses account for nearly for thousands of juveniles offenses every year. Programming is a key component that can be used to reduce the rates of recidivism and provide alternatives to monetary charges that juveniles receive when charged with status offense. Effective programming can assist the offender, the family and the community and should be integrated on all levels to assist the in the reduction of status offenses.

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I. Introduction

Overview of Status Offenses

A status offense is defined as an act committed by a juvenile, that an adult cannot be prosecuted for, and society does not want the juvenile to commit (Bates & Swan, 2014).

According to the Office of Juvenile Justice and Delinquency Prevention more than two million times a year an individual, under the age of 18, is arrested for a status offense. There are currently around 100,000 youth in juvenile jail, detentions, prisons, boot camps and other juvenile facilities (McLeigh & Sianko, 2010).

Statistics show that juveniles that commit status offenses, such as truancy, have significant challenges such as abuse and neglect, mental health issues, undiagnosed disabilities or past abuse or trauma (Pilnik, 2014). Juveniles enter the justice system when they commit offenses which can lead to fines, referrals to juvenile centers, placement in detention settings or placement in foster care settings; these outcomes can happen due to minor offenses that adult offenders are not subject too.

In 1974 the United States passed legislation for juvenile offenders in order to minimize the criminalization of juvenile offenders and lower the number of offenders in detention facilities (Bates & Swan, 2014). This law needs further reform and amending to address the current trends of status offenses and create new programs to address new ways to decriminalize youth who commit status offenses.

Early in the criminal justice system juveniles could be housed or incarcerated for minimal crimes. Juveniles were also at risk for incarceration for mental illness and other ailments. This led to an outcry for reform within the juvenile justice system (CJCJ, 2017).

Statement of the Problem

Status offenses are crimes that adults cannot be charged with; they are offenses that only juveniles can be charged with and often lead to the juvenile interacting with the criminal justice system. The juvenile charged with the status offense typically are given monetary fines and/or time in a juvenile facility as a result of the offense.

The most common status offenses are truancy, running away, being ungovernable, violating curfew or possessing alcohol or tobacco (JJDP, 2017). Status offenders are often a result of poor family function, family dynamics, school problems, mental illness or community problems. Research also shows that many juveniles who run away have been physically or sexually abused (JJDP, 2017).

State and counties often have little resources to address status offenders. The current standards and treatment of juvenile offenses include judgments of monetary fines or place the juvenile in a detention or residential treatment facility. These scenarios are not ideal and often lead to further issues for the youth including victimization, further family strain, reduced school performance and further involvement in the legal system (Center for Juvenile and Criminal Justice 2017).

Although research is limited on the effects of institutionalizing juveniles who commit status offenses; however, research that examines the effects of juveniles who are institutionalized due to criminal activity indicates that recidivism is not lowered due to incarceration or

admittance to a facility for juveniles. The data, overall, indicates that juveniles who are placed in these settings have a higher rate of recidivism due to exposure to more violent offenders and development of anti-social perceptions (JJDP, 2017).

Purpose of the Study

The purpose of this study is to review status offense programs that are effectively utilized. Juveniles that are convicted of status offenses have a greater risk for involvement in the justice system. Currently there are effective models that are utilized and potentially could be implemented on a nation-wide scale. This study looks at programming and offers recommendations for universal programming.

Significance of the Study

The significance of this study is to make recommendations to state and local agencies for programming to be implemented instead of charging the juvenile criminally for the status offense crimes. This paper will argue that effective programming will help reduce the rates of recidivism for juvenile offenders and reduce the rate of further involvement in the justice system.

A comparison of programs that in place already will be reviewed; including the Status Offender Program of Idaho, New York State PINS Program, Ecologically Family Cased Therapy and the Vera Project. After a review of these programs has been completed the information will be analyzed with a theoretical review using General Strain Theory and Social Control Theory.

The argument will be presented that with effective programming recommendations can be made to assist state and local agencies to implement and reduce the rate of status offenses and further recidivism of juvenile offenders.

Methods Used

A review of secondary literature will be used to make recommendations for programming. Specifically, research from the selected programs from New York PINS program, The Vera Project and Idaho's juvenile status offense programs, Ecologically Based Family Therapy; federal regulations and programs will also be used to make recommendations for programming. This paper will also utilize General Strain Theory and Social Control Theory to rationalize the need for standardized programming across the United States. There will be no original data collected for purposes of this paper.

II. Literature Review

Criminal offenses committed by juveniles

According to the OJJDP (2002) delinquency can be linked to deficits in psychological and physiological needs that go unmet within the juvenile's background. The juvenile will typically exhibit deficits in at least one of the five domains; neighborhood, family, school, peers and individual characteristics (OJJDP, 2002). Other risk factors that can indicate an inclination towards criminal activities are presented in the following chart.

Risk Factors	Adolescent Problem Behaviors				
	Substance Abuse	Delinquency	Teenage Pregnancy	School Dropout	Violence
Community					
Availability of Drugs	✓				
Availability of Firearms		✓			✓
Community Laws and Norms Favorable Toward Drug Use, Firearms, and Crime	✓	✓			✓
Media Portrayals of Violence					✓
Transitions and Mobility	✓	✓		✓	
Low Neighborhood Attachment and Community Organization	✓	✓			✓
Extreme Economic Deprivation	✓	✓	✓	✓	✓
Family					
Family History of the Problem Behavior	✓	✓	✓	✓	
Family Management Problems	✓	✓	✓	✓	✓
Family Conflict	✓	✓	✓	✓	✓
Favorable Parental Attitudes and Involvement in the Problem Behavior	✓	✓			✓
School					
Early and Persistent Antisocial Behavior	✓	✓	✓	✓	✓
Academic Failure Beginning in Elementary School	✓	✓	✓	✓	✓
Lack of Commitment to School	✓	✓	✓	✓	
Individual/Peer					
Rebelliousness	✓	✓		✓	
Friends Who Engage in the Problem Behavior	✓	✓	✓	✓	✓
Favorable Attitudes Toward the Problem Behavior	✓	✓	✓	✓	
Early Initiation of the Problem Behavior	✓	✓	✓	✓	✓
Constitutional Factors	✓	✓			✓

These factors combined with risk factors in the five initial domains can lead an increased chance of criminal activity among juveniles. The severity and intensity of the crimes, from status offense to criminal offenses, can vary and increase in intensity without proper programming and interventions early in the juvenile's life (OJJDP, 2002).

For purposes of this paper it was important to recognize that juveniles commit both status offense and criminal crimes. The primary focus of the paper is identifying early interventions for status offenders with the conception that by early intervention status offenders will be deterred from further criminal careers and these interventions can prevent the offender from graduating from status offenses to criminal offenses.

Status offenses juvenile convictions

There are five primary types of status offenses that juveniles are convicted of. The type of offense is truancy. Truancy is defined as habitual unexcused absences from school; more than

the regulations allow. There are variations from state to state however each state has a set number of days that the juvenile is allowed to miss school; also, there are regulations for one a juvenile starts school and is allowed to drop out of school (OJJPA, 2019).

The second primary status offense that a juvenile can be charged with is running away or runaways. The Office of Juvenile Justice and Delinquency Prevention characterize a runaway as “a child who leaves home without permission and stays away for at least one night” (OJJPA Mentoring, 2019). Most juveniles return after a few days however those who stay away longer are typically escaping family abuse such as abuse or addiction (OJJPA, 2019).

The third primary status offense is curfew violations. There are variations from state to state or within local communities for ages and times that a juvenile is considered to be violating curfew. There are exceptions to curfew violations that can include school functions, work hours and emergency situations. Age based curfews can cause a juvenile to be charged with this status offense under any circumstance (OJJPA, 2019).

The fourth primary status offense is underage drinking. This is a common activity among youth. The 2012 National Survey on Drug Use and Health reported that juveniles between the age of 12 to 20 drank alcohol at a rate of over 25% and over 15% of these juveniles reported binge drinking. The survey also reported that 1.7 million juveniles were classified as heavy drinkers, consuming at least five alcoholic drinks in a setting. There is currently debate per the Office of General Review on continuing charging youth with a status offense for underage drinking or possession due to the grey area of juveniles between the ages of 18 to 20. There is legislation presented to charge all youth with a criminal offense for underage drinking and possession since the grey area juveniles are charged criminally (OJJPA, 2019).

The fifth primary status offense that juveniles can be charged with is incorrigible or ungovernable juvenile. This type of status of offense is when the family is unable to manage the behaviors of the juvenile. The court deems that the juvenile is unruly, unmanageable or incorrigible and the juvenile is charged with the status offense (OJJPA, 2019).

Rates of status offenses

The OJJDP reports that more than two million times a year law enforcement arrests a suspect who is under the age of eighteen. The arrest rate of juveniles between the ages of ten to seventeen has increased steadily between the 1980's and early 1990's, rising from 7,500 per 100,000 to 9,250 per 100,000 in 1994. However, by 2000 the arrest rate has dropped for violent crimes to a low of 6,250 per 100,000. Despite the decline in rates in 2000, more than 100,000 juveniles were held in juvenile detention, jails, boot camps and other juvenile facilities (McLeigh & Sianko 2010).

Status offending is a result of underlying issues that can be from the family, personal, community or systemic issues (OJJDP, 2015). The issues that cause the juvenile to offend can lead to later adult offending and the juvenile has a higher risk of drug use, victimization, risky behavior and an overall risk to physical and mental health conditions (Greenwood and Turner, 2011). It is important to recognize that juveniles will not always engage in behavior that is considered pro-social or positive; these behaviors can include lying, delinquency, truancy or defying parental figures and teachers. These negative behaviors allow the juvenile to understand consequences and allow the juvenile to learn from mistakes (OJJDP, 2015).

Status offenders can be broken into categories; age, race and gender are the defining factors that are currently identified by the OJJDP (2019). In 2013, the age range identified by

the OJJDP (2015) had decreased in all age groups from 1995 to 2013. The current age group of 16 year petitioned for status offense cases had twice the number of cases petitioned for 14-year-old and 14-year old had four times the number of petitioned cases. In 2013, however the petitioned cases for truancy doubled across all age groups (Hockenberry & Puzanchera, 2015).

According to the OJJDP (2015) in 2013 the number of males petitioned for status offense cases was 58%. Males also had the most cases in the area of curfew offenses at 69%, liquor law violations at 61%, ungovernability violations at 58% and truancy violations at 55%. Female offenders outnumbered males for runaway offenses at 55%. However, between 1995-2013 both male and female petitioned status offense cases saw a decline; 11% decrease for female offenders and 14% decrease for male offenders (Hockenberry & Puzanchera, 2015).

The race of the status offender is also used according to the OJJDP (2015). In 2013 the individuals that had the highest number of petitioned cases are white, black, Asian and American Indian juveniles. In 2013 white juveniles had a higher rate of liquor law violations compared to African American juveniles; with the white juvenile at 18% and the African American juvenile at 6% (Hockenberry & Puzanchera, 2015). White juveniles also showed a higher rate of runaway cases in 2013 compared to African American juveniles; white juveniles had a rate of 53% compared to African American juveniles at 45%. African American juveniles had higher rates of ungovernability, and curfew violations compared to white juveniles in 2013; ungovernability at 14% for African American juveniles and 9% for white juveniles and rates of curfew showed 15% of African American juveniles and 6% for white juveniles (Hockenberry & Puzanchera, 2015).

The race of the juvenile across populations dropped between 1995-2013. The petitioned case rate decline for white juveniles was 23% across all offenses, 24% for American Indian juveniles across all offenses, 29% for Asian juveniles and 2% for African American juveniles

across all offenses (Hockenberry & Puzzanchera, 2015). American Indian juveniles had the largest decline in petitioned cases; however, American Indian juveniles have the highest rate of petitioned cases across all race categories defined by the OJJDP (2015).

Federal status offense laws

Status offense laws are not mandated on a federal level. Status offenses and the charges that result due to a status offense are based on the state and local jurisdictions. In the late 1960's and 1970's there was a movement to decriminalize status offenses that resulted in the passing of the 1974 Federal Juvenile Delinquency Act (US Department of Justice, 2019). This Act intended to move juveniles who were charged with status offenses out of the juvenile justice system and into agencies outside of the justice system. The goal of the act was to adjudicate juveniles who were outside the justice system and in need of familial or other agency support.

The Federal Juvenile Delinquency Act of 1974 established a framework for working with juveniles that committed status offenses. The framework of the act was to establish a system for working with juveniles who commit status offenses because it was assumed that by labeling the juvenile, they would commit worsening offenses or become repeat status offenders (Bradley, 2012). The juveniles that committed status offenses were considered persons in need of supervision or children in need of supervision and it was assumed that the best action would be to divert out of the justice system and into an environment that would enable the juvenile to succeed. Despite this act, in the United States every state still has status offense laws that can criminalize the juvenile (Bradly, 2012).

The Federal Juvenile Delinquency Act of 1974 was amended in 1984 to add the valid court order exception or VCO (Juvenile Justice, 2017). This edition to the Act allowed for

juveniles who were already under a court order to be placed in a detention or residential treatment facility even if the juvenile was charged with a non-criminal act (Juvenile Justice, 2017). The VCO can incarcerate or criminal penalize juveniles who commit acts such as not attend school regularly or have violated curfew several times (OJJDP, 2019). This continues to give authorities jurisdiction to hold juveniles who commit repeated status offenses and after the juvenile has violated the original order and committed another status offense the juvenile can be detained which changes the charge. The VCO allows for the punishment based on the premise that after violating the original order the offense changes from a status offense to a delinquent act and is no longer protected by the Federal Juvenile Delinquency Act (OJJDP, 2019).

State Laws and status offenses

Status offense laws vary from state to state. Not all status offenses that are listed in OJJDP (2019) are used in every state. The Coalition for Juvenile Justice (2015) conducted a nationwide survey for national standards for youth convicted of a status offense. The mission of the project is to divert juveniles charged with a status offense from the courts and connect the juvenile with family or community based organizations that can assist with the delinquent youth (Coalition for Juvenile Justice, 2015).

The national survey completed by the Coalition for Juvenile Justice (2015) provides information that can assist in forming laws that are nationwide to provide a consistency when working with juveniles who commit status offenses. State laws differ in consistency, terminology and treatment of status offenses. The legislative labels also vary from state to state and include the statutory language including status offender, child in need of supervision, child in need of services and family in need of services. This language can be used dually with children who in the court due to cases of abuse and neglect (Coalition for Juvenile Justice, 2015).

The National Standards are included in the Federal Delinquency Act of 1974 (US Department of Justice, 2019); recommend that all juveniles who commit status offenses have limited interactions with the justice system and discourage confinement of juveniles for status offenses. The act further encourages states to set a standard for working with juveniles that commit status offenses; including use of community agencies, diversion programs and other methods to deter the youth from committing further offenses and having further engagement with the justice system (Coalition for Juvenile Justice, 2015).

Almost all states have truancy as a status offense; except the states of Alaska, Colorado, Iowa, Maine, Minnesota, Oregon, North Dakota, Ohio, Pennsylvania and Vermont (OJJDP, 2013). There is a total of ten states that list certain alcohols as a status offense, seven states that consider curfew a status offense and only six states that consider tobacco a status offense (Coalition for Juvenile Justice, 2015). All states have language that designates who can be charged with a status offense; this language is changing to address concerns that were not prevalent in the past. For example, bullying and electronic messages that have sexual contact are now recognized as status offenses in some states (Coalition for Juvenile Justice, 2015). There is discrepancy in state labels that vary from protection of the child to protection of the public. The spectrum of the labels used can impact the juvenile and the family.

III. Theoretical framework

General Strain Theory

General Strain Theory by Robert Agnew is a theory that can explain the delinquency of juveniles and the adverse effects that strain can have on criminal activity in juveniles. The theory was revised by Agnew in 1992 to include explanations that focus on negative peer

interactions and the inclination that these interactions can lead towards criminal activity in juveniles (Agnew & White, 1992). General strain theory outlines several modes of strain; including loss of positive stimuli, goal blockage, failure to attain positive goals and the failure or stress of the strain can lead to anger, frustration or other negative emotions that can lead to criminal activity (Barron, 2004).

General strain theory implies that individuals are pressured into committing criminal activity because of negative events or strains that are present in their life and the probability that the individual will act negatively on the staining event is dependent on other variables that are present in the juveniles life (Matthews, 2011). If the juvenile lacks resources, is from a low socio-economic home, have a pre-disposed attitude towards criminal activity, low self-esteem, low self-efficacy, poor social support, poor attachment to others including peers, and interact with delinquent peers research has shown that these juveniles will be more likely to react negatively to strain than peers with positive attributes and support systems (Matthews, 2011).

According to Agnew (2006) juveniles with poor coping skills are more apt to respond to strain with criminal activity. Agnew (2006) lists several coping skills and resources that these juveniles lack; including poor problem solving, poor social skills, low constraint, low self-efficacy, etc. These juveniles tend to react to strain with criminal activity based on the lack of skills and familial support systems (Matthews, 2011). Agnew (2006) argues that the higher rate of criminal activity in these groups of juveniles is due to the cost of the crime being lower than the reward for committing the crime. Agnew (2006) also argues that individuals, adults and youth, who experience strain are more likely to engage in criminal activity due to negative emotions such as anger, frustration and depression because the lack coping skills or more pre-disposed to committing criminal activity compared to peers (Matthews, 2011).

According to general strain theory and research that has been conducted by Agnew (2006). The probability that juveniles who experience strain and have little resources to work through the strains are more likely to commit criminal acts. The effects of the strain can be alleviated by utilizing resources and programming to assist families in learning coping skills and learning how to adjust to environmental factors that cause strain.

Social Control Theory

Social Control Theory to explain delinquency was published in 1969 by Travis Hirschi. Hirschi (Hirschi, 1969) suggested that there are four bonds; attachment, commitment, involvement and belief system that will enable them to control the urge to break the law. Attachment is the relationship that the juvenile internalizes, it is determined by the relationship the child has with the parent (Demuth & Brown, 2004). Commitment is the importance the juvenile has in social activities; such as involvement in clubs, sports, committees and social activities that the juvenile participates in (Demuth & Brown, 2004). Involvement is the time the juvenile spends in socially acceptable activities; these activities would not be activities that are seen as outside the norm of what the typical juvenile would participate in (Alston, et. al., 2001). Beliefs are the beliefs that the juvenile holds, the morals that the juvenile lives by, and in order for delinquency to be prevented the juvenile must have morals that are against delinquency and activities that would lead to delinquency (Alston, et, al., 2001).

According to research conducted by Hirschfield & Gasper (2011) the relationship between social engagement and involvement is crucial to the development of juveniles and positive roles reduce the rate of delinquency. The research showed that juveniles who have

positive and strong social bonds with the school, peers and teachers, the rates of delinquency decreased. The students who have poor social bonds develop low attachment and are more likely to engage in juvenile delinquency. School involvement essentially decreased the rate of deviance and increases positive social bonds among the juveniles (Hirschfield & Gasper, 2011).

A study conducted by Hoeve, et. al. (2012) examined the bonds that juveniles and parental attachment affects the social bonds. The research indicated that juveniles that have poor attachment with parents lead to a higher rate of delinquency. According to Hirschi (1969) delinquency in families with strong bonds are lower because juveniles that have strong bonds with parents are more likely to care about the expectations of the parents and thus likely to commit acts of delinquency (Hoeve, et. al. 2012).

Demant & VanHoutte (2012) examined the belief system of social control theory. The premise of the research was that students with teachers that did not believe in the student would lead to a higher rate of delinquency. The research indicated that students that were categorized as gifted and the students that were not labeled as behaviorally involved had a better success rate. This can be related to Hirschi (1969) in the area of belief. The belief is lacking from those that the juvenile should have regard for and without this the students no longer has a positive belief about the authoritative figure, such as the teacher, and will become more likely to engage in criminal or delinquent activities. The research also showed a correlation between the teachers' perceptions of the juvenile and the behavioral response of the juvenile (Demant & VanHoutte, 2012). Social Control Theory would indicate that as a result of the poor social bonds between the students and teachers that delinquency and deviant behavior is more probable (Hirschi, 1969).

IV. Existing Program Review

New York State PINS Program

The New York State PINS, persons in need of support, is a program for youth under the age of eighteen, does not attend school, behaves in a way that is dangerous or out of control, or misbehaves against parents, or authority figures. Juveniles that fall into any of these categories could be referred to the program and through the Family Assessment Program (NY Court, 2019).

Juveniles that are referred to the PINS program first go through the family assessment process; this program is intended to keep the juvenile out of foster care or a detention setting. The juvenile receives an attorney for the child to assist the process and make sure that he/she receives adequate and fair representation. The juvenile then goes through a fact-finding hearing; the court cannot commit the child to foster care or a secure facility. The juvenile may also be subject to psychiatric treatment if the court deems necessary (NY Court, 2019).

The primary purpose of the PINS program is to keep the juvenile out of family or criminal court. The program assists families in finding alternative methods to work through issues such as incorrigibility, truancy, unlawful or disobedient behavior. Schools, families and police departments can refer juveniles to the program. Schools can refer a juvenile who has accrued more than ten unexcused absences, police can refer for crimes such as marijuana or alcohol possession and families for disobedient behaviors. Parents are required to have attempted other methods before acceptance into the PINS program (Oneida County, 2019).

The PINS program in NY state is subject to mixed reviews. The program initially had success in keeping juveniles out of the court system and receiving services to maintain success outside of the justice system. The program has endured changes since its inception; including

changing the referral age from sixteen to eighteen which saw an increase in the number of referrals. The program is also costly which has deterred smaller New York counties from using the program successfully. The program also has encountered a larger number of unmet mental health needs which strains the program further. The continued goal of the program is to defer juveniles out of the justice system and into a positive system with family and community supports. Recent legislation has been presented in New York to modify and continue the program to address the changing dynamics within the justice and family systems (NY Court, 2019).

The PINS program utilizes the concepts that were introduced in the 1974 Federal Juvenile Delinquency Act. The program highlights the family structure instead of the offense that the juvenile committed and attempts to keep the juvenile out of detention centers by focusing on the family and community.

Status Offense Reform Center Vera Project

The Vera Project is a collaborative program designed to provide juveniles with alternatives to the justice system. The program is a community-based support system that hosts family-based alternatives. The Status Offense Reform Center has, over the last ten years, worked in states including Colorado, Wisconsin, Hawaii, Georgia, Louisiana, New York and Washington state (Vera Institute of Justice, 2019).

The mission of the Vera project is to place less juveniles in the justice system and detention facilities. In a 2015 report from the project it highlighted negative impacts of pre-trial incarceration, the negative impacts on recidivism and the social cost of detaining the juvenile in facilities, even if temporary. The long-term consequences include loss of job, family relations

and overall health of the juvenile. The goal of the Vera project is to focus on rehabilitation and socialization over retribution such as monetary fines imposed on juveniles (Vera Institute of Justice, 2019).

A report issued by the Vera Project in 2017 revealed the implications of penalizing and criminalizing status offenses for juveniles who misbehave. The report indicated that juveniles who are punished for these offenses are more likely to further criminal activity and made recommendations including programs for schools, families and police departments to approach the juvenile with consideration to the needs and developmental age while also becoming understating to the race, gender, gender expression and systematic trauma that the juvenile may have been exposed too (Zarate, 2017).

The Vera report has recommendation in several different life areas. The first area of approach is to approach juveniles with an understanding of misbehaviors and to identify the developmental stage and need of the youth. This approach involves training the responder, social worker, teacher, parent, etc., from the context of the behavior. This approach infers that adults cannot respond to a juvenile from the perspective of an adult. This approach infers the importance of understanding and recognizing mental health issues, trauma, understanding of culture, systematic bias, gender issues and how personal bias affect the understanding of the juvenile (Vera Project, 2019).

The Vera Report also encourages eliminating the option for status offenses to be held in criminal court. By eliminating the option for cases involving status offenses, such as misbehavior, it forces local organizations, child welfare agencies, law enforcement, social services, etc., to reexamine the approach to working with juveniles that commit status offenses. This approach also allows funds that are used to hear status offense cases to be diverted to other

programs (Vera Project, 2019). The cost of the court system to hear status offense cases are cumbersome. In 2010, 100,100 cases were tried in the court system with status offense cases (Zarate, 2017).

The Vera Project identifies the importance of triaging offenses on a case by case situation for interventions. The project recognizes that there is not a one size fits all program that can be effective for status offenses. However, with the triage system put in place cases are able to be funneled through a system of holistic approaches to work with the juvenile and the family. This approach allows interventions and cross agency cooperation to work with mental health issues, family issues and other issues that could be attributed to the delinquency of the juvenile (Vera Project, 2019).

Status Offender Program Idaho

The Idaho Supreme Court has developed programming to assist juveniles and families of juveniles who commit status offenses. The initial step in Idaho's system is to attend Youth Court. The youth court gives first and second chances to juveniles who commit status offenses. The court is specific to juveniles and implements programming for juveniles who have committed status offenses and juveniles who have committed misdemeanor offenses. The court implements a plan for the juvenile and if the juvenile successfully completes the plan the offense is not on the juvenile's permanent record (Bannock County, 2019).

The supreme court of Idaho also has implemented a specific program for juveniles that explicitly commit status offenses. This program implements a comprehensive treatment plan with juvenile and family to assist families. The comprehensive treatment includes a mediator who meets regularly with the family and/or juvenile to ensure that progress is made. The

program also offers counseling and services to families if they are unable to afford treatments. The focus of the program is to address maladaptive behaviors in the family system and correct these issues (Bannock County, 2019).

Idaho also has implemented a truancy court; this court is used for juveniles who have been charged with a truancy ticket for the third time. This court is modeled after drug court and has three phases for the juvenile and family. The first phase requires the juvenile to attend weekly meetings to evaluate progress towards graduation from the program. The court provides rewards for following the plan and sanctions for violations of the proposed plan. If the juvenile successfully completes the program the charges are taken off of the permanent record. Graduates of the program have shown to have reduced rates of recidivism and are less likely to have further issues with truancy (Bannock County, 2019).

Ecologically Based Family Therapy

Ecologically Based Family Therapy is a program recommended by the OJJDP (2015). This therapy program focuses on juveniles that have run away from home and the family is in crisis. The program model is a family preservation model and targets juveniles in the age range of twelve to seventeen (OJJDP, 2015). Research conducted by Slesnick and Prestopnik (2009) indicated that juveniles that successfully completed the program in the nine to fifteen-month follow-ups had lower rates of abuse and recurrence of delinquent behaviors.

This programming is beneficial to juveniles that fall into specific categories of status offenses. The focus of EBFT is on the familial unit and recognizing the patterns and trends that need to be corrected for the family unit to become functional and effective for all members.

V. Recommendations

Strengths and Weaknesses of programs

Programming is becoming available in all states due to programs such as the Vera Project. However, programming is costly and requires implementation from several levels and cooperation of different entities within state and local community organizations. An overall weakness of the presented programs is the potential that small counties and small areas would be unable to financially afford to provide effective and beneficial programs that would benefit all juveniles.

The Vera Project is a program that can be catered to each area based on need. This program has several benefits including offering counseling and alternatives to incarceration for offending juveniles. The program uses a holistic approach to work with the families. The family is an important asset to the juvenile and without treatment to unit future criminality can continue. The Vera Project (2019) encourages family focused, community based and service orientated system. This concept is ideal to create an environment of inclusion and the concept diverts attention from punitive punishments. This model, however, can be very intricate and difficult to achieve in areas where resources are scarce.

The PINS program in New York State is based off the initial jurisdiction that was established by the Juvenile Justice and Delinquency Prevention Act. The program focuses on working with juveniles and the family throughout the adjudication process; however, the weakness in this program is the use of the justice system. This program still processes the juvenile through the justice system and uses standard practices of incarceration or removing the juvenile from the home environment. The program is has shown little effectiveness in the

reduction of juvenile crimes or juvenile status offense cases and according to the data retrieved from Oneida County (2019) status offense crimes have steadily increased over the past ten years. The positive aspects of the program are the focus on reducing the rate of juvenile's permanent records. The program allows the juvenile to receive probation and upon successful completion the offense will be removed from the juvenile's permanent record.

The PINS project in New York also has weakness in the area of financial management for smaller jurisdictions. The smaller communities lack the assets to successfully implement the program; this could also be the factor contributing to the rise in rates of juvenile offenses in New York.

Ecologically Based Family Therapy is a program recommended by the OJJDP (2015). This program has shown to be effective in small studies conducted by Slesnick and Prestopnik (2009); however, due to ethical standards it was difficult for adequate testing of juveniles to be completed thus it is difficult to provide an overall picture of the positive effects of EBFT. This programming is specific to certain types of juvenile offenses, i.e. runaways, however, if the data, even on a small scale, show positive improvement and longevity of effectiveness it could be a base starting point for effective programming.

The strengths in EBFT could be identified as a starting point for targeted programming. Juveniles that commit status offenses are currently grouped into different categories based on the offence and there is currently no consistent standard across the United States. Programming that targets specific types of offenders can help identify and recognize unmet needs within the sub-group of offenders.

Recommendations for universal programs

An effective model that can be utilized across all areas should be implemented to reduce the rates of recidivism among juvenile offenders and create an effective deterrent from committing status offenses. Currently there is a handful of states that have state sanctioned programs; however, these programs still suffer due to issues such as lack of funding, professionals, follow-through and incentives to complete programming.

The Vera Institute offers programming targeted for areas in need of effective status offense treatment. The philosophy is targeted to treat juveniles as juveniles and not as adults by prosecuting juveniles as adults. The focus of this programming is the family unit and ending stigma of the juvenile that commits status offenses (Vera, 2019).

There is not currently legislation nation-wide to address status offenses. Without a standard definition of what a status offense is there is implications in treatment and services that are available to juveniles who commit status offenses (Kendall, 2007). Currently in the United States there are three broad categories that are used to designate a juvenile who has committed a status offense; status offenders as delinquents, status offenders as neglected/abused dependents and status offenders as a separate legislative category (OJJDP, 2015). The classification that juvenile receives from the offense often dictates the category that the juvenile will be charged in.

An integrated combination of programming would be effective in working with juveniles that commit status offenses. Programming should be targeted to the family with a community aspect. The juvenile should be assessed through a universal risk assessment to identify unmet needs for the juvenile and within the family system. After assessments are completed the juvenile should be directed into programming that is beneficial to the needs of the juvenile;

identified needs include neighborhood, family, school, peers and individual characteristics (OJJDP, 2002). Once the need of the juvenile is identified the juvenile should be recommended for the ideal programming and unmet needs for the juvenile can be addressed.

There is never a one size fits all for programming when working with any population, however, effective programming can be implemented with subsets of programming that can assist in meeting unmet needs of the juvenile. The importance of having consistency across state lines in the United States is imperative to have consistent treatment of juveniles in the United States. It is confusing for juveniles who have not fully developed into adulthood when there is not consistent and fair treatment across all environments and jurisdictions. A juvenile that lives in Chicago should have the same treatment as a juvenile that resides in neighboring cities and states, however, with the inconsistency with the laws regarding the treatment of juvenile offenders, especially status offenders, there is not consistency with treatment, punishment or available programs.

The criminal justice system is currently overrun with individuals who lack health care, mental health care and the concept of community inclusion. By bridging the gap and unifying the care and treatment of one of the nations most vulnerable populations there can be security for the future and less reliance on the justice system. Engaging the community and the family and increasing the accountability for the juvenile is important for the future of the community and the juvenile.

The examination of the programs presented offers a framework that can be utilized for universal programming. Unfortunately, at this time many states that offer programming do not have the adequate resources to implement and sustain programs that are already in place; this speaks to the need for a universal federally implemented program that can be utilized by all

jurisdictions. The theoretical framework presented also shows the needs that the family structure lacks and thus the juvenile may be destined for failure and continued interactions with the justice system.

VI. Summary and Conclusion

It is assumed that interactions with the justice system in juveniles will increase the chances that the juvenile will become an adult offender. Status offenses do not punish the juvenile offender. The parent of the juvenile is responsible for the cost associated with the offense; thus, not making the juvenile accountable for the status offense that has been committed. Parents of juveniles often do not know where to receive assistance or have access to programming with juveniles that are committing status offenses. If effective programming is in place for status offenders, as opposed to monetary punishments, the juvenile may be less likely to offend as an adult.

There are almost two million juveniles processed in the justice system annual; although not all juveniles are convicted of a status offense there is unmet needs and irresponsibility on the justice system to treat a juvenile as it would an adult offender. Adult laws are not written to address the nature of juveniles and the laws for status offenses are not consistent across the United States.

The lack of public health and mental health treatment in the United States impact the number of juveniles that commit offenses; which lead to higher rates of recidivism. Programming that addresses mental health, family health and community support and inclusion are effective in reducing the rates of recidivism. The Juvenile Justice and Delinquency Prevention Act of 1974 allowed for jurisdiction over juvenile delinquency matters, including

status offenses. The premise of the Act was to focus on preventing juveniles from placement into detention centers or facilities and into the community. There was a push for local communities to work with juveniles who committed status offenses and not the justice system; however, with the edition of the VCO many jurisdictions continue to charge and hold juveniles in secure facilities instead of working with community agencies. This addition, in 1984, has continued to allow the justice system to use punitive punishments for juveniles who commit status offenses.

Juveniles need the opportunity to excel without early interactions with the justice system. Statistically 44% of juvenile status offenders will be re-arrested and convicted of a felony (OJJDP, 2019). These rates are astounding and command that action be taken to prevent juveniles from entering the justice system by means of a status offense.

VII. References

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