

ABSTRACT

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RECIDIVISM?

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Teen Court is a diversion program designed to intercept the process of sending first-time misdemeanor juvenile offenders through the traditional juvenile justice system. Despite its widespread popularity throughout the United States, very little research has been conducted on Teen Court's effectiveness at reducing recidivism. Those studies that do exist lack rigorous methodologies. The present evaluation uses data from a Teen Court in Maryland and a comparable group of juvenile offenders who went through the Department of Juvenile Services. A logistic regression indicates that Teen Court is positively related to recidivism. Conclusions and recommendations are discussed.

TEEN COURT: DOES IT REDUCE RECIDIVISM?

By

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Table of Contents

List of Tables.....	iv
List of Figures.....	v
Chapter 1: Introduction.....	6
Chapter 2: Literature Review	8
What is Teen Court?.....	8
Theoretical Basis for Teen Court	12
Restorative Justice: Does it Make a Difference?	12
Diversion Program: Moving Delinquents Away From Recidivism	16
Labeling Theory: The Push for Diversion	18
A Weak Backbone for Diversion Programs?	18
Reintegrative Shaming: A Contemporary Theoretical Perspective	21
Other Aspects of Teen Court.....	23
Community Service	23
Peer Influence on Juvenile Criminality and Recidivism	24
Teen Court: What Does the Research Show?	27
Teen Court: The Perfect Combination of Ingredients to Reduce Delinquency	32
Chapter 3: Data and Methods.....	34
Participants	34
Selection of Teen Court Sample.....	34
Selection of DJS Sample	35
Measures.....	37
Recidivism	37
Program.....	37
Demographic Variables	38
Offense.....	38
Procedures	40
Chapter 4: Results.....	41
Comparing Teen Court and DJS Samples.....	41
Regression Analysis	42
Model 1	42
Model 2	42
Model 3	44

Chapter 5: Conclusions.....	46
Limitations.....	47
Generalizability	47
Internal Validity	48
Official Measures	49
Theoretical Explanations.....	50
Future Research.....	52
 Appendices	 54
 Bibliography	 58

List of Tables

Table 1. Summary Statistics	39
Table 2. Logistic Regression Analysis: The Impact of Teen Court and Control Variables on Recidivism	43

List of Figures

Figure 1. Recidivism Predicted Probabilities.....	45
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Chapter 1: Introduction

With growing support to abolish a separate juvenile justice system one might be surprised to learn about the rapid emergence of diversion programs, such as Teen Court, that target first-time juvenile offenders (Butts and Harell, 1999; Butts and Sanborn Jr., 1999; Woolard, Fondacaro, and Slobogin, 2001). While some juvenile offenders are perceived to be worthy of adult consequences, communities across the country have rallied and supported and grass roots efforts to provide other young offenders an opportunity to understand and make reparations for the negative consequences of their decisions. This focus on early delinquency has not always been valued in the juvenile justice system.

During the latter part of the 20th century there was a realization that juvenile offenders were being ignored until their crimes became extreme. In 1997, Senator Peter Domenici explicitly stated a serious fault of the current juvenile justice system: “In many jurisdictions, [teenagers] commit as many as ten to fifteen serious crimes before anything is done to them...” (Butts and Harrell, 1999, p. 1). In 1995, statistics indicated that 73% of delinquents under the age of 13 received no formal sanctions in response to a referral (Butts and Harrell, 1999).

Butts’ research resonated with Senator Domenici who, in his Statement to the Council of the District of Columbia Committee on the Judiciary, sympathized with citizens’ fears and alacrity to punish all juvenile offenders but reasoned that more has to be done prior to youth committing heinous acts. He cautioned the council against further reducing the role of the juvenile justice system, stating that, “with very few exceptions, [youthful offenders] were not evil predators or ‘lost causes’. Most of

them were just kids who sometimes did irresponsible things, even hurtful things” (Butts, 2004, par. 6). Butts encouraged the Council to look at alternative programming for youth, such as Teen Court.

Teen Court, a program that has existed since the 1970’s, seeks to remedy this apparent problem. With a focus on first-time non-violent juvenile offenders, Teen Court attempts to stop violent crime before it occurs (Butts, Buck, and Coggeshall, 2001; Beck, 1997; Weitz, Lott, and Thai, 2002; Peterson and Elmendorf, 2001; Pearson, 2003; Butts and Buck, 2000; Godwin, 1998)

Although the research pertaining directly to Teen Court is meager and methodologically weak, the theoretical bases for Teen Court (i.e., restorative justice, diversion, labeling, and reintegrative shaming) have been closely examined and can potentially lend support to the popular program. The following review will critically examine the theoretical basis for Teen Court and summarize the current research on the program. Prior to this review of the literature, a detailed description of the Teen Court is provided.

Chapter 2: Literature

What is Teen Court?

As stated above, Teen Court is a diversion program designed to intercept the process of sending certain juvenile offenders through the traditional juvenile justice system. The program originally began during the 1970s in Texas but rapidly spread throughout the nation during the 1990s (Butts and Buck, 2002). According to the National Youth Court Center and the Urban Institute, as of 1991, only 50 Teen Court programs were reported to exist across the country (National Youth Court Center, 2002). By 1998, that number grew to somewhere between 400 and 500 programs (Butts, Hoffman, and Buck, 1999). Within in the past ten years, Teen Courts have increased in number by more than 1,300%. The program can now be found in 48 states and the District of Columbia (Pearson and Jurich, 2005).

Clearly Teen Court is becoming more prevalent and familiar across the United States. But aside from political pressure, what has propelled this program into such popularity? The answer lies in the process and goals of Teen Court. First time offenders have their cases heard by a jury of their peers. Youth fulfill nearly every role of the hearing process. Possible volunteer roles include defense attorneys, prosecuting attorneys, judges, clerks, bailiffs, and most importantly, jurors (Godwin, 1998; Peterson and Elmendorf, 2001). Through this program, youth take an active role in providing consequences for the illegal actions of their peers. Adults also play important roles in the Teen Court process, including those of judge, jury monitor, and

general volunteers. Youth and adult roles can vary depending on the model that the Teen Court uses.

Godwin (1998) cites four of the most commonly used models in Teen Court. The Adult Judge model allows youth to act in the roles of defense and prosecuting attorney, clerk, bailiff, and jury. The adult judge simply presides over the hearing. His or her involvement is minimal. This is the most common model used in Teen Court. Attorneys provide opening and closing statements and question the offender. The jury is responsible for deciding on appropriate sanctions for the offender. Another common model is the Peer Jury model. This model does not involve attorneys. The jury members question the offender directly, under the supervision of an adult judge, and are responsible for providing sanctions. The Youth Judge model simply uses a youth judge as opposed to an adult judge. The final model, the Youth Tribunal model, uses 3-4 youth judges to question the offender and determine sanctions. No jurors or attorneys are present for this type of hearing. An adult supervisor is in the room to oversee the hearing.

In 1998, Butts, Buck, and Coggeshall (2001) surveyed 500 Teen Court programs across the country. Contact information for the Teen Courts was obtained by the National Youth Court Center. Of the 500 surveyed, 335 surveys were completed and returned. This survey indicated that 47% of courts used the Adult Judge model, 12% used the Peer Jury model, 10% used the Youth Tribunal model, 9% used the Youth Judge model, and 22% used a combination of models. A more recent survey of Teen Courts found those numbers to be slightly changed¹ with an

¹ Note that both surveys included between 300 and 400 Teen Courts. The results are only representative of those samples.

increase in the popularity of the Peer Jury model (26% of Teen Courts). The Adult Judge model was used 40% of the time, Youth Judge 17%, Youth Tribunal 8%, and a combination of models 9% of the time (Pearson and Jurich, 2005).

A number of other principles also vary within Teen Courts. For instance, the 1998 survey indicated that only 13% of all Teen Courts determined guilt (Butts and Buck, 1998). The remainder of the programs required a youth to admit involvement in the offense prior to being accepted into the Teen Court. Teen Courts were most often run by court or probation agencies (37%); however, private agencies (25%), law enforcement (12%), schools (5%), and District Attorney's Offices (3%) also were common operators of Teen Court (Butts and Buck, 2000). It is important to note that regardless of whom runs the Teen Court, all of the organizations listed above, as well as many others, are involved in the planning, implementation, and sustainability of any successful Teen Court program.

According to the 1998 survey, theft was the most common offense handled by Teen Courts. Ninety-three percent of the surveyed Courts claimed to accept such cases (Butts and Buck, 2000). Minor assault (66%), disorderly conduct (62%), alcohol possession and use (60%), vandalism (59%), and marijuana possession and use (52%) were other commonly handled offenses in Teen Courts (Butts and Buck, 2000). As far as Teen Court sanctioning, creative sanctioning was strongly encouraged in all courts; however community service and jury duty were often required for completion of the Teen Court Program. Surveyed Courts reported that 99% used community service as a sanction. Victim apology (86%), written essay

(79%), Teen Court jury duty (74%), and drug and alcohol classes (60%) were other common sanctions provided to Teen Court offenders (Butts and Buck, 2000).

Overall, the Butts, Buck, and Coggeshall report (2001) indicated that, despite the differences in the logistics of running Teen Court, many similarities existed, especially in the overall goals and outcomes of the program. For example, nearly all Teen Courts required the consent of the victim and requested a victim impact statement to be read during the hearing.

The above descriptions of Teen Court confirm the organization and consistency within this grassroots program. Teen Court is a well-supported program. However, despite its widespread popularity, very little research has been conducted on the effectiveness of Teen Court. Prior to reviewing those few Teen Court evaluations in existence, we can look to the theoretical background of Teen Court for guidance as to whether this program can be successful. Themes of restorative justice, diversion, labeling, and reintegrative shaming can be found in the doctrine of Teen Court. However, as evident from the literature that follows, these theories provide only a feeble backbone at best. Each theory suffers from its own inconsistent empirical findings. Fortunately, in addition to theoretical research, specific features of Teen Court have come under investigation; namely, the impact of community service and positive peer influence. Thus, even if confidence is lacking in the theoretical foundation of Teen Court, specific features of the program may provide some direction as to its effectiveness.

Theoretical Basis for Teen Court

Teen Court relies on a number of theoretical platforms, including restorative justice, diversion principles, labeling, and reintegrative shaming. These theories can provide guidance as to whether Teen Court is likely to be successful. Restorative justice is a widely used principle in juvenile programming including Teen Court. Diversion techniques take young offenders out of the traditional juvenile justice system and attempt to use other methods of dealing with their indiscretions. The most common theory cited to support Teen Courts is labeling theory. Essentially, Teen Court is designed to allow youth to avoid formal processing (and, presumably, a label of “delinquent”). However, it will become evident that this label might also be associated with informal sanctions such as those provided by Teen Court. Finally, reintegrative shaming researchers stress the importance of shaming but differentiate between reintegrative and stigmatizing shaming techniques. These theories, despite their inconclusive research, make up the essence of Teen Court.

Restorative Justice: Does it Make a Difference?

During the 2002 United Nations Commission in Vienna, a declaration on restorative justice was passed stating that

...this approach provides an opportunity for victims to obtain reparation, feel safer and seek closure; allows for offenders to gain insight into the causes and effects of their behavior and to take responsibility in a meaningful way; and enables communities to understand the underlying causes of crime, to promote community well-being and to prevent crime...” (United Nations, 2002, p.1).

This quote describes the quintessential goals of all restorative justice programs: to provide an atmosphere where youthful offenders can become reintegrated in their communities and their victims can return to their daily lives without fear and uneasiness. Specifically, restorative justice programs seek to repair damage between the three stakeholders: the offender, the victim, and the community. Once such repairs are made, all individuals in the community can return to their daily lives, hopefully as a more cohesive unit than they were before the offender committed his or her offense (Friday, 2003; Bonta, Wallace-Capretta, Rooney, and Mcanoy, 2002).

While such ideas seem logical, when applied, does restorative justice really work? The most common indicator of the effects of restorative justice programs is recidivism rates. After all, if the offender is likely to recidivate, the community can not be at ease and the offender will not have been properly reintegrated. Essentially, the community and the offender will be working against each other, thus not creating an atmosphere of accord as described in the restorative justice literature (Friday, 2003). Teen Court attempts to implement restorative justice principles by the involvement of a victim through testimony and victim impact statements. By involving the victim, providing the offender with community service, and involving the offenders' peers in the Teen Court process, reparations should be made in order to allow both the community and the offender to return back to the harmonious balance that existed prior to the offense.

Bonta et al. (2002) set out to discover the effects of restorative justice programming using a sample of incarcerated adult offenders. The study selected a sample and diverted them, before incarceration, into the Restorative Resolutions

Program. As part of this program, offenders participated in community service activities, victim-offender mediation, and paid restitution with no prison time (similar to Teen Court). Researchers assumed that through involvement in the above activities the offenders would be participating in a restorative justice focused program. A control group was comprised of offenders who were sent to prison and was matched with the treatment sample on gender, race, age, offender risk classification, offense type, and first offense. This group had no interactions with victims, the community, etc.; essentially, no restorative justice activities. Recidivism was measured for three years after completion of the program. A comparison of the two samples indicated that those accepted into the Restorative Resolutions Program were more likely to be nonviolent, first time offenders (an indication that the matching did not work in making the samples equivalent in all aspects except treatment). Recidivism was found to be significantly lower for Restorative Resolution participants when compared to the control group. However, the differences between the samples created a selection bias and threatened the validity of the study's results. During all three years, findings were significant at least at a .01 level with a negative relationship between the restorative justice program and recidivism. The use of victim impact statements was also related to reduced recidivism at year one ($p < 0.01$) and year two ($p < 0.05$). When community service was used in relation to the restorative justice model, recidivism rates were also significantly lower than with the control group. Despite such encouraging findings, again selection issues made it difficult to trust the results.

Sherman, Strang, and Wood (2000) looked at the effects of restorative justice on youthful offenders through their well-known Reintegrative Shaming Experiments (RISE). This process involved comparing the effects of a restorative justice conferencing program to traditional services using random assignment. Results of this rigorous evaluation were mixed at best. Despite a significant drop in violent offenses by those who participated in the conferencing program (a difference of approximately 38 crimes per 100 offenders between the treatment and control group), there appeared to be a slight increase in drunk driving offenses by conference participants. Additionally, there was no difference in repeat property offenses or shoplifting between the control and treatment groups.

In terms of its usefulness for Teen Court, the Bonta et al. study (2002) and the Sherman, Strang, and Wood (2000) study had some encouraging results. Bonta et al. (2002) and the RISE program support the notion that involving a victim is pivotal to the success of Teen Court (Godwin, 1998). Additionally, Bonta et al. (2002) emphasized the importance of community service. As mentioned above, community service was the most frequent sanction assigned by a Teen Court jury. Finally, Sherman, Strang, and Woods (2000) had some evidence that the restorative justice process could work in certain instances. The relative success of restorative justice principles is encouraging for Teen Court in that many of the components of restorative justice are frequently used in Teen Court, such as reparations to the community, remorse of the offender, and involvement of the victim. Despite certain methodological concerns in the Bonta et al. study (2002), both that study as well as

the work of Sherman, Strang, and Woods (2000) lend some support for the restorative justice principles frequently used in Teen Court.

Unfortunately, the encouraging results found by Bonta et al. (2002) and Sherman, Strang, and Woods (2000), are not consistent across all restorative justice studies. Often times the impact of restorative justice on recidivism is minimal or nonexistent (as in the RISE investigations). For example, Friday (2003) reported on a number of studies that found restorative justice principles such as community service to have no impact on recidivism. It becomes apparent from the literature that there is potential for restorative justice programs but the next step must be to implement a rigorous method with which to evaluate whether the desired effects of such an initiative actually exist, perhaps focusing on each specific component of the restorative justice process (Levrant, Cullen, Fulton, and Wozniak, 1999; Presser and Voorhis, 2002).

Diversion Programs: Moving Delinquents Away From Recidivism?

To divert a youth is to provide him or her with no sanctions or rehabilitative sanctions as opposed to traditional punitive sanctions (Frazier and Cochran, 1986). Programs have used diversion strategies since the 1970s and such strategies have consistently grown in popularity since that time (Gibbons and Blake, 1976; Potter and Kakar, 2002). Teen Court fits into the category of diversion because it “diverts” youth away from the traditional juvenile justice system. The goal of this process is to change the path of the juvenile from a life of delinquency to something more conventional. Like restorative justice, diversion programs are plentiful, as is research

on them. However, the methodology used in such research is often very weak and the results mixed.

Nugent (1991) reviewed the Juvenile Justice Center diversion program which used the same eligibility standards as Teen Court. The juveniles who entered this California program were first-time nonviolent offenders. Each offender attended an informal hearing where they were questioned by an adult tribunal. The tribunal asked questions not only about the specific offense, but also family life, school, and peer associations. Offenders had to attend an intake interview with the coordinator, the informal hearing, a review hearing (to ensure sanction completion), and a discharge interview. The offenders were given additional opportunities to complete sanctions if it was apparent that they were putting forth their best effort to finish them. Sanctions were designed to relate directly to the youths' offenses. It was important that offenders understood the reasoning behind each sanction. Community service was assigned in 75% of cases. Recidivism rates were measured by rearrest records up until offenders' 18th birthdays. Although the program had a recidivism rate of only 8%, one must be cautious in interpreting this number because no comparison group was provided. Overall, the program was very similar to Teen Court (especially because the panel often included youth as well) and provided encouraging results, despite low methodological rigor.

A study in Northern Ireland also demonstrated the positive effects of diversion programs (O'Mahony, 2000). In this instance, the police created a diversion program that took about 90% of juvenile cases out of the courts. However, instead of providing youth with alternative sanctions, this program gave youth only a warning

and advice. After two years, about 85% of those who completed the program did not have additional convictions, thus indicating relatively low recidivism rates (according to the author); however, no comparison group was provided.

A review of Juvenile Conference Committees in New Jersey also indicated that diversion techniques can be successful. Hassett-Walker (2002) examined this adult panel, an alternative to traditional juvenile justice services. This diversion program consistently had lower recidivism rates than the traditional court-sanctioned sample and those that did reoffend did so in a less serious manner than the control group. Paying restitution, a principle of restorative justice, was also significantly related to reduced recidivism, as indicated in a three year follow-up.

Labeling Theory: The Push for Diversion

Some consider diversion programs, like Teen Court, to rest on the principles of labeling theory. In avoiding an official label, youth are less likely to act in a delinquent manner. Despite this labeling explanation and the studies reviewed above, few researchers have consistently found diversion programs to be effective (Minor, Hartmann, and Terry, 1997; Potter and Kakar, 2002; Gibbons and Blake, 1976; Kammer, Minor, and Wells, 1997). Perhaps the lack of support for labeling theory has something to do with the diversion program challenges.

A Weak Backbone for Diversion Programs? Diversion programs cite labeling as a frequent causal factor in repeat juvenile offending. Upon being “labeled” delinquent, the offender takes on that identity and is propelled into a criminal lifestyle (Kammer, Minor, and Wells, 1997; Frazier and Cochran, 1986; Lundman, 1976; Osgood and Weichselbaum, 1984). Thus, by diverting youth away from the criminal

justice system, we lessen the likelihood of such youth being labeled delinquent. Lemert (1981) believed that diversion programs could reduce the detriments of labeling and also stressed that the actual label was not as important as the child's reaction to it. Diversion programs provided youth with the opportunity to accept the label or to make the appropriate reparations and deflect the label. Lemert (1981) also claimed that another potential side effect of formal sanctioning was the possibility of taking youth out of school and regular activities. This could harm future employment and well-being. Farrington (1977) found further support for the idea that informal methods of dealing with delinquents might be more protective than formal sanctioning. In his study, recidivism levels of youth who received a warning were lower than the level of those who received formal sanctioning. However, Rausch (1983) found alternative results when comparing traditional sanctions to diversion programs. She indicated that there was no difference in recidivism between the sanctioning options. Due to such inconsistencies in diversion program research during the 1970s and 1980s, many concluded that to use labeling theory as a basis for diversion programs was empirically inaccurate (Lemert, 1981). Instances such as those described above highlight the necessity of further research.

Paternoster and Iovani's (1989) influential article created a resurgence of interest in research on the impact of labeling theory on diversion programs. This more current examination suggests that those who receive official sanctioning may be systematically different from those who go through diversion programs. It is these differences that create higher recidivism rates for those in traditional programming, not the effects of labeling or diversion programs (Smith and Paternoster, 1990).

Overall, the results of diversion studies on the impact of labeling have been mixed at best (Osgood and Weichselbaum, 1984; Klein, 1986; Rausch, 1983).

More recently, informal sanctions have come under the radar of labeling critics. Contrary to more traditional beliefs regarding Labeling Theory, diversion programs may also be “labeling” youth (Gibbons and Blake, 1976; Minor, Hartman, and Terry, 1997; Frazier and Cochran, 1986; Hassett-Walker, 2002; Kammer, Minor, and Wells, 1997). Some research has found that instead of taking away the negative label, diversion programs simply change the label. Thus, the perceived “unjust” sanctioning fails to lift the negative label and does not reflect the principles of diversion (Frazier and Cochran, 1986).

Perhaps, Frazier and Cochran (1986) argue, if the offender received no sanctions, no requirements, and no continued interaction with any official system, recidivism would be reduced and there would be no labeling effect. Their specific hypotheses included that in order to attribute the success of diversion programs to the labeling theory, diverted youth would “[1] experience less intervention for shorter periods of time, [2] less restrictive control, and [3] less formality of official encounters while moving through the juvenile justice process” (p. 161). Results of their study indicated a negative relationship between all three hypotheses and diversion. Those who were diverted experienced longer interventions, similar restrictiveness, and similar formalities in completing the program when compared to a non-diverted sample. It could be that any required sanction seems like a punishment and thus will cause the child to label himself/herself as “delinquent” (Seyfrit, Reichel, and Stutts, 1987; Harrison, Maupin, and Mays, 2001). While such a view would be

supported by the results of O'Mahony (2002), one must consider why this occurs. Is it possible that officials continue to be uncomfortable with the lack of consequences associated with diversion programs and thus have stringent rules for those who participate? This argument forces one to look not only at the impact of labeling but also at the original goals and objectives of the program. It could be that diversion programs are simply an idea that are not being implemented as originally planned. The consequences of this could severely impact outcomes as well as any sort of impacts on labeling.

Reintegrative Shaming: A Contemporary Theoretical Perspective

Braithwaite (1989) claimed that some shaming (sanctioning) could have a positive effect as long as it was reintegrative and not stigmatizing. Instead of isolating the delinquent from the community and deeming him immoral, the theory proposed that the delinquent act should be negatively labeled and the community should work to reintegrate the individual back into the society. Braithwaite (1989) described six key concepts for his theory of reintegrative shaming: interdependency, communitarianism, shaming, reintegrative shaming, stigmatization, and criminal subcultures. Reintegrative shaming would only be effective when the offender has had high interdependencies with others in the community and the community was cohesive and unified.

Shaming was defined as “any social process that expresse[d] disapproval of a sanctioned act such that there was the intent or effect of evoking moral regret in the person being shamed” (p. 100). In the event of reintegrative shaming, the offender successfully returned to the community. If the offender was stigmatized he or she

would turn to criminal subcultures for support. Braithwaite (1989) provided four components of successful reintegrative shaming: 1. mutual respect between the community and offender; 2. an initial ceremony that stresses the deviance of the act and a concluding ceremony that removes the deviant status from the offender; 3. labels the act as deviant but not the individual; and finally, 4. prevents deviance from becoming a “master status trait”.

Research on Braithwaite’s theory has been mixed. Unlike the earlier reviewed labeling theory, reintegrative shaming has successfully been generalized to other cultures, specifically China (Chen, 2002). However, results of empirical studies regarding the applicability of reintegrative shaming theory in America have been less successful. While research indicated reintegration was important, it did not have a significant impact on recidivism when interdependency was controlled (Hay, 2001). However, Hay (2001) blamed a poor measure of reintegration as the potential culprit for this finding. On a more positive note, Hay (2001) found that shaming (regardless of its reintegrative powers) had a significantly negative relationship with further offending.

A study of drug courts indicated that not only was reintegrative shaming not helpful, but perhaps harmful (Miethe, Lu, and Reese, 2000). Results were set aside claiming that the description of the drug court and the actual proceedings of the drug court differed. The court was reintegrative in theory but not in practice.

Some believe that Teen Court fulfills this goal of reintegrative shaming. Youth are brought in front of their peers for the purpose of receiving sanctions for their criminal actions. However, Teen Court makes it clear that the person is NOT a

juvenile delinquent but simply made a poor decision (Shiff and Wexler, 1996). Shiff and Wexler (1996) also contend that if offenders feel labeled during the hearing process of Teen Court, they can liberate themselves of the label once they return to the Teen Court as a jury member. This process allows them to reintegrate into normal peer relations once again, but as a more positive contributor to society. No longer are they the offender, but rather they are a jury member, someone attempting to help curb the misbehavior of other offenders. Teen Court empowers youth to believe that they are able to control their decision-making and thus their abilities to become productive members of society (Godwin, 1998).

Other Aspects of Teen Court

Despite the mixed research on the broad principles of Teen Court, specific aspects of the program have benefited from study.² This might be an advantage for Teen Court in that one might give credence to the program if research shows that its essential components, such as peer juries and community service work, are actually beneficial to offenders in terms of reducing recidivism.

Community Service

A number of researchers have been enthusiastic about the positive effects of community service on youth (Bonta et al, 2002; Bazemore and Maloney, 1994; Hoffman and Xu, 2002; Pearson, 2003). For the purposes of the present study this is crucial. Teen Court incorporates a community service sanction into nearly every hearing. In fact, the National Youth Court Center has begun working with other

² It should be noted that most of these studies were not in the context of a Teen Court setting.

organizations to create more effective and organized community service projects (Pearson, 2003).

The limited number of studies available on the impact of community service on delinquency indicated that community service could be effective in reducing such behavior (Bonta et al, 2002; Bazemore and Maloney, 1994; Hoffman and Xu, 2002). Hoffman and Xu (2002) examined a 12th grade sample from the 1992 National Education Longitudinal Study. Community Service activities and delinquency were measured through self-report. The study predicted that both school involvement and community service would decrease a youth's level of criminality. Results indicated that participation in community service was a better predictor of lower delinquency than school involvement. The relationship between community service and delinquency was strongest when school involvement was at its lowest. The researchers posited that unsafe feelings in school created less school involvement. In those situations, community service became a positive outlet for the stresses such youth felt in school. While Hoffman and Xu (2002) did not focus on recidivism, it seems feasible that community service could serve as a positive activity to replace the inappropriate activities Teen Court offenders were previously involved in. Despite these encouraging findings, the use of community service with a high risk population has experienced conflicting results (Harrison, Maupin, and Mays, 2001; Minor et al., 1999).

Peer Influence on Juvenile Criminality and Recidivism

“Birds of a feather flock together”. This cliché appears to be very accurate in describing why many youth commit crimes in groups. Matsueda (1998), using the

National Youth Survey, found that one's association with delinquent peers had a significantly positive effect on delinquency. This finding was consistent in a sample of 1,725 youth over three different time periods. Strong findings, such as those found by Matsueda (1998), lead to the conclusion that peers have a lot of influence over each other. If peer pressure can cause youth to participate in negative behavior, could it also guide youth into more positive roles? In other words, if peer juries are used to decide appropriate sanctions for youth offenders, would the pressure of five to twelve peers condemning such behavior be enough to curb the behavior (Minor et al., 1999)?

Some believe so, if the offender can identify with jury members. Riechel and Seyfrit (1984) examined a diversion-type program that used peer juries. This program was not truly diversionary, being that it was run by the juvenile justice system, but it had features common to diversion programs. Eligibility and possible sanctions were similar to those of Teen Court. Offenders were both interviewed and provided with a questionnaire as part of the evaluation process. Jury volunteers, offenders, and parents of offenders were randomly selected for interviews. After the interviews were coded a questionnaire was developed. The sample completing both the interview and the questionnaire was very small with only 23 jury members, 12 offenders, and 12 parents of offenders. In general, offenders and parents believed that the jury members were being fair and looking out for the offenders' best interests. Overall, the researchers concluded that while offenders' perceptions of the program were generally positive a more diverse jury might lead to even better results. Most members of the peer jury were top students with many extracurricular activities. This was not the main prototype of an offender going in front of a peer jury. Reichel and

Seyfrit (1984) claimed that if the offenders could better identify with the jury members they would be less likely to reoffend. Unfortunately, this study was purely qualitative with no measure of future recidivism. Despite its qualitative nature and small sample size, the results indicate that peer juries were potentially beneficial to juvenile offenders and that more research is necessary on the topic to make definitive conclusions.

Seyfrit, Reichel, and Stutts (1987) performed a quantitative examination of peer juries in Columbia County, Georgia. A control sample was used from a different county in Georgia which did not go through the peer jury program but rather a more traditional informal probation. Results indicated that more felonies and serious misdemeanors went through the peer jury program than the traditional informal probation. Eight of the 52 offenders in the peer jury sample were reoffenders, whereas only two of the 50 from the control sample recidivated ($p=.05$). However, recidivism rates were not significantly different when comparing the control and treatment groups. Five participants from the peer jury sample and six from the control sample reoffended. Recidivism rates appeared to be closer to significance when examining only first time offenders; one of the 44 first time offenders in the peer jury sample reoffended compared to five of the 48 first time offenders in the control. However, these recidivism rates were also not significant.

Despite the finding's lack of significance, it is important to note that the peer jury group did recidivate slightly less than the control group. Perhaps with a larger sample, this test would become statistically significant. Additionally, a larger sample would allow for a better understanding of what impacts recidivism when the samples

are matched on offense type and first time offending. Both of these factors could have confounded the study and led to inaccurate results. Regardless, this evaluation implies that some relationship exists between recidivism and peer juries but the strength has yet to be determined. Research such as this gives some credibility to Teen Court.

Despite some positive findings regarding some of the aspects of Teen Court, the only way to determine their true effectiveness in Teen Court is to examine the aforementioned practices within the context of Teen Court. The research on Teen Court attempted to look at specific aspects of the program as well as its theoretical bases.

Teen Court: What Does the Research Show?

All involved with the program can attest to its benefits for youth volunteers and perhaps even offenders, but can they say with confidence that Teen Court reduces recidivism? This question is not easily answered.

Of the few studies that have focused specifically on Teen Court, many have not had very encouraging results (see Appendix A for a summary of the research findings regarding Teen Court). A report submitted to the North Carolina General Assembly in 1995 showed that Teen Court had no significant effect on recidivism (North Carolina Administrative Office of The Courts, 1995). Teen Courts from three different counties were qualitatively reviewed in the report but statistical analysis was done using only one county as the others were still too new. The study was wrought with problems, the most considerable being significant differences between the Teen

Court sample and the comparison group. The comparison group was created with archival data of youth from the same county before Teen Court began. Significant differences in age and type of offense were noted between the samples. Differences in recidivism were only apparent when not controlling for age and offense type.

While the results of this study do not bode well for Teen Court, the conclusions are difficult to consider due to the serious selection differences between the two samples.

Minor et al. (1999) attempted to examine the effectiveness of Teen Court but did not use a comparison group. Their main focus was to discover what influenced a youth's likelihood of completing all sanctions successfully and not recidivating. The sample consisted of 234 Teen Court respondents from three different time periods, 1994-1995, 1995-1996, and 1996-1997. In addition to collecting demographic information for each participant, the researchers looked at whether the participants completed their assigned sanctions and recidivism rates for one year after completing the Teen Court program. The two most frequently used sanctions were community service (51.3%) and apology letters to victims (46.6%). The recidivism rate was 31.1%. Without a comparison group it was impossible to determine if this rate was lower than the recidivism rates from traditional services or other diversion programs in the area. However, the results did provide information on the types of participants most likely to reoffend or not complete their sanctions. Those participants who were not first time offenders or were assigned community service were less likely to complete all of their sanctions. Those who were not first time offenders when entering the Teen Court were also more likely to recidivate as were those assigned a curfew. While this study produced some interesting findings, it is imperative that

future research include a comparison group. It was not possible to tell if the rates of incompleteness were similar to those of other programs or if the recidivism rates for Teen Court were higher or lower than those of other programs. It is nearly impossible to make any useful conclusions based on this study.

Similarly, Harrison, Maupin, and Mays (2001) found a positive relationship between repeat offenders and recidivism. Those who had committed more than one offense prior to entering Teen Court were more likely to recidivate. The overall recidivism rate for participants in the Teen Court between 1994 and 1998 was 25.3%. While this rate was lower than for any other diversion program in the county it was not compared to the recidivism rate for traditional juvenile services. Additionally, a greater proportion of those who did not successfully complete the Teen Court program recidivated (32.3%) when compared to those who did complete the program (22.6%). This finding was significant at a .001 level. Gender also predicted recidivism with 73% of those who fell into the recidivating category being male. Age also played a role. Those between the ages of 12 and 16 were more likely to recidivate; however, this finding could have been caused by the measurement of recidivism. Said measures only included juvenile offenses. Thus, as the participants got older they were less likely to be detected by the recidivism measure.³ Future research should include adult offense occurrences in the measure of recidivism. The researchers found that as the number of community service hours and jury duties increased, the likelihood of recidivism decreased. As with other Teen Court studies, some of the findings are relevant to the effectiveness of Teen Court, but without more rigorous methodologies such studies can not be confidently relied upon.

³ Department of Juvenile Justice arrest records

If nothing else the prior research on Teen Court has helped to determine what questions must be answered in future research. For instance, if recidivism is reduced for some participants of Teen Court, is the effect lasting? Hissong (1991) found, using a matched sample, that for the first year following the completion of Teen Court, the Teen Court participants were less likely to recidivate as compared to the control sample. However, this effect changed directions after one year, with the Teen Court participants becoming the group more likely to recidivate. Additional research questions include examining the impact of the perceptions of offenders on their likelihood of recidivating. Weisz, Lott, and Thai (2002) found that the only perception that increased an offender's chance of recidivating was alienation. Thus perhaps the hypothesis is true that if the jury is too dissimilar to the offender, the effects of positive peer pressure will not be found (Reichel and Seyfrit, 1984).

Also related to youth volunteers, Beck (1997) examined what motivated peer jury questioning. According to this research, one would be incorrect in assuming that questioning was done to aid in evaluating the needs of the offender. Alternatively, the results indicated that there was no relationship between questioning and sanctioning. In other words, the information gained from questioning did not influence the types of sanctions provided to the offender. Such results might lead one to question whether the purpose of Teen Court is to provide personalized sanctions. Furthermore, is it the sanctions or the positive peer pressure that reduces the offender's likelihood of recidivating? Do the success rates of Teen Court resemble the success rate of other diversion programs or do they offer something better? These questions were left unanswered until the Urban Institute began its teen court evaluation.

In 1992, the Urban Institute published their report on the Evaluation of Teen Courts Project (ETC) (Butts, Buck, and Coggeshall, 2002). This report included a quasi-experimental evaluation of one Teen Court each in Alaska, Missouri, Maryland, and Arizona. Each Teen Court was compared to a matched sample of youth (matched on demographics and offense) chosen from the traditional juvenile justice system, except for the Maryland sample. The comparison group for Maryland was another diversion program that offered sanctions similar to those of Teen Court. All participants in the Teen Court sample and their parents completed questionnaires to capture attitudinal information. The self-report surveys were administered to Teen Court participants immediately before and after their appearances in the Court but before sanctions were provided. A final survey was administered after participants completed all of their sanctions. The return rate of this final survey was under 50% for all sites except Alaska.

Overall, attitudes before court were fairly prosocial and positive towards the Teen Court process. Support for Teen Court did not change much after the hearing. However, attitudes in Missouri decreased slightly more than those in Alaska, Maryland, and Arizona. Parental attitudes for Teen Court were more positive after the hearing than before. Teen Court was found to significantly reduce recidivism in Alaska and Missouri. The Maryland Teen Court sample had a slightly higher recidivism rate than the comparison group but the difference was not significant. The Arizona Teen Court found less recidivism as compared to the traditional services group but the findings were not significant. In looking at the relationship between perception of the participants and recidivism, prosocial attitudes as well as positive

attitudes towards Teen Court appeared to reduce recidivism. No relation was found between recidivism and prosocial bonding or delinquent peer associations.

The ETC project was the first rigorous study to produce results that leaned in favor of Teen Court, suggesting that there might be something about Teen Court that works. However, one major question remains: is the Teen Court process what decreases recidivism or is it the overall diversion process (e.g., different sanctions than traditional services)? As Butts, Buck, and Coggeshall (2002) found, the Maryland Teen Court did not have the same findings as the other Teen Courts. The results were opposite of the expected direction, albeit the strength of the finding was weak. An important question to ask is whether Teen Court can provide results different from those of other diversion programs (e.g., conferencing, etc.; Patrick, Marsh, Bundy, Mimura, and Perkins, 2004). Were the results of the Maryland study not as strong because the Teen Court was compared to another diversion program or was the Teen Court less effective than the other Teen Courts? The ETC project signifies that researchers are taking interest in this popular program. Results appear to be relatively positive for Teen Court, however more research must be done to determine the program's true value.

Teen Court: The Perfect Combination of Ingredients to Reduce Delinquency?

Based on the present research, conclusions cannot easily be made. The findings based specifically on Teen Court are rather inconclusive as are many of the findings on the theory behind it. Clearly, one can not say with confidence that diversion programs or restorative justice principles are the sure solutions to the problem of recidivism. The impact of labeling is equally uncertain and shaming is

too new to predict. But, could it be possible that a program that diverts youth and then showers them with restorative justice principles might have a positive impact? Perhaps it is the delicate combination of program components that will become a positive contribution to delinquency programming. The combination of not only diversion and restorative justice principles but also the use of peer pressure (through the use of a peer jury) and reintegrative shaming might be just what is needed to change the paths and decision-making skills of this vulnerable group of youth.

Thus, the present study will implement a methodologically rigorous investigation of Teen Court and its effect on recidivism. The investigator predicts that those who complete the Teen Court process will be less likely to recidivate than those who receive traditional Department of Juvenile Service sanctions.

Chapter 3: Data and Methods

Participants

Data from the Teen Court sample was collected from July, 2000 through June, 2003 from a county in Maryland. The comparison group, from a neighboring county, consisted of offenders who received traditional services from the Department of Juvenile Services (DJS). The DJS sample had no alternative programming options; thus similar cases to those accepted in Teen Court, but not participating in a diversion program, were available.

Selection of the Teen Court Sample

The Teen Court County was selected based on the age of its program, its willingness to participate, and its program coordinator's stellar recordkeeping. The Teen Court had been in existence since 1998 and, unlike many programs of its kind, kept detailed records of its cases since its inception.

Selection into the Teen Court sample required being a first-time offender and having a misdemeanor offense. Drug charges more serious than marijuana use, possession, and/or paraphernalia (e.g., distribution) were not admitted, nor were felonies. These offense eligibility restrictions were not created by the evaluators but rather by the Teen Court.

In order to participate in Teen Court, offenders also had to admit involvement in the charged offenses and agree to complete the sanctions assigned to them by the Teen Court jury/panel. Offenders and their parents were provided with an explanation of the Teen Court program and chose whether to participate in it or have their cases sent to DJS. The evaluator took no part in deciding what youth should go

to Teen Court. Rather, the Teen Court simply provided a database of all of the youth who had participated in the program during the designated time periods.

The three year period was specified for a number of reasons. First, the specific Teen Court being evaluated was implemented in 1998. The evaluator felt that two years was an adequate period of time to stabilize the program; thus the evaluation began using data from the year 2000. Data was not collected past 2003 as the evaluator wanted a sufficient time period to capture recidivism data. Participants older than 16.5 years were eliminated from the analysis. In order to capture all subsequent offending during the follow-up period, participants could not turn 18 during that time.⁴ The final data set was provided by the Teen Court during the 2004 fiscal year and included 211 participants. DJS provided recidivism data for the sample.

Selection of the DJS Sample

Finding a comparison group was a challenge because many of the surrounding counties had Teen Courts or other diversion programs. Fewer than twelve counties had neither. From these possibilities, the county most demographically similar to the Teen Court county was chosen. Although the selected county was notably more rural than the Teen Court county,⁵ census data indicated that the two areas had similar percentages of white people as well as similar levels of mobility. Both had predominantly white populations (81.2% for the Teen Court county and 89.3% for the DJS county) and the U.S. Census Bureau reported that, between 1995 to 2000, 55.7% and 55.3% of people reported living in the same house respectively in the Teen Court and DJS counties (U.S. Census Bureau, 2005). Additionally, the median household

⁴ Adult criminal data was not available as such offenses occurring after age 18 could not be captured.

⁵ The overall population for the Teen Court and DJS counties in 2003 was 506,620 and 213,662, respectively.

income in 1999 was similar for the two counties, \$61,768 for the Teen Court county and \$60,276 for the DJS county. Both counties' median income was greater than the Maryland average (\$52,868). Finally, there was less than a two percent difference in numbers of female-headed households between the Teen Court and DJS counties, 11.1% and 9.4% respectively (U.S. Census Bureau, 2005).

In selecting specific cases for the comparison group, the evaluator reviewed all juvenile files from the specified county for the same time period as that of the Teen Court data (July, 2000 through June, 2003). Only first-time misdemeanor offenders were included; thus DJS offenders had to commit their first offense between July 2000 and June 2003.

Participants had to be within the same age range (11-16.5 years old) and their first offense had to be within the same severity confines (e.g., nonviolent misdemeanors) as Teen Court offenders (see Appendix B for examples of appropriate TC offenses).

A list of 2,019 possible comparison cases was provided by DJS. Several steps were taken to refine this original list. The first step was to confirm that all intake dates fit the above noted time period. This process eliminated 308 cases. Next, all arrests with more than two charges were subtracted, as such cases would not be eligible for Teen Court. This brought the total number of cases down to 1,591. The next step was a review of all second charges. Because the Teen Court did not typically accept offenders with more than one charge (but did on occasion), most cases that fell into this category were eliminated from the DJS dataset. Essentially, the only offenders with two charges that remained in the sample were five alcohol

possession charges and five drug (CDS) paraphernalia charges. These were similar to the multiple charge cases in Teen Court. The number of cases was now 1,427. Finally, the primary charges were reviewed. After eliminating those offenses that were not eligible as well as those who did not meet the age requirements, the total sample from DJS consisted of 781 youths.

Measures

Recidivism

Recidivism covered an 18 month time period, starting from the arrest date, for each participant. Information regarding arrests and charges was gathered from the Maryland DJS. Recidivism was measured by number of arrests. All crimes were included in this measure.

Out of the full sample (n=992), 195 youth recidivated. Sixty-four percent (n=125) recidivated only one time during the 18 month period and another 17% (n=33) recidivated twice. The remaining participants' number of arrests ranged from 3 (n=11) to 25 (n=1). The average number of recidivating arrests during the set time period was .399 (SD=1.336). Because a majority of youth reoffended only once the variable was collapsed to become binary with 1=recidivism and 0=no recidivism.

Program

Program was the sole independent variable in the analysis. The purpose of the investigation was to determine whether program type (Teen Court or DJS) had any effect on one's likelihood of recidivating. This was a binary variable. Teen Court participation was indicated with a value of one.

Demographic Variables

Demographics were included in the analysis as controls. Gender and race were binary (Male=1 and Female=0; White=1 and Other races=0 respectively) and age was a continuous variable.

Race was originally coded as White, African American, and Other; however, due to the small number of Others in the sample (2.1%), the variable was recoded to become binary. The African American and Other categories were combined and totaled 18.4% of the final sample. Across both the Teen Court and DJS samples, 56.6% were male and 81.6% were white. The average age was 14.53 (see Table 1).

Offense

Originally, offenses were coded into crime types and assigned severity codes. However, due to limited variability in offense type and severity (explained by the limited eligibility of offenses in Teen Court) each offense was used as its own control. Theft was the most commonly found offense for both the Teen Court and DJS samples (26.1% and 25.6% respectively). CDS violations were second most common in the Teen Court sample whereas tobacco citations were second most common in the DJS sample. Table 1 lists the prevalence of each offense within the Teen Court and DJS samples⁶.

⁶ Several offenses were perfectly correlated with the outcome variable (recidivism) and as such, were removed from the analysis. These offenses included false start, fireworks violations, forgery, hindering, indecent exposure, loitering, tampering with automobiles, traffic violations, and violation of natural resource articles. No more than five people committed any of these offenses. These excluded variables will act as the reference category for the analysis.

Table 1. Summary Statistics

	Teen Court (N=211)		DJS (N=781)		Total (N=992)	
	Mean/%	SD	Mean/%	SD	Mean/%	SD
Demographics						
Age	14.37	1.41	14.57	1.44	14.53	1.43
Male	61.6		55.2		56.6	
White*	76.3		83.0		86.1	
Offense						
Alcohol ^{1*}	4.7		10.0		8.9	
Assault ²	19.0		15.4		16.1	
Burglary	0.0		1.3		1.0	
CDS ^{3*}	24.2		11.5		14.2	
Conduct ^{4*}	4.3		1.4		2.0	
Destruction of Property ^{5*}	4.7		11.0		9.7	
False Report	0.0		0.3		0.2	
Harassment	0.5		0.3		0.3	
Telephone Misuse	0.5		0.3		0.3	
Theft	26.1		25.6		25.7	
Threat	2.4		0.0		0.5	
Tobacco Violation*	2.8		19.7		16.1	
Trespassing	0.5		1.7		1.4	
Vehicle*	2.4		0.0		0.5	
Weapon ^{6*}	6.6		0.0		1.4	
Recidivism*	29.4		17.0		19.7	

* $p < .05$

¹ Includes Possession of Alcohol on School Property and Alcoholic Beverage Violation

² Includes Simple Assault and Battery

³ Includes Possession, CDS, and Paraphernalia

⁴ Includes Disorderly Conduct, Disturbing School Activities, and Disturbing the Peace

⁵ Includes Destruction of Property and Malicious Destruction

⁶ Includes Possession of Deadly Weapon and Weapon Violation

Procedures

Crosstab and means comparisons were used to examine the differences between the Teen Court and DJS samples. Using logistic regression, the Teen Court sample was compared to the DJS sample on recidivism during the eighteen months following the first arrest. Age, gender, race, and offense labels were controlled for when running the analysis. Controlling for these variables helped to ensure that the specific program (Teen Court or traditional services) was responsible for the recidivism rate rather than demographic variables or offense types.

The logit analysis was broken up into three models in order to obtain a clear understanding of the impact of program on recidivism. Model one examined only the relationship between program and recidivism. Model two looked at the impact of program as well as demographic variables on recidivism. The final model for the analysis included all of the control variables. Recidivism was the dependent variable for each model.

Chapter 4: Results

Comparing Teen Court and DJS Samples

The final samples consisted of 211 Teen Court participants and 781 DJS participants (see Table 1). While both samples had predominantly white populations, there was a significant race difference between the two groups ($\chi^2=4.91, p<.05$) with the DJS sample being more white. Although there were no significant differences in gender or age between the two samples ($p>.05$) both variables were included in models two and three of the analysis due to their established relationship with recidivism.

Despite an effort to make the two groups as similar as possible regarding offense types, there were some significant differences between the Teen Court and DJS samples. The samples differed significantly in the number of alcohol, CDS, property, tobacco, vehicle, and weapon charges that each group had ($p<.05$; see Table 1). Namely, the Teen Court had more CDS, vehicle, and weapon charges whereas the DJS group had more alcohol, property, and tobacco charges.

The final difference, and perhaps the most informative, was the difference between recidivism for the Teen Court and DJS samples. Twenty-nine percent of the Teen Court sample recidivated as opposed to only 17% of the DJS sample ($\chi^2=16.06, p<.05$).

Regression Analysis

Model 1

Model 1 examined the relationship between program type and recidivism and had an outcome in the positive direction ($\beta=.707, p=.000$). The odds ratio for the model indicated that Teen Court participants recidivated 2.027 times more frequently than DJS participants (see Table 2).

Model 2

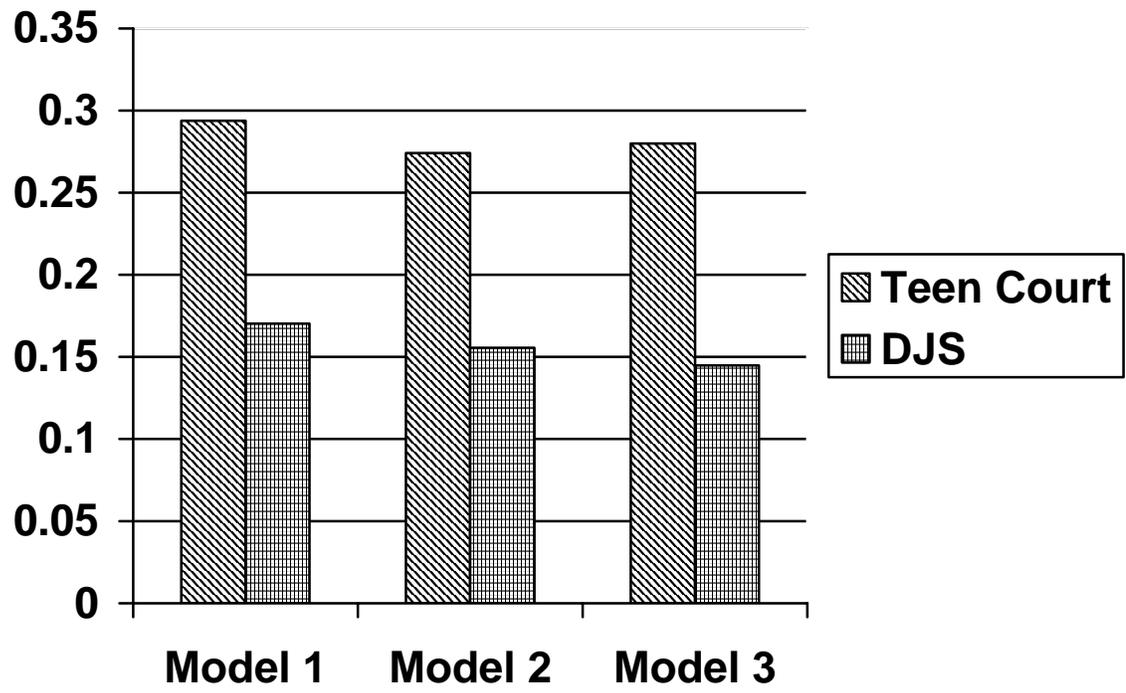
Model 2 added the demographic variables to the analysis, controlling for gender, race, and age. Program effects remained unchanged with only a slight increase in the coefficient ($\beta=.718, p=.000$); however, both age and gender were significant contributors to recidivism ($\beta=.185, p=.003$; $\beta=.617, p=.000$ respectively) as well. The odds ratio for Teen Court indicated it was the strongest predictor of recidivism in the model when compared to the demographic variables of age and gender (2.049, 1.203, and 1.854 respectively).

Model 3

Finally, Model 3 included all of the control variables, specifically the demographic variables and each offense type. Although it explained more variance ($R^2=0.0640$) than Model 1 ($R^2=0.0152$) or Model 2 ($R^2=0.0390$), influential variables were not substantially changed in Model 3. Even when adding all of the offense controls, program, age, and gender were the only significant predictors of recidivism ($p<.05$). Those in Teen Court were 2.297 times more likely than those in the DJS sample to recidivate. Gender, the second best predictor of recidivism indicated that males were 1.737 times more likely to recidivate than females. Finally, as one got older he or she was 1.249 times more likely to recidivate. Overall, older male Teen Court participants were the most common recidivaders in the sample.

Across all three models, the effect of Teen Court appeared to be stable. When examining the predicted probabilities for each model (see Figure 1) it became clear that the likelihood of recidivating when coming from Teen Court was noticeably greater than when coming from DJS. Interestingly, model one presented the highest predicted probability of recidivism for both the Teen Court and DJS groups. Nevertheless and contrary to predictions, Teen Court had a positive relationship with recidivism notwithstanding the inclusion of control variables.

Figure 1. Predicted Probabilities



Chapter 5: Conclusions

Teen Court appears to have an effect contrary to that which was predicted. Despite the fact that the Teen Court cases appeared to include somewhat more serious offenders, the offense variables are not strong enough to explain the differences in recidivism, favoring the control cases. While age and gender significantly influence recidivism, none of the offense types are important in predicting recidivism. Program is consistently the strongest predictor of recidivism. Those who participate in Teen Court are more likely to recidivate than those from the DJS sample. While such results are surprising, they are not inexplicable. Previous research on the program, while not methodologically rigorous, lends some support to the present findings. The report submitted by the North Carolina General Assembly found no effect for Teen Court (North Carolina Administrative Office of the Courts, 1995). More definitively, Butts et al. (2002) found that the Maryland Teen Court sample performed worse than another diversion program in regard to recidivism. Finally, similarly to Harrison, Maupin, and Mays (2001), the present findings indicate that both gender and age impact the likelihood of recidivism. The research directed at Teen Court prior to the present research is not necessarily methodologically sound but it may provide insight for the present findings.

Following are other possible explanations for the present findings. While research specifically on Teen Court can be interpreted to corroborate these findings, other influences aside from Teen Court could be influential as well.

Limitations

Generalizability

The generalizability of these findings is limited due to two factors. First, all offenders over the age of 16.5 were omitted from the analysis. Without the availability of adult records it was impossible to interpret the recidivism of this older group for a full 18 months. While the results of the present analysis adequately predict the effects of Teen Court on younger juveniles, this effect can not be extended to older ones. Future research must focus on this older group. As indicated in the results, as the sample got older they were more likely to recidivate. As such, it is especially important to focus on this group using both DJS and adult criminal records.

The present findings are limited in their generalizability for a second reason. Despite some similarities between the two counties included in this analysis, apprehension regarding the generalizability of the current findings is valid. Only one Teen Court in one county was assessed. Teen Courts, while based on similar premises, could be very different in terms of their practices and effects. A process evaluation was not done on this county to establish that this Court is running as it is intended to. Furthermore, even if standards were created for this Teen Court and those standards were being met, it is difficult to know whether this Teen Court reflects other Teen Courts. For this reason, subsequent research must replicate this study using multiple Teen Courts and multiple DJS sights. The present research can only be informative to the extent that one keeps in mind its inherent generalizability limitations.

Internal Validity

Perhaps the largest limitation to the present study is its relatively weak internal validity. The present study was threatened due to differential selection between the treatment and comparison samples. The data indicates that the two groups were significantly different in types of offense; specifically person, tobacco, and other offenses. Although offense types as well as demographics were controlled for, the design could not account for all of the possible causes of variation in recidivism. In addition to the differences controlled for, undetected disparities were inevitable. For example, potential dissimilarities included socioeconomic status, parental education, and parental employment. For this reason, the present results can not be taken as fact but rather as proof that more rigorous investigation is required.

While the models presented offer some explanations for recidivism, the R-squares are strikingly low. Even in the most explanatory model (Model 3) the R-squared is only .0640. It is clear that other influences are impacting recidivism. For example, Teen Court youths may be inherently different from those youth who go through DJS. While offense type is very influential when selecting eligible Teen Court offenders, other factors go into that outcome such as family relationships, mental status, etc. Unfortunately, the current data did not capture such decision-making variables. One specific absent variable when comparing the Teen Court and DJS groups is supervision. One might assume that Teen Court self selects kids that will be successful, thus their recidivism rates should be reduced. However, it could be that the opposite is happening. Perhaps involved parents and Teen Court coordinators provide additional supervision and thus increase a child's likelihood of

getting caught. The DJS sample may have a greater number of less involved parents, thus decreasing that group's likelihood of observed recidivism.

Future research must deal with this supervision issue as well as other omitted variables to better explain more of the variance associated with recidivism among Teen Court participants. To the extent that omitted variables are correlated with the variable of interest in this study (program received) the results of this study are biased.

Official Measures

The dependent variable can also come into question when evaluating the dependability of these results. Official data (i.e. Department of Juvenile Services records) poses a threat to the accuracy of the present research. Some of the descriptive statistics for the evaluation might lead one to question the appropriateness of the variable. The crosstab analysis established that there was more diversity in terms of race in the Teen Court sample than in the DJS sample. If differential processing by race was a factor in the rates of recidivism it is plausible that the Teen Court sample would have higher recidivism rates because police are targeting minority youths over white youths.

As mentioned above, it could be that Teen Court youths have higher rates of supervision than those who go through DJS. As such, this would also increase one's likelihood of getting caught in a subsequent delinquent act. Thus the results of this evaluation are weakened by the notion that the Teen Court youth were perhaps at a greater risk of being caught in recidivating behavior than the DJS sample. Self-report surveys would be helpful in isolating this possible confounding effect.

Theoretical Explanations

Theoretically speaking, restorative justice, diversion, and labeling have all been used to support the existence of Teen Court. However, as with the Teen Court research, methods in these studies were questionable and results inconclusive.

Restorative Justice movements have been created largely based on the research of Sherman, Strang, and Wood (2000). Their Reintegrative Shaming Experiments (RISE) found a drop in violent offending by those in the shaming conferences when compared to traditional service samples. However, there was a slight increase in drunk driving by those who participated in the conferences when compared to those who did not. Additionally, there was no difference in recidivating property or shoplifting charges. Although the drop in violent crime might have important policy implications, the more unsuccessful part of the study involved similar offenses to those seen in Teen Court. It appears as if these types of programs are potentially ineffective at reducing and preventing recidivism for offenders who commit minor offenses. One possible explanation of this could be that there is some subtle reinforcement coming from peers, increasing one's participation in minor delinquent behaviors. The direct effect of peer influence should be included in future investigations.

Labeling is also a potential explanation of the lack of reported success in these types of diversion and restorative justice programs (including Teen Court). Perhaps labeling is equally potent in informal settings as in formal settings. Frazier and Cochran (1986) posed that any sanction is more destructive than no sanction for these minor offenses. Teen Court is often run by police departments, state's attorney

offices, and local government agencies (Butts and Buck, 2000). These agencies all govern the community. A youth may see these groups as authoritative and feel punished by them, in the same manner that they would feel punished by a court. Perhaps going in front of their peers has irreparable effects due to embarrassment or a perception of superiority from their peers. The Teen Court may be successful at shaming and not at reintegrating.

The argument above provides reasons for why Teen Court should not have a different effect than DJS. However, that is not what the present findings show. Teen Court has a detrimental effect when compared to DJS. Butts and Harrell (1999) criticized DJS for not paying enough attention to first-time delinquents. Their point was that DJS waited until youth got into serious trouble before reacting. Butts and Harrell (1999) suggested taking a more proactive approach to early offending. However, based on the present findings, perhaps the DJS approach of little or no action is the appropriate one for minor first-time offending. Perhaps an intake, informal probation, and no continued interactions with the official system is a better way of dealing with this early delinquency than scrutiny of the offense in front of peers. Teen Court may be a nicer, kinder, gentler version of a court room but the punishments are real and often times, plentiful. Youths going through Teen Court may see the program as providing official labels. By putting these youth in front of their peers, they may feel embarrassed. Teen Court may be stigmatizing rather than reintegrative; a possibility that should be examined in future research.

Future Research

Future research can easily rectify some of the problems described above as well as provide a better understanding of the findings. In addition to the suggestions already made, researchers should attempt to gather more information from DJS. What kinds of sanctions are being given to first-time offenders in DJS, if any? What prompts different decisions within DJS regarding the handling of first-time offenders? More detailed data from DJS would be able to address these questions.

The same suggestion applies to Teen Court. More information must be gathered regarding what actually happens in Teen Court. What sorts of sanctions are being given? How does this compare to DJS? What happens during an intake interview? Exactly what factors are attended to in deciding the eligibility of a Teen Court case? An in-depth process evaluation is necessary in order to make sound conclusions about the causes of recidivism within Teen Court.

Aside from collecting more data from DJS and Teen Court, the most effective evaluation design to follow up the present one would be a randomization. Randomization provides a precise way of investigating the differences between those who went through Teen Court versus DJS and in doing so would increase internal validity.

Presently this author and colleagues are in the process of analyzing the data of a randomized sample from four different counties in the mid-Atlantic region. The randomized design inherently increases the probability that the Teen Court and DJS groups will be alike except for their program assignment. This upcoming study will allow researchers to examine Teen Court and its effectiveness with increased

accuracy. Its methodological rigor promises more reliable conclusions and dependable policy recommendations.

Appendices

Appendix A

Review of Teen Court Literature				
Author	Date	Research Design	Sample	Findings
Beck	1997	One group posttest only	20 Teen Court participants	<ul style="list-style-type: none"> • Found that Teen Court questioning did not impact sanctioning
Butts, Buck, and Coggeshall	2002	Pre-posttest with nonequivalent groups	Teen Court samples from Alaska, Arizona, and Missouri compared to traditional services groups; Teen Court sample from Maryland compared to a diversion program group	<ul style="list-style-type: none"> • Attitudes of Teen Court samples fairly positive with some variation by state • Parental attitudes of Teen Court offenders more positive after hearing than before • Significant reduction of recidivism in Alaska and Missouri • Arizona Teen Court had less recidivism than comparison group but relationship was not significant • Maryland Teen Court performed slightly worse than comparison group but relationship was not significant • No relationship between recidivism and prosocial bonding or delinquent peer associations
Harrison, Maupin, and Mays	2001	One-group only posttest	Teen Court recidivism rates were compared to previously established rates of a diversion program but mostly of the study examined only the Teen Court respondents	<ul style="list-style-type: none"> • Repeat offenders in Teen Court more likely to recidivate • Recidivism rates lower for Teen Court than other diversion programs but no comparison to traditional services offered

Author	Date	Research Design	Sample	Findings
				<ul style="list-style-type: none"> • Recidivism less likely for those successfully completing Teen Court versus those not completing Teen Court • Age and gender also related to Teen Court • Number of community service hours and jury duties positively related to recidivism
Hissong	1991	Posttest only with nonequivalent groups	Teen Court group matched with comparison	<ul style="list-style-type: none"> • Significant differences between samples • Negative relationship between Teen Court and recidivism • Race, age, and gender related to recidivism
Minor, Wells, Soderstrom, Bingham, and Williamson	1999	One-group posttest	Teen Court respondents from three different time periods	<ul style="list-style-type: none"> • Repeat offenders and those receiving a community service sanction were more likely to recidivate than first-time offenders • Curfew was also positively related to recidivism
North Carolina Administrative Office of the Courts	1995	Post-test only with nonequivalent groups	Treatment group: Teen Court Comparison group: a matched sample taken from the same population before Teen Court was implemented	<ul style="list-style-type: none"> • Significant differences existed between samples (age and offenses) • No difference in recidivism when controlling for age and offense • Age was a strong predictor of recidivism • Type of offense also predicted recidivism • A relationship existed between dedication to Teen court and reduced recidivism but direction

Author	Date	Research Design	Sample	Findings
Weisz, Lott, and Thai	2002	Posttest only with nonequivalent groups	Teen Court offenders, Teen Court volunteers, civic students	<p>of causality could not be determined</p> <ul style="list-style-type: none"> • Alienation related to recidivism • Teen Court did not significantly impact the attitudes or beliefs of the Teen Court offenders or volunteers

Appendix B: Examples of Teen Court Offenses

CLASS I OFFENSES

Includes but is not limited to:

- Theft – under \$50.00
- Tobacco Offenses
- Disorderly Conduct
- Pager on School Property

CLASS II OFFENSE

Includes but is not limited to:

- Firecrackers
- Theft over \$50.00 and under \$100.00
- Malicious destruction of property – valued at under \$100.00
- Loitering
- Disorderly Conduct
- Telephone Misuse

CLASS III OFFENSES

Includes but is not limited to:

- Theft over \$100.00 and under \$200.00
- Trespass – schools, malls, parks
- Malicious destruction of property – valued at over \$100.00 and under \$200.00
- Assault and Battery
- Possession of CDS Paraphernalia

CLASS IV OFFENSES

Includes but is not limited to:

- Theft \$200.00 or more
- Malicious Destruction of Property valued at \$200.00 or more
- Fourth Degree Burglary
- Alcohol Violations
- Tampering with Auto

Special consideration given to:

- Unauthorized Use of a Vehicle
- CDS Possession
- Weapons Violation
- Assault and Battery

Bibliography

- Bazemore, G., & Maloney, D. (1994). Rehabilitating community service: Toward restorative service sanctions in a balanced justice system. *Federal Probation*, 58, 24-36. On the World Wide Web: www.web13.epnet.com.
- Beck, R. (1997). Communications in a teen court: Implications for probation. *Federal Probation*, 61, 40-48.
- Bonta, J., Wallace-Capretta, S., Rooney, J., & Mcanoy, K. (2002). An outcome evaluation of a restorative justice alternative to incarceration. *Contemporary Justice*, 5, 319-338.
- Braithwaite, J. (1989). *Crime, shame, and reintegration*. Cambridge, UK: Cambridge University Press.
- Butts, J. A. (2004). *Statement of Jeffery A Butts to the Council of the District of Columbia, Committee on the Judiciary*. Washington, DC: Urban Institute. On the World Wide Web: www.urban.org/urlprint.cfm?ID=8708.
- Butts, J.A., & Buck, J. (2000). Teen Courts: A focus on research. *Juvenile Justice Bulletin*. Office of Juvenile Justice and Delinquency: Department of Justice.
- Butts, J.A., Buck, J., & Coggeshall, M. (2001). *Youth Court: Models and Impact*. Presentation at the American Youth Policy Forum.
- Butts, J.A., & Buck, J. (2002). *The sudden popularity of teen courts*. Washington D.C.: Urban Institute. On the World Wide Web: www.urban.org/urlprint.cfm?ID=7985.
- Butts, J.A., Buck, J., & Coggeshall, M.B. (2002). *The impact of teen court on young offenders*. Washington D.C.: Urban Institute.

- Butts, J.A., & Harrell, A.V. (2002). *Delinquents or criminals: Policy options for young offenders*. Crime Policy Report. Washington D.C.: Urban Institute.
- Butts, J.A., Hoffman, D., & Buck, J. (1999). Teen courts in the United States: A profile of current programs. *OJJDP Fact Sheet (#118)*. Office of Juvenile Justice and Delinquency: Department of Justice.
- Butts, J.A., & Sanborn Jr., J.B. (1999). Is juvenile justice just too slow? *Judicature*, 83, 16-24.
- Chen, X. (2002). Social control in China: Applications of the labeling theory and the reintegrative shaming theory. *International Journal of Offender Therapy and Comparative Criminology*, 46, 45-63.
- Farrington, D.P. (1977). The effects of public labeling. *British Journal of Criminology*, 17, 112-125.
- Frazier, C.E., & Cochran, J.K. (1986). Official intervention, diversion from the Juvenile Justice System, and dynamics of human service work: Effects of a reform goal based on Labeling Theory. *Crime and Delinquency*, 32, 157-176.
- Friday, P.C. (2003). Community-based restorative justice: The impact of crime. In H. Kury & J. Obergfell-Fuchs (Eds.), *Crime Prevention: New Approaches* (pp.370-387), Herausgeber: Weisser Ring.
- Gibbons, D.C., & Blake, G.F. (1976). Evaluating the impact of juvenile diversion programs. *Crime and Delinquency*, 22, 411-240.
- Godwin, T.M. (1998). *Peer justice and youth empowerment: An implementation guide for teen court programs*. Washington, DC: American Probation and Parole Association.

- Harrison, P., Maupin, J.R., & Mays, G.L. (2001). Teen court: An examination of processes and outcomes. *Crime and Delinquency*, 47, 243-264.
- Hasset-Walker, C. (2002). Juvenile conference committees: Issues in assessing a diversionary court program. *Journal of Criminal Justice*, 30, 107-119.
- Hay, C. (2001). An exploratory test of Braithwaite's reintegrative shaming theory. *Journal of Research in Crime and Delinquency*, 132-153.
- Hissong, R. (1991). Teen court: Is it an effective alternative to traditional sanctions? *Journal for Juvenile Justice and Detention Services*, 6, 14-23.
- Hoffman, J.P., & Xu, J. (2002). School activities, community service, and delinquency. *Crime and Delinquency*, 48, 568-591.
- Kammer, J.J., Minor, K.I., & Wells, J.B. (1997). An outcome study of the Diversion Plus Program for juvenile offenders. *Federal Probation*, 61, 51-56.
- Klein, M.W. (1986). Labeling theory and delinquency policy: An experimental test. *Criminal Justice and Behavior*, 13, 47-79.
- Lemert, E.M. (1981). Diversion in juvenile justice: What hath been wrought. *Journal of Research in Crime and Delinquency*, 18, 34-46.
- Levrant, S., Cullen, F.T., Fulton, B., & Wozniak, J.F. (1999). Reconsidering restorative justice: The corruption of benevolence revisited. *Crime and Delinquency*, 54, 3-27.
- Lundman, R.J. (1976). Will diversion reduce recidivism? *Crime and Delinquency*, 22, 428-437.
- Matsueda, R.L. (1998). The dynamics of delinquent peers and delinquent behavior. *Criminology*, 36, 269-302.

- Miethe, T.D., Lu, H., & Reese, E. (2000). Reintegrative shaming and recidivism risks in drug court: Explanations for some unexpected findings. *Crime and Delinquency*, 46, 522-541.
- Minor K.I., Hartman, D.J., & Terry, S. (1997). Predictors of juvenile court actions and recidivism. *Crime and Delinquency*, 43, 328-344.
- Minor, K.I., Wells, J.B., Soderstrom, I.R., Bingham, R., & Williamson, D. (1999). Sentence completion and recidivism among juveniles referred to teen courts. *Crime and Delinquency*, 45, 467-480.
- National Youth Court Center (2002). <http://www.youthcourt.net>.
- North Carolina Administrative Office of the Courts (1995). *Report on the Teen Court Programs in North Carolina*. Raleigh, NC: North Carolina Administrative Office of the Courts.
- Nugent, L.I. (1991). A model juvenile justice program. *Individual Psychology*, 47, 189-198.
- O'Mahony, D. (2000). Young people, crime, and criminal justice. *Youth & Society*, 32, 60-80.
- Osgood, D.W. & Weicelbaum, H.F. (1984). Juvenile diversion: When practice matches theory. *Journal of Research in Crime and Delinquency*, 21, 33-56.
- Paternoster, R. & Iovani, L. (1989). The labeling perspective and delinquency: An elaboration of the theory and an assessment of the evidence. *Justice Quarterly*, 6, 359-394.
- Patrick, S., Marsh, R., Bundy, W., Mimura, S., & Perkins, T. (2004). Control group

- study of juvenile diversion programs: An experiment in juvenile diversion—the comparison of three methods and a control group. *The Social Science Journal*, 41, 129-135.
- Pearson, S.S. (2003). Youth court: A path to civic engagement. *National Youth Court Center Policy Brief*. The National Youth Court Center.
- Pearson, S.S. & Jurich, S. (2005). *Youth court: A community solution for embracing at-risk youth: A national update*. Washington D.C.: American Youth Policy Forum.
- Peterson, S.B., & Elmendorf II, M.J. (2001). Youth courts: A national youth justice movement. *Corrections Today*, 63, 54-58, 112-113.
- Potter, R.H., & Kakar, S. (2002). The diversion decision-making process from the juvenile court practitioners' perspective. *Journal of Contemporary Criminal Justice*, 18, 20-36.
- Presser, L. & Van Voorhis, P. (2002). Values and evaluation: Assessing processes and outcomes of restorative justice programs. *Crime and Delinquency*, 48, 162-188.
- Rausch, S. (1983). Court processing versus diversion of status offenders: A test of deterrence and labeling theories. *Journal of Research in Crime and Delinquency*, 20, 39-54.
- Reichel, P., & Seyfrit, C. (1984). A peer jury in juvenile court. *Crime and Delinquency*, 30, 423-438.
- Smith, D.A. & Paternoster, R. (1990). Formal processing and future delinquency:

- Deviance amplification as selection artifact. *Law and Society Review*, 24, 1109-1132.
- Seyfrit, C.L., Reichel, P., & Stutts, B. (1987). Peer juries as a juvenile justice diversion technique. *Youth and Society*, 18, 302-316.
- Sherman, L.W., Strang, H., & Woods, D.J. (2000). *Recidivism Patterns in the Canberra Reintegrative Shaming Experiment*. Canberra, Australia: Australian National University, Center for Restorative Justice.
- Shiff, A.R., & Wexler, D.B. (1996). Teen court: A Therapeutic jurisprudence perspective. *Criminal Law Bulletin*, 32, 342-357.
- United Nations (2002). *Report of the group of experts on restorative justice*. E/EC.15/2002/5/Add.1. Vienna: Center for International Crime Control.
- U.S. Census Bureau (2005). <http://www.census.gov/>.
- Weisz, V., Lott, R.C., & Thai, N.D. (2002). A teen court evaluation with a therapeutic jurisprudence perspective. *Behavioral Sciences and Law*, 20, 381-392.
- Woolard, J.L., Fondacaro, M.R., Slobogin, C. (2001). Informing juvenile justice policy: Directions for behavior science research. *Law and Human Behavior*, 2001, 13-24.