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ASSESSMENTS AND INTAKE PROCESSES IN JUVENILE
JUSTICE PROCESSING: EMERGING POLICY CONSIDERATIONS*

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Abstract

Recent reforms have expanded possibilities for gathering and sharing information during juvenile justice processing and have included calls for comprehensive assessments of all juvenile referrals. However, scant attention has been given questions concerning the timing, goals, or uses of assessments, the structure and goals of intake, or the role of assessments at intake. These questions merit closer investigation because variation in assessment or intake goals and practices likely will constrain the efficiency or efficacy of juvenile processing. Using interview and survey data from a study of county-level intake processes in Texas, this study identifies and discusses their policy implications.

ASSESSMENTS AND INTAKE PROCESSES IN JUVENILE
JUSTICE PROCESSING: EMERGING POLICY CONSIDERATIONS

The importance of juvenile screening, assessment, and referral has been strongly emphasized in the past few years (Dembo and Brown 1994; Schwartz and Barton 1994; Beyer, Grisso, and Young 1997; Rivers, Dembo, and Anwyl 1998), particularly in relation to mental health and substance abuse problems among juvenile offenders (Bilchik 1998). However, as one recent review found, “Quality screening and in-depth assessment of youths entering the juvenile justice system remains the exception rather than the rule” (Dembo and Brown 1994, p. 29). Similarly, in a 1988 national survey of juvenile needs assessment practices, Towberman (1992, p. 231) found that the “quality and point of initiation of needs assessment varied greatly,” that in many states “juveniles do not receive an assessment of their needs until after commitment to the youth correctional system,” and that only one-third of the states reported use of any kind of formal needs assessment instruments (p. 233). Towberman’s research led her to conclude that “juvenile justice officials need to clarify the purpose and philosophy of juvenile needs assessment” (p. 236).

Clarification of the purposes of assessments assumes added significance when we consider that there is a growing emphasis on conducting formal risk and needs assessments at the earliest stages of juvenile justice processing (Dembo and Brown 1994; Champion 1998, p. 470); that the vast majority of informally and formally processed juveniles ultimately have their cases dismissed, are diverted from the juvenile justice system, or receive probation (Sickmund, Stahl, Finnegan, Snyder, Poole, and Butts 1998, p. 9); and that recent juvenile justice reforms have greatly expanded information-gathering and sharing among various local and state agencies (Torbet, Gable, Hurst, Montgomery, Szymanski, and Thomas 1996, Ch. 5; National Criminal Justice Association 1997, pp. 36-40; Torbet and Szymanski 1998, pp. 12-14). These developments, along with the trend since the 1960s toward “criminalizing” the juvenile court (Feld 1998, 1999), give rise to increasingly important questions. For example, what are the

purposes of assessments and intake? What factors, such as the structure and goals of intake, affect the use and effectiveness of assessments and, ultimately, the efficiency and effectiveness of juvenile justice processing? Although diversion of certain delinquency cases from formal processing “can be cost-effective in terms of both public accountability and offender rehabilitation” (Snyder and Sickmund 1996, p. 131), few studies have examined systematically the diversion process, including the information and criteria used to identify juveniles appropriate for dismissal, counsel-and-release, or diversion.

This article examines these questions by using survey and interview data from a study of county-level juvenile intake processes in Texas. First, a brief overview of juvenile justice processing is provided to highlight the significance of intake processes and the potential role of assessments at intake. Second, after reviewing the data, findings are presented concerning the timing, goals, and uses of risk and needs assessments among Texas counties. Third, findings then are presented concerning the structure and goals of intake, information collected at intake, and obstacles to efficient and effective intake processes. Finally, we conclude with a discussion of policy considerations of our analyses and recent trends in juvenile justice.

Juvenile Justice Processing

An Overview of Juvenile Justice Processing

There are a number of stages in the processing of juvenile offenders: pre-arrest (e.g., when the police stop juveniles and determine whether to take official action), arrest, intake, detention, adjudication, and disposition (Champion 1998, Ch. 3). However, the vast majority of juveniles are not detained, adjudicated, or given a disposition. Rather, most have their cases dismissed or receive an informal sanction agreed upon through plea negotiations between defense attorneys and prosecutors, usually with recommendations from probation (Sickmund 1997; Champion 1998; Feld 1998; Sickmund et al. 1998).

Consider the 1995 national statistics on juvenile court processing of all delinquency cases. Table 1 shows that close to half of those were informally processed (45 percent), and, of all informally and formally processed cases, large proportions were dismissed (37 percent), given probation, a lesser sanction, or referred for services (53 percent), while a relatively small proportion were placed in a residential facility or committed to an institution (10 percent) or waived (less than 1 percent) (Sickmund et al. 1998, p. 9).¹ Although considerable variation exists nationally in the extent to which cases are processed informally or formally, it is noteworthy that relatively large percentages of both types of cases result in dismissal (47 percent and 28 percent, respectively) and that the majority of formally processed cases result in probation, a lesser sanction, or referral for services (54 percent) (Sickmund et al. 1998, p. 9).

TABLE 1 about here

To set the context for the subsequent analyses, consider that in 1995 only two other states (California and Florida) had more delinquency cases than Texas, which had 44,263 petitioned and 62,396 nonpetitioned cases (Sickmund et al. 1998, p. 83). The large volume of cases notwithstanding, processing of juveniles in Texas reflects national patterns: in 1997, 22 percent (24,311) of juvenile referrals resulted in dismissal, 51 percent (56,480) resulted in an informal disposition, and 27 percent (29,245) resulted in a formal disposition (Texas Criminal Justice Policy Council 1998, p. 10; see also Texas Criminal Justice Policy Council 1999a, p. 11).

Several additional facts about juvenile processing nationally and in Texas merit further consideration. First, in recent years, the percentage of referrals resulting in a formal disposition has slowly but steadily increased (Sickmund et al. 1998, p. 15; Texas Criminal Justice Policy Council 1999a, p. 7), but most cases still are informally processed. Second, considerable within-state and across-state variation in juvenile processing exists (Feld 1999, p. 113). For example,

consider the outcomes of referrals across six of the largest counties in Texas in 1997: from 11 to 35 percent were dismissed, .1 to 51 percent received supervisory cautions, 14 to 42 percent received deferred prosecution, 21 to 32 percent received probation, 2 to 5 percent were committed to the Texas Youth Commission, and .1 to 1.1 percent were waived to adult court (Texas Criminal Justice Policy Council 1999a, p. 13). Third, most juveniles who enter the juvenile justice system have only one referral (Snyder and Sickmund 1996, p. 158; Texas Criminal Justice Policy Council 1999a, p. 3), thus rendering diversion or probation as arguably one of the most reasonable and potentially beneficial options for many youths (Greenwood 1996, p. 82).

Intake as a Critical Juncture in Juvenile Justice Processing

Youths who enter the juvenile justice system are initially processed through intake. Although 80 to 90 percent of all referrals come from law enforcement agencies, a relatively small fraction come from other sources, including schools and parents (Sickmund et al. 1998, p. 7). Upon completion of an initial screening, intake can result in dismissal, diversion to a social service agency, informal probation, payment of fines, community service or some type of restitution, or a petition for formal processing² (Champion 1998, Ch. 3; Sickmund et al. 1998, p. 2). Cases may be dismissed for a variety of reasons: insufficient legal evidence, the offense is a relatively minor one, the offense is relatively minor and the juvenile is or appears to be a first-time offender, the juvenile or his or her family has compensated the victim, the family background is strong and the juvenile seems amenable to parental supervision, or formal processing is deemed unnecessary (U.S. General Accounting Office 1995b, p. 4). In contrast to more serious sanctions, such as incarceration, probation and diversion are typically used to screen first-time or less serious cases from formal adjudicatory and dispositional processing. The idea is that offenders in such cases are inappropriate for formal processing but nonetheless require and may be amenable to treatment through community-based programs and services (U.S. General Accounting Office

1995b, p. 4).

Intake frequently is structured differently across jurisdictions (U.S. General Accounting Office 1995a; Dedel 1998; Sickmund et al. 1998, p. 1) and intake officers frequently can exercise considerable discretion in how cases are processed (Champion 1998, p. 150). Consider Butts and Harrell's (1998, p. 13) description of intake:

Usually managed by the court but sometimes by other agencies, intake is a sequence of screening and referral decisions designed to ensure that each offender receives the most appropriate response from the court. Intake workers sift a court's caseload into various classifications. Some are diverted or simply dismissed. Some are handled informally if the youth agrees to participate in counseling, job training, etc. Others are formally charged and scheduled for adjudication. Rather than making these decisions based only on the formal charges contained in a police report, the intake process depends on multiple indicators of each youth's individual situation.

The variation in intake and the discretion afforded intake officers is consonant with the parens patriae spirit of the original juvenile court, including the emphasis on non-adversarial proceedings and flexible decision-making (Feld 1999). However, despite the importance of intake to decision-making about juveniles, most research has focused on post-intake processing, especially detention and formal processing, even though most juveniles are never detained, formally processed, or waived to adult court (see Feld 1999). Given the potential for intake to influence all subsequent processing, it constitutes one of the most critical points in the entire juvenile justice process for applying prevention and/or early intervention strategies; yet, to date, it remains a largely underresearched aspect of juvenile processing.

Juvenile Justice Reforms: Increasing Emphasis on Information-Gathering and Sharing

Recent juvenile justice reforms have increased the potential for gathering and sharing information on juveniles who are referred to the juvenile court. These reforms have included: decreasing the confidentiality of court proceedings and records, increasing the access to and sharing of information about juveniles among various local and state agencies, creating centralized repositories of juvenile records, enabling law enforcement agencies to fingerprint and/or photograph juvenile arrestees, and restricting or eliminating the conditions under which juvenile records can be sealed or expunged (Torbet et al. 1996, Ch. 5; National Criminal Justice Association 1997, pp. 36-40; Torbet and Szymanski 1998, pp. 12-14). Torbet et al. (1996, p. 35) have stated that “the rationale for sharing information among system actors with a ‘need to know’ is a better coordinated and more efficient service delivery system that avoids duplication of services and better utilizes shrinking resources.” Although such a goal is both reasonable and justified, it also raises issues about the precise goals of various system actors and the specific uses to which they put information. Rubin (1996, p. 50), for example, has indicated that there frequently are “tensions between the court and the child welfare agency.” Similarly, Feld (1999, p. 332) has emphasized that the historical foundation of the juvenile court – locating social control and social welfare efforts in one agency – constitutes the “essential premise and the fundamental flaw of the juvenile court,” suggesting that the juvenile court itself is divided as to the purposes to which it should put information gathered about juveniles (see also Guarino-Ghezzi and Loughran 1996).

Increasing Calls for Early Assessment of Juvenile Referrals

In a “get tough” era of juvenile justice reform, wherein expanded information collection and sharing have increasingly been promoted, there also has been a call for prevention efforts, including calls for early identification and treatment of juveniles (see Howell 1995; Coordinating Council on Juvenile Justice and Delinquency Prevention 1996; Edwards 1996; Sherman, Gottfredson, MacKenzie, Eck, Reuter, and Bushway 1997). For example, Dembo and Brown

(1994, pp. 29-30) have argued that “resources should be placed in assessing and providing needed services to youths and their families at the earliest (ideally the first) point of contact with the juvenile justice system, rather than targeted primarily to youths with repeated contact with the juvenile courts.” Indeed, in recent years greater numbers of local and state jurisdictions have been using assessments at increasingly earlier stages of juvenile justice processing, including prior to adjudication or disposition (Guarino-Ghezzi and Loughran 1996, pp. 128-32), detention (Schwartz and Barton 1994), or informal or formal processing generally (National Criminal Justice Association 1997, p. 28; Rivers et al. 1998).

To date, however, relatively little attention has focused on the precise timing or uses of assessments, particularly of less serious offenders and of juveniles not yet incarcerated (Champion 1998, pp. 302-303). Instead, emphasis has focused on the validity and predictive utility of risk assessments (Gottfredson 1987; Champion 1998, p. 297). While such an emphasis is consonant with the view of the juvenile court as an agency of social control, it neglects the idea that the court at least in part is a social welfare agency guided by the doctrine of parens patriae (Feld 1999). From this latter perspective, it indeed is surprising that few researchers have focused on risk and needs assessment processes and outcomes (Towberman 1992); the screening and assessment of mental health and substance abuse treatment needs of juvenile offenders (Bilchik 1998; Rivers et al. 1998); or related issues, such as the efficacy of informal referral practices or due process rights at first contact with the juvenile justice system (Puritz, Burrell, Schwartz, Soler, and Warboys 1995; Beyer et al. 1997; Dodge 1997; Puritz and Shang 1998). Although one obvious goal of intake assessments is to promote early intervention with juveniles “on-track” to become more serious offenders and to divert juveniles in need of particular services to appropriate programs (see Rivers et al. 1998, p. 441), clearly there are other possible goals of intake assessments (e.g., to assist with detention decisions, adjudication, dispositional recommendations, and case management).

In short, despite their potential importance, there has been little research regarding the goals or uses of assessments, intake processes, or the role of assessments at intake. These aspects of

juvenile processing likely will assume even more importance for the efficiency and effectiveness of juvenile justice as the court becomes increasingly formalized and criminalized (Singer 1996; Feld 1998), and as intake units increasingly are called upon to route juvenile offenders to the most appropriate services or agencies (Butts and Harrell 1998, p. 13).

Data and Methods

The present study examined the timing, goals, and uses of assessments, the structure and goals of intake, and the role of assessments at intake. Two sources of data were used: (a) in-depth, open-ended, in-person and telephone interviews, conducted in fall 1998 and spring 1999 by one of the authors, with twenty Texas juvenile justice practitioners (probation officers, prosecutors, judges, and mental health and substance abuse program staff) from eight rural, suburban, and urban counties, and with state agency staff; and (b) a survey administered in spring 1999 to chief probation officers in all 162 juvenile court jurisdictions, representing 254 counties, in Texas (66 percent response rate; N=107).³ The interviewees were selected through a process of purposive sampling (Babbie 1995). The interview protocol was designed to address respondent perceptions about the overall process of assessing and referring juvenile offenders, specific goals associated with assessments and intake, and issues affecting the efficiency and effectiveness of both assessments and intake. The survey, which was based on information from previous research and the interviews, was designed to assess practitioners' views concerning specific aspects of the assessment and intake process both to identify specific issues and to obtain a more generalizable picture of assessment and intake practices statewide.

The selection of Texas was justified for several reasons. First, juvenile justice reforms in this state have paralleled those nationally (Torbet et al. 1996), thus knowledge of juvenile processing in Texas under the new reforms should be of direct relevance to other states. Second, evidence on assessment and intake processes in Texas should contribute directly to understanding of juvenile processing nationally, given both the sheer magnitude of cases the state processes

annually (Sickmund et al. 1998, p. 83) and the similarity to other states of patterns of informal and formal processing (Texas Criminal Justice Policy Council 1999a, p. 7; Sickmund et al. 1998, p. 15). Third, and perhaps most importantly, Texas recently enacted legislation mandating risk and needs assessments of all juveniles who are to receive informal or formal dispositions. Passage of this legislation provided a unique opportunity to examine the differential impact of such a policy on various jurisdictions, and to highlight key issues concerning the goals of assessments and intake.

Risk and Needs Assessments

Timing and Goals

In 1997, the Texas Legislature, through House Bill 2073, enacted section 141.042(e) of the Human Resources Code (HRC), which requires that probation departments complete a standard assessment tool (SAT), or its equivalent, for the initial assessment of juvenile referrals. The precise timing and goals of the assessment were left unclear: the SAT is to “facilitate assessment of a child’s mental health, family background, and level of education” and “assist juvenile probation departments in determining when a child in the department's jurisdiction is in need of comprehensive psychological or other evaluation.”⁴ By contrast, the language in the relevant sections of the Texas Administrative Code (TAC), which operationalizes legislative mandates created in the HRC, indicates, on the one hand, that assessments are to be completed at a “formal intake interview” (section 346.1(4)) for all juveniles who receive informal or formal dispositions (section 346.2(a)) and, on the other, that the assessments are “to assist the supervising juvenile probation field officer in developing and implementing an effective case plan, appropriate level of supervision, and utilization of appropriate resources” (section 346.1(1)). That is, the stipulated goals range from facilitating assessment to assisting with case management of juveniles. Not surprisingly, interviews with practitioners revealed considerable variation in the

interpretation of the HRC and TAC statutes. At the time of this writing, this variation was in the process of being addressed by staff from the Texas Juvenile Probation Commission (TJPC), the agency responsible for enacting and enforcing those parts of the TAC applicable to juvenile probation.

Interviews with practitioners and with agency staff suggested that one of the central causes of variation in interpretation of the HRC and TAC statutes stems from differing intake practices. For example, many jurisdictions distinguish between “detention intake” and “formal intake,” with the former focused solely on determining whether to detain a youth and the latter focused on collecting information about only those youths for whom informal or formal processing will occur. Thus, the actual timing and goals of the SAT can vary depending on a probation department’s understanding not only of the HRC and TAC statutes, but of what constitutes “intake.” Another cause of variation in perceptions of the timing and goals of the SAT is that probation departments also are required to complete a Strategies in Juvenile Supervision (SJS) plan for all juveniles who receive a disposition (TAC section 346.2(b)). For example, many probation officers expressed confusion about what to them appeared to be overlapping goals of the SAT and SJS (e.g., assisting with case management). In jurisdictions where the SAT was viewed as assisting with earlier stages of juvenile processing (e.g., detention decisions), less confusion was expressed regarding this particular issue.

Results from the survey revealed that indeed there has been considerable variation across jurisdictions in the timing of the SAT and in the use generally of comprehensive risk and needs assessments at initial intake (defined here as the first point of contact between juvenile referrals and probation). For example, virtually all jurisdictions reported using either the SAT (93 percent) or its functional, and approved, equivalent (7 percent). However, only 68 percent reported administering any type of comprehensive risk and needs assessment during the initial intake, with urban jurisdictions more likely than rural or suburban jurisdictions to use supplementary or alternative assessment instruments.

Among jurisdictions not conducting a risk and needs assessment at initial intake, there was

considerable variation in when assessments eventually were conducted, with some jurisdictions conducting them relatively early and others conducting them much later. Some of the differing stages identified by respondents included the following:

- prior to releasing juveniles on conditions of release or to making detention decisions,
- after the initial intake meeting,
- at a formal intake, which, depending on the jurisdiction and the definition of “formal intake,” may occur within minutes or days of the initial intake,
- after a probable cause hearing or a juvenile is placed on deferred prosecution,
- after a petition is filed and prior to adjudication (among jurisdictions, this appears to be the most prevalent timing of assessments, when not conducted at the initial intake),
- after a social history report is completed,
- after adjudication and prior to disposition,
- immediately after the juvenile is placed on supervision by probation or the court,
- within a month after the juvenile has been placed on probation.

Although not addressed directly in this study, it appears likely that this variation is due not only to differences among jurisdictions in interpreting the HRC and TAC statutes, but also to differences in the needs and capabilities of various jurisdictions. For example, in jurisdictions without access to drug and alcohol programs, it may be perceived as inefficient and unnecessary to expend resources providing comprehensive assessments that cannot readily be acted upon.

Uses

In both the interviews and the surveys, respondents were asked to identify advantages and disadvantages of a standardized risk and assessment tool. The most common advantage identified was quite general: the SAT is a relatively simple, straightforward instrument for quickly identifying a juvenile’s history, needs, and potential problem areas. Some other prominent and more specific advantages of the SAT reported by respondents included the

following:

- if given at the initial intake, it enables a juvenile's needs to be identified and addressed sooner and more efficaciously,
- it assists with release/detain decisions,
- it is useful in identifying the need for further psychological evaluation, especially regarding any potential risk for suicidal or homicidal behavior,
- it is useful in identifying what programs or services a juvenile may need,
- it assists in systematically identifying and organizing information about a juvenile's family, educational, health, drug use, and social and delinquent history, which in turn assists with creation of social history reports,
- it is useful as a case management tool during supervision,
- it assists in providing for consistent data collection and, in turn, for consistent use of information regarding the processing of juveniles.

By contrast, respondents identified the following prominent disadvantages of the SAT:

- it is redundant and thus unnecessary and a source of inefficiency,
- it serves no clear purpose,
- the usefulness of the information is limited compared to what can be obtained from schools, families, or general knowledge about youths (a view articulated most forcefully by rural jurisdictions),
- it is time-consuming and detracts from a broader focus on the youth and his or her particular social or cultural context and needs,
- much of the information required to complete the SAT cannot be obtained during an initial intake but instead requires considerable time and investigation,
- the validity of the information obtained using the SAT frequently is suspect, given that it is based largely on self-reported information from youths or parents or on incomplete or inaccurate information from schools and other agencies.

Although not systematically addressed by our study, it is notable that few jurisdictions reported

having or using trained or certified clinicians to administer or interpret assessments. Also, practitioners in rural, suburban, and urban jurisdictions reported discomfort with administering or interpreting assessments that they or others in their jurisdiction were unqualified to use.

In addition to questions about how risk and needs assessments are used, respondents also were asked about who routinely receives information from initial intake assessments. Although virtually all jurisdictions reported that probation officers receive this information, far fewer jurisdictions reported prosecutors (61 percent), judges (47 percent), residential or program staff (37 percent), defense attorneys (35 percent), detention workers (28 percent), or others (e.g., parents, schools, child welfare agencies, or doctors or psychologists) (11 percent) receiving this information. Some variation across types of jurisdictions was identified: suburban jurisdictions were more likely than rural or urban ones to provide program staff with information from intake; and suburban and urban jurisdictions were more likely than rural ones to provide judges, defense attorneys, or detention workers with information from intake.

Apart from such county-level variation, what perhaps is most striking about these findings is the limited extent to which information, including results of risk and needs assessments, is shared with various practitioners who work with juveniles. Consider, for example, that detention officers routinely operate with little knowledge about a juvenile's background save for understanding that he or she is at risk to self or others and thus is deemed appropriate for detention. Clearly, greater attention is needed regarding factors that affect why some jurisdictions are more likely than others to share information among practitioners, and how such factors may affect reforms aimed at facilitating increased collection and sharing of information among agencies.

Intake

Structure and Goals of Intake

Intake processes vary considerably within and across states (U.S. General Accounting Office 1995a; Dedel 1998; Sickmund et al. 1998, p. 1). Indeed, as noted earlier, many jurisdictions in Texas distinguish between detention intake and formal intake, a distinction that directly affects the perceived goals of intake. Moreover, the organizational structure of intake also can affect how juveniles are processed. For example, over 10 percent of jurisdictions reported that the initial intake process is supervised or administered by detention units or staff. This arrangement can influence detention patterns because the decision to detain may be motivated primarily by the referral caseload and whether there is sufficient available bedspace to detain a juvenile (see Feld 1991, 1999; Snyder and Sickmund 1996, p. 136).

In addition to the type or structure of intake, there can be considerable variation in the goals or the prioritization of various goals that different jurisdictions associate with intake. In the present study, survey respondents were asked to rank order several possible goals of intake (“1 = most important,” “2 = second most important,” etc.). Table 2 reveals the relative ranking that respondents gave to each goal (e.g., what percentage viewed the first listed goal as most important, second most important, etc.). However, due to some respondents ranking fewer than the total number of listed goals, this table reveals only the approximate within-category support for each goal (e.g., what percentage of respondents view the first listed goal as the most important, the second listed goal as the most important, etc.).

TABLE 2 about here

Not surprisingly, a majority of respondents (59 percent) viewed identifying whether a juvenile is a risk to self or others as the most important goal of intake. However, it is noteworthy that some ranked it as less important than other goals. For example, many respondents viewed determinations about either detention or probable cause to be the most important goal of intake

(26 percent and 23 percent, respectively). Nonetheless, all three of these goals clearly were viewed as more important than such goals as providing a comprehensive assessment or identifying issues that merit further investigation. Notably, however, many respondents reported managing detention overcrowding as a primary goal of intake (see Schwartz and Barton 1994). These rankings were largely consistent across jurisdictions. However, respondents in rural jurisdictions were more likely than those in suburban and urban ones to rank identifying whether a juvenile is at risk to self or others as the most important goal of intake. They also were more likely to view identifying issues that should be investigated at a later stage of processing as being of more importance generally than other goals of intake. Other goals volunteered by respondents included: assessing issues that led to a juvenile being arrested, determining the need for further psychological testing, and identifying medical needs that require immediate attention.

Information Collected at Intake

Despite the fact that only 68 percent of respondents reported administering the SAT at the initial intake, close to all routinely collect a wide range of risk and needs information at this stage of processing. Figure 1 shows that close to 90 percent of respondents reported their jurisdiction as collecting information on most items, ranging from peer problems (78 percent) to offense history (99 percent). Only the two items that are not included in the SAT – amenability to treatment and vocational deficits – were less consistently collected across jurisdictions at initial intake (53 percent and 48 percent, respectively). Interestingly, and perhaps because of insufficient rehabilitative resources locally, rural jurisdictions were less likely than suburban or urban ones to collect information on amenability to treatment. Other types of information collected at the initial intake in various jurisdictions included: the juvenile’s family background, the financial status of the family and whether they had insurance, gang affiliation, and any history of referrals to other local or state agencies. It is important to emphasize that many respondents in interviews and on surveys indicated that much of the information collected with the SAT is

already collected by their jurisdictions using other instruments or forms during other stages of processing.

FIGURE 1 about here

Obstacles to Efficient and Effective Intake Processes

In an attempt to identify some of the central factors affecting the efficiency and effectiveness of intake processes, respondents were asked to identify whether certain factors served as significant obstacles or barriers. Figure 2 reveals that state-required paperwork and obtaining parental cooperation with juvenile releases were the most frequently cited obstacles (35 percent and 33 percent, respectively). Many respondents reported other obstacles, ranging from staff turnover (13 percent) to excessive numbers of intake referrals (22 percent). Among respondents in different types of jurisdictions, the only statistically discernible difference that emerged was that those in rural jurisdictions were less likely than those in suburban and urban ones to have reported excessive numbers of intake referrals as a key obstacle.

The most prominent obstacles identified by interviewees included insufficient resources locally to address juvenile needs, especially substance use/abuse and mental health needs, and, ironically, lack of communication, cooperation or collaboration among juvenile court practitioners and child welfare agencies. Other obstacles identified by interviewees included: lack of monitoring of the appropriateness of intermediate sanctions or referrals for services, incomplete arrest information, inadequate or inaccurate documentation from various agencies, linguistic barriers in bilingual communities, inappropriate use of detention by judges, and insufficient detention facilities (particularly among urban jurisdictions). Given the broad discretion historically enjoyed by intake officers and the greater formalization of intake in recent years (Champion 1998, pp. 150-58), it is important to emphasize that many intake officers

reported a considerable loss of discretion during the 1990s due to increasingly explicit criteria about collection of information and to statutory changes that have resulted in certain types of cases (e.g., all felonies and any misdemeanors involving a weapon or serious injury to a victim) having to be forwarded to prosecutors.

FIGURE 2 about here

Respondents also were asked to identify ways in which intake processes have been working well in their jurisdiction. The most common observations listed in the surveys and identified in interviews included: the police and probation officers understand their respective roles at intake, having one probation officer follow a case from intake through to disposition (which potentially can result in increased collection and use of information throughout juvenile processing), having experienced intake staff, affording intake officers more time to develop rapport with youths, the ability to identify the needs of juveniles, access to 48-hour holding facilities, and good communication, cooperation, and collaboration among all practitioners and agencies.

Conclusions and Recommendations

There are logical and compelling arguments for conducting comprehensive risk and needs assessments of juveniles referred to the juvenile justice system and for increased collection and sharing of information among local and state agencies. Not least of these arguments is that certain problems can be identified before they become worse or before they lead to increased criminal activity, and the more general one that prevention and early intervention constitute the most efficient and effective means of addressing juvenile needs and offending (Guarino-Ghezzi and Loughran 1996; Snyder and Sickmund 1996, p. 160; Torbet et al. 1996; Sherman et al. 1997;

Feld 1999). This study has focused primarily upon assessments, but many of the observations apply to attempts to collect or share other information among local and state agencies.

A central finding of the present study is that there is considerable variation across jurisdictions in the timing and goals of assessments and the uses to which they are put, variation that potentially can and likely will undermine the success of attempts to implement assessments of all juvenile referrals. Similarly, variation in the structure and goals of intake likely will undermine attempts to implement early assessment of juveniles, particularly if the role of assessments at intake is not explicitly addressed. For example, one consistent finding was the confusion expressed by probation officers concerning the need for comprehensive assessments at initial intake; many emphasized that in their view, assessment of all juveniles, a large proportion of whom will be counseled-and-released, is unnecessary and costly. Finally, this study identified a wide range of obstacles to efficient and effective intake processes, many of which likely will confound attempts to implement or appropriately use comprehensive assessments of all intake referrals.

These findings raise several policy considerations that merit closer attention. First, given the potential importance of early treatment and intervention with at-risk juveniles and the considerable costs associated with juvenile and criminal processing, greater attention is needed to understanding the extent to which assessments are associated with more efficient and effective processing of juveniles. That is, is the marginal return of assessments worth the cost? The question is not simply one of determining if assessments can lead to improved decision-making, rather, it is also one of determining if the associated cost is acceptable. For example, many respondents in this study reported that even with a wealth of comprehensive and accurate information about juvenile needs, there were too few resources available locally for this information to be of any direct use. Other respondents emphasized, however, that such information could be used to identify the need for more resources (e.g., drug and mental health treatment programs). Ultimately, cost-benefit determinations involve political decisions, but research could greatly inform such decisions, particularly in assisting states to develop priorities

for allocating scarce resources for various prevention and early intervention efforts.

Second, although it is theoretically possible for assessments to result in more consistent and appropriate processing of juveniles, it is also possible that factors affecting the validity or use of assessments can result in more inconsistent and inappropriate processing. It also is possible that different jurisdictions may differentially emphasize specific information (e.g., school reports) not obtained directly from risk and needs assessments, which can result in improved decision-making but also can contribute to inconsistency across jurisdictions in the processing of juveniles. Such possibilities are likely to be greater in the absence of mechanisms for ongoing monitoring and evaluation of assessment and referral processes and of various informal and formal interventions (Edwards 1996, p. 137). Similarly, although there is justifiable concern about the considerable discretion that intake officers possess, especially in diverting youths from formal processing (Ainsworth 1996, p. 70), it does not necessarily follow that eliminating this discretion will improve the fairness and appropriateness of juvenile processing. To be sure, clear criteria for rendering decisions about both informal and formal processing likely can be beneficial, but understanding the factors that affect how these criteria are applied and to what end would increase the probability of any benefit being realized.

Third, greater attention to clarifying the goals of assessments and how these can vary depending on a given jurisdiction or stage within the juvenile justice process is needed. Indeed, without clear statements about the goals of assessments, or, indeed, of any juvenile justice policy, it is impossible to render fair or appropriate evaluations of their effect (Mears 1998; Rossi, Freeman, and Lipsey 1999). For example, assessments can be used to assist with intake and detention decisions, dispositional recommendations, and case management, but it is unlikely that one instrument can be designed for all these purposes.

Fourth, for whom are assessments to be conducted? This study found considerable variation across jurisdictions in who was provided information from assessments. If risk and needs assessments are conducted at intake, clearly their usefulness hinges upon appropriate parties receiving any resulting information. Given recent concerns about access to counsel and quality

of representation (Puritz et al. 1995; Puritz and Shang 1998; Feld 1999), particular attention should be given to the extent to which defense attorneys are provided access to juvenile assessments and the extent to which juveniles who are assessed are apprised of a right to counsel.

Fifth, additional research is needed on the informal processing of juveniles. To date, most research has focused on formal processing, which has meant neglect of the potential importance that informal processing can have for juveniles, particularly in fulfilling the parens patriae dictate of addressing the best interests of youths (e.g., identifying whether there is a need for rehabilitation). Of particular importance in this regard is research on the extent to which juveniles' substance abuse and mental health problems are being addressed (Bilchik 1998).

The points raised above suggest two broad-based policy recommendations for local jurisdictions and especially states. First, considerably more attention should be given (a) to clarifying the exact goals of assessments at all stages of juvenile processing, (b) to ensuring that all relevant court actors, including defense attorneys, have access to information obtained from assessments, and (c) to developing programs for ensuring that all jurisdictions understand the goals of assessments and that they can, and consistently are, appropriately conducting and using assessments. Such programs will need to address obstacles to jurisdictions and court actors in their willingness and capacity to implement and use assessments. Second, although assessments can be time-consuming and costly, especially if administered for all referrals, it is possible that the resulting information can greatly assist in identifying the need within and across jurisdictions for more and specific types of resources (e.g., substance abuse and mental health interventions) and, in turn, for developing priorities about which needs should or can be effectively addressed. Thus, not only the juvenile justice system, but child and social welfare systems generally, stand to benefit greatly from increased use of assessments at the earliest stages of juvenile processing. This is not a recommendation for standardized assessments as a substitute for the exercise of discretion among jurisdictions or practitioners but rather as a potentially, and perhaps even critically, useful supplement, especially if all jurisdictions consistently interpret and accurately complete them.

To reiterate, the benefits of improved screening processes at the front-end of the juvenile justice system through efficient and appropriate use of risk and needs assessments are significant, particularly if we take a long-term view of the consequences of failing to intervene effectively and early. As Snyder and Sickmund (1996, p. 160) have emphasized, “a small improvement in the effectiveness of juvenile justice interventions could have a substantial impact on State budgets if the savings amassed by the criminal justice system are taken into account.” However, for such efforts to be successful, considerably more attention must be focused on the precise goals of assessments, their role in intake processes, and especially on factors that affect their use or that constrain the extent to which they can improve the efficiency and efficacy of the juvenile justice process.

NOTES

¹Waiver does not always or even most of the time result in an incarcerative sentence (Howell 1996). The same pattern holds true in Texas. A recent study of juvenile waivers in twelve large counties in Texas reported that although the vast majority of waivers were for serious, violent offenses, only 58 percent of waived youths were sentenced to prison, with the remaining youths either placed on probation (27 percent) or processed in some other manner (e.g., sentenced to county or state jails, dismissed, not found guilty, or no-billed by a grand jury) (Texas Criminal Justice Policy Council 1999b, p. 20).

²Juvenile offenders are not “charged,” as adults are, with crimes. Rather, petitions are submitted to the juvenile court to establish either the issues upon which the juvenile will be “adjudicated” (as opposed to “convicted”) or the justification for seeking transfer to adult court. If the proceedings result in an adjudication, which establishes that the juvenile committed the alleged offense and is “delinquent” (as opposed to “guilty”), then he or she is subject to a “disposition” (as opposed to a “sentence”) (see Champion 1998, Ch. 3).

³In Texas, jurisdictions comprised of multiple counties are called “judicial districts.”

⁴The SAT includes four components: (1) risk (prior referrals, commitment or out-of-home placement for more than thirty days, age at time of assessment, drug/chemical use, alcohol abuse, parental control/influence, school discipline/employment problems, learning/academic performance problems, runaway/escape behavior, negative peer influence); (2) mental health needs (appearance of youth, violent behavior, behavioral history, peer relationships, disposition/self-image, identity problems, substance abuse, history of abuse, developmental history); (3) educational needs (education status, attendance history, school behavior, academic difficulties); and (4) family status needs (relationships, parental supervision, parental/family problems).

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