

RECIDIVISM AMONG DETERMINATELY SENTENCED YOUTH IN TEXAS

Courtney E. Rich

Thesis Prepared for the Degree of

MASTER OF SCIENCE

UNIVERSITY OF NORTH TEXAS

May 2014

APPROVED:

Chad Trulson, Major Professor

Adam Trahan, Committee Member

Daniel Stewart, Committee Member

Eric Fritsch, Chair of the Department of
Criminal Justice

Thomas Evenson, Dean of the College of
Public Affairs and Community Service

Mark Wardell, Dean of the Toulouse Graduate
School

Rich, Courtney E. *Recidivism among Determinately Sentenced Youth in Texas*. Master of Science (Criminal Justice), May 2014, 72 pp., 5 tables, references, 53 titles.

In Texas, determinate sentencing allows extremely serious and violent delinquents one more chance to change their ways by releasing them to the streets instead of being transferred to prison. This research study examined the recidivism outcomes of 416 serious and violent juvenile offenders previously exposed to rehabilitative treatment in the renowned Capital and Serious Violent Offender Treatment Program provided by the Texas Youth Commission. Further, this research study looked to a group of 1,261 determinately sentenced offenders who did not participate in Capital and Serious Violent Offender Treatment Program but were released from Texas Youth Commission as well. Both groups of juveniles were followed for three years following their release from institutionalization.

This analysis revealed that 50% of both groups were rearrested at least once during the follow-up period for any offense. Of the Capital and Serious Violent Offender Program participants, 81% were rearrested for at least one new felony offense. Of those non-participants, 78% were rearrested for at least one new felony offense. The factors that served to distinguish both groups included African-American race and a number of delinquent history measures. This study concludes with a discussion of policy implications and suggestions for future research.

Copyright 2014

by

Courtney E. Rich

TABLE OF CONTENTS

	Page
LIST OF TABLES	v
Chapter	
1. INTRODUCTION	1
The History of Dealing with Juvenile Offenders	1
The “Worst of the Worst”	5
Blended Sentencing as the Third Prong of Juvenile Justice	6
Blended Sentencing in Texas.....	7
Research Questions	12
Conclusion	13
2. LITERATURE REVIEW	14
Introduction.....	14
General Juvenile Offender Recidivism.....	14
Serious and Violent Juvenile Offenders	20
Summary of Literature	28
Conclusion	31
3. METHODOLOGY	33
Introduction.....	33
Data and Setting.....	34
Data Analysis Plan	40
Reliability and Validity.....	40
Conclusion	42

4. ANALYSIS AND FINDINGS	43
Introduction.....	43
Descriptive and Bivariate Analyses	44
Conclusion	59
5. DISCUSSION AND CONCLUSIONS	61
Summary of Findings.....	61
Policy Implications	62
Limitations and Suggestions for Future Research	64
Conclusion	66
REFERENCES	68

LIST OF TABLES

	Page
1. Descriptives of Total Sample.....	38
2. Comparison of Released CSVOTP Offenders to Non-Participant Releases	47
3. Comparison of Commitment Offense Profile for Released CSVOTP Offenders to Non-Participant Releases	50
4. Comparison of Released CSVOTP Recidivists and Non-Participant Recidivists	56
5. Comparison of Most Serious Rearrest for Released CSVOTP Recidivists and Non-Participant Recidivists.....	59

CHAPTER 1

INTRODUCTION

The History of Dealing with Juvenile Offenders

The basis of distinguishing juveniles from adults in the United States' legal system originated with the creation of the first juvenile court in Cook County, Illinois in 1899. Prior to the creation of the first juvenile court, children who broke the law were treated the same as adult criminals, and if found guilty, could be sentenced to prison or even death (Snyder & Sickmund, 2006). Early jails housed men, women, juveniles, and mentally ill all in the same facility. Starting with Chicago, and in the ensuing 50 years following the 1899 creation of the world's first juvenile court, every state created an arena to deal with child matters, whether the matter was delinquency, or dependency and neglect (Snyder & Sickmund, 2006).

Fundamental to the creation of a separate legal arena for children was that the focus was not like that of the adult system. Indeed, in the newly created juvenile courts, the main driving force was that of rehabilitation. Juveniles were considered less mature and aware of the consequences of their actions, thus warranting caring, assistance, and treatment, not harsh punishment like the more seasoned and mature adult criminal. But, over time this benevolent focus began to erode for some juveniles, especially those who were more serious delinquents. This was perhaps no more evident than in the 1970s.

Starting in the 1970s, a shift in attitudes towards the treatment of juvenile offenders began to emerge. Two main change agents arose which pushed this shift in attitudes. The first was focused on the believed ineffectiveness of rehabilitation programs. The second was rapidly rising crime rates among juvenile offenders. Beginning in the 1950s and 1960s, many started to question the ability of the juvenile court to succeed in rehabilitation of delinquent youth (Snyder

& Sickmund, 2006). In order to determine whether treatment programs were effective in reducing juvenile delinquency, several reviews throughout the 1970s were conducted (Myers, 2005). The consensus among research seemed to conclude “nothing works” when it comes to the rehabilitation of juvenile delinquents (Martinson, 1974). Although the “nothing works” mantra was for all intents and purposes taken out of context, Martinson’s report was a major factor responsible for a significant turning point in both juvenile and adult justice. The effect was that the juvenile justice system, once solely focused on rehabilitation and caring and treatment, was now seen as insufficient on many fronts (Snyder & Sickmund, 2006). Perhaps the most damning complaint was that the juvenile justice system coddled juvenile criminals.

Contrary to the popular perception that juvenile crime was on the rise, from the late 1970s to the mid 1980s official juvenile violent crime arrest rates were relatively stable (Myers, 2005). It was not until the mid 1980s to mid 1990s that violent juvenile crime arrests increased at a fast and furious pace. The juvenile violent crime arrest rate increased 70% between 1987 and 1994 (Sickmund, Snyder, & Poe-Yamagata, 1997). Specifically, the murder arrest rate of juveniles doubled between 1987 and 1993 (Sickmund et al., 1997).

Although there were substantial misperceptions regarding increases in juvenile crime in the 1980s, by the mid 1990s it was clear that the United States was experiencing an epidemic of youth violence. Public confidence of the system’s ability to effectively control violent juvenile offenders was diminishing (Snyder & Sickmund, 2006). In response, state legislatures cracked down on juvenile crime, resulting in increased trends toward adult court waivers and other sentencing mechanisms in order to sentence serious juvenile delinquents to harsher sentences than could be assessed in the regular juvenile court. Although juvenile courts have always had mechanisms for transferring or waiving the most serious offenders to the adult justice system, the

practice of expanded and simplified waiver mechanisms was the direct result of policy makers “get tough” response towards the juvenile crime problem. The “get tough” policies emphasized that juveniles who are willing to commit adult crime should be held accountable by doing adult time. These “get tough” policies now refer to the practice of juvenile transfer to criminal court (Polachek, 2009).

All states have legislation that determines how juvenile offenders are handled in their individual jurisdictions, although they may vary from state to state, they all fall into three basic categories: judicial waiver, prosecutorial waiver, or statutory exclusion laws (Griffin, Addie, Adams, & Firestine, 2011). Judicial waiver, the oldest and most common form of transfer, grants authority to a juvenile court judge to make the decision to waive jurisdiction over the juvenile and transfer them to the criminal court for criminal prosecution. The case is originally filed in juvenile court but is subject to a formal hearing before the judge approves waiver. Some of the factors the judge considers before a waiver is approved include, whether a youth is amenable to treatment or poses a danger to the public and requires the court to also consider the offender’s background and circumstances (Bishop, 2000). Currently, 45 states have judicial waiver provisions. Prosecutorial waiver, also known as concurrent jurisdiction or direct file, allows the prosecutor to file the case directly in either juvenile or criminal court as a result of their charging decisions. Presently, 15 states have recently adopted this method. The final mechanism, statutory exclusion, has been adopted by 29 states. These statutory exclusions grant criminal courts exclusive jurisdiction over certain classes of juvenile offenders who have committed crimes that have been legally excluded from juvenile court jurisdiction.

Reverse waiver provisions can be used with each of the three basic methods of transfer. Reverse waiver mechanisms allow juveniles whose cases are in criminal court to petition to have

them transferred back to juvenile court, a process also known as decertification. Currently, 24 states have reverse waiver laws. The advantages of reverse waiver provisions allow a State to define a broad category of offenses that it considers appropriate for criminal court handling, while ensuring that its courts have an opportunity to consider whether such handling is actually appropriate in individual cases (Griffin, Torbet, & Szymanski, 1998).

Finally, 34 states have provisions that automatically transfer juvenile offenders to the adult system if they previously were convicted of an offense in criminal court (Griffin, 2008). This mechanism is commonly referred to as “once an adult, always an adult.” In other words, if a youth is convicted in adult court, every crime prosecuted thereafter will be tried automatically in criminal court. The rationale behind this provision is that since these offenders were already found unfit for treatment provided by the juvenile system, they no longer are afforded the opportunity to benefit from that treatment, resulting in automatic transfer to the adult system (Jordan, 2006, p. 26).

Transferring violent juvenile offenders to the adult criminal justice system has now become an accepted practice when dealing with juvenile offenders. The basic rationale for this practice is that the juvenile court is unable to serve the needs of certain youth or cannot effectively sanction the youth, and therefore the criminal court should take over their cases. The decision to transfer a case signifies that a youthful offender is beyond whatever treatment capacity remains in the juvenile justice system. The number of cases waived to adult court hit a notable peak in 1994 when 13,100 cases were waived. However, a large majority of juveniles sentenced in the criminal court system are not serious violent offenders. More than half of the cases waived to criminal court in 1994 were for nonviolent offenses: 37% were for property

offenses, 12% were for drug offenses, 9% were for public order offenses, and 42% involved person offenses (Griffin et al., 2011).

Prior to the mid 1990s property offense cases accounted for the largest proportion of cases waived to adult court. However, since the mid 1990s, person offenses have outnumbered property offenses among waived cases. In 2009, nearly half (or 46%) of the cases waived to criminal court involved person offenses (Knoll & Sickmund, 2012). Property offenses accounted for 31% of the cases waived to criminal court, while drugs (13%) and public order offenses (10%) accounted for the remainder of waived cases (Knoll & Sickmund, 2012). Overtime the rehabilitative intentions of the juvenile court have eroded, however, it still remains markedly different when compared to the adult system that is solely focused on punishment and incapacitation.

The “Worst of the Worst”

The focus of this study is on serious, violent and chronic juvenile offenders. These youth do not fit neatly within traditional juvenile justice processes created for non-serious status offenders or run-of-the mill delinquents. The offenders of focus in this article also do not fit neatly within adult court waiver. Although serious, violent, and chronic juvenile offenders are too serious for juvenile court, transferring juveniles to criminal court can have tremendous consequences for the juvenile. When examining the impact of transfer on recidivism, because juveniles are expected to be treated more harshly in adult court as compared to juvenile court, it generally is thought that transferred juveniles should recidivate less than retained offenders (Jordan, 2006, p. 63). However, a criminal court felony conviction results in the loss of a number of rights and privileges, which may actually increase recidivism because they limit the extent to

which the offender can become successfully reintegrated into community life (Redding, 1999). Additionally, loss of rights and privileges limit the offender's ability to obtain employment and other life opportunities. Further, studies have found the higher recidivism rates in criminal court are due to the fact the child loses all protective and rehabilitative possibilities available only in the juvenile system (Dietch, 2011). Overall, it appears as though transferring juveniles to adult court is not effective in reducing recidivism.

Transfer mechanisms originally designed to reduce juvenile crime have failed to enhance public safety. Instead, prosecuting juveniles as adults, has led to more, not less, crime. Because of their lack of fit, juvenile justice systems have adopted a new, middle of the road approach for such in-between offenders. This new sentencing creates a compromise between two distinct philosophies for handling serious and violent youth: rehabilitation and punishment (Garland, Melton, & Hass, 2011).

Blended Sentencing as the Third Prong of Juvenile Justice

In addition to the three basic forms of waiver, the 1990s saw new alternatives to ameliorate the consequences of transfer and waiver. One such approach, blended sentencing, may either provide juvenile courts with criminal sentencing option or allow criminal courts to impose juvenile dispositions. Eighteen states give the criminal court the power to impose criminal sanctions for juveniles convicted of certain serious crimes (Criminal Blended Sentencing); fourteen states permit juvenile courts to do the same (Juvenile Blended Sentencing) (Griffin et al., 2011). Despite variation among the states, the bottom line of these approaches is that they give serious, violent, and chronic delinquent youth one last chance at change before they are faced with an adult prison sentence or other adult sanction.

In blended sentencing, sentences in the juvenile justice system are combined with sentences in the criminal justice system, although the adult sentence is held in abeyance (Howell, 2003, p. 154). The adult sentence is activated when the offender fails to meet the conditions of the juvenile sentence. The creation of blended sentencing formed a third sentencing option to the previous all or nothing option of keeping juveniles exclusively under the jurisdiction of the juvenile court, or waiving them to the adult criminal court (Haerle, 2008).

Blended Sentencing in Texas

To address the increasing incidence and severity of juvenile crime combined with the perception that the juvenile justice system had little deterrent effect on violent crime committed by juveniles, the Texas legislature responded by passing the Determinate Sentencing Act (DSA) in 1987. The law as it was originally written, included six offenses against persons that would constitute capital or first degree felony cases in which adjudicated juveniles may receive a determinate sentence of as long as 30 years. The original six offenses included 1) murder, 2) capital murder, 3) attempted capital murder, 4) aggravated kidnapping, 5) aggravated sexual assault, and 6) deadly assault on a law enforcement officer (TJJD, 2011). In 1995, the legislature added 11 offenses eligible for a determinate sentence and further specified sentences could now range from a maximum of 10 years for a third degree felony to a maximum of 40 years for capital offenses and first degree felonies (TJJD, 2011). In 2001, two other offenses were added to those eligible for a determinate sentence. The list of offenses eligible for a determinate sentence in Texas currently includes:

- Murder
- Attempted Murder
- Capital Murder
- Attempted Capital Murder
- Manslaughter
- Intoxication Manslaughter
- Aggravated Kidnapping
- Attempted Aggravated Kidnapping
- Aggravated Sexual Assault
- Sexual Assault
- Attempted Sexual Assault
- Aggravated Assault
- Aggravated Robbery
- Attempted Aggravated Robbery
- Felony Injury to a Child, Elderly, or Disabled Person
- Felony Deadly Conduct
- Aggravated or First-Degree Controlled Substance Felony
- Criminal Solicitation of a Capital or First-Degree Felony
- Second-Degree Felony Indecency with a Child
- Criminal Solicitation of a Minor
- First Degree Felony Arson
- Habitual Felony Conduct (Three Consecutive Felony Adjudications)

In order to be prosecuted under the statute, juvenile offenders must be at least 10 years of age and have committed one or more of the 22 specific offenses or included categories (e.g., conspiracy, attempted). Proceedings are initiated based on prosecutorial discretion, as opposed to processing in regular juvenile court or pursuing adult court waiver. Determinate sentencing allows a youth to stay in the juvenile system for purposes of trial and initial confinement. Offenders convicted of these offenses serve the juvenile portion of their sentences in state correctional facilities, after which they could be required to serve the remaining adult portion of their sentences in prison (Howell, 2003, p. 159). Determinate sentencing allows the juvenile judge the opportunity for imposing a long sentence on a serious juvenile offender that might require his or her transfer to the adult prison system. This provides juvenile judges an

opportunity to take a second look at the youth in an effort to re-evaluate the youth's risk to public safety at that point (Dietch, 2011).

Once the juvenile is prosecuted under the DSA, the first portion of the sentence is to be served in a Texas Youth Commission (TYC) facility (In 2012 the Texas Youth Commission and Texas Juvenile Probation Commission were consolidated with the Texas Juvenile Justice Department- this thesis references TYC as it was the guiding agency when this study was initiated) with the possibility of transfer to the Texas Department of Criminal Justice (TDCJ). The juvenile judge imposes a sentence up to a maximum number of years as mandated by the DSA (but can provide a shorter than maximum sentence), the maximum length of a determinate sentencing being 40 years for a capital felony and a maximum of 10 years for a third degree felony. The sentence begins in a TYC secure facility where the juvenile participates in a variety of rehabilitation and educational programs. As a "sentenced offender" the juvenile faces a minimum period of confinement. This is the time, set by state law, that the offender has to serve in a secure facility: 10 year minimum for capital murder; three years for an aggravated controlled substance felony or a first degree felony; two years for second degree felony; and one year for a third degree felony (TJJD, 2012).

Although changes have come to the law over the years regarding lengths of stay and other facets, generally, prior to the youths' 18th birthday, if the youth has not completed the minimum required length of stay in TYC or done poorly in the programs offered, TYC may request a ruling from the juvenile court judge regarding transfer to TDCJ or whether the youth can be safely released on parole without compromising public safety.

With the creation of determinate sentencing the number of juveniles waived to adult court has decreased substantially. For example, there were 596 juveniles certified as adults in the state

of Texas in 1994, compared to only 227 in 2009 (Haerle, 2008; Dietch, 2011). Otherwise put, there was a 62% decrease in the number of juveniles waived to adult court during the 15 years of 1994 to 2009. Some of this 62% decrease can be attributed to an increase in the number of youth who received a sentence in accordance with the DSA. Juveniles committed to TYC with determinate sentences more than tripled from 1990 to 2009, increasing from 45 to 155 (Birch, 1996; Legislative Budget Board [LBB], 2010). Since 2009, sentenced offenders comprise approximately 10-14% of those committed to TYC each year (LBB, 2009; LBB, 2010; LBB, 2011; LBB, 2012). Although 10% may not seem like a significantly large percentage, it is important to remember that this 10% equals approximately 100 of the 1,000 juveniles committed to TYC facilities each year. These serious and violent delinquents are the focus of this study.

Capital and Serious Violent Offender Treatment Program

The Giddings State School is a juvenile correction facility of TYC. The school first opened in 1972 and served as a home for younger boys who were runaways and/or adjudicated. In 1980, Giddings was designated as the state's maximum-security juvenile facility. The Giddings State School operates the Capital and Serious Violent Offender Treatment Program (CSVOTP). The program, originally titled the Capital Offender Treatment Program, was implemented by TYC in 1987 for youth who had committed a capital offense. However, in 1999 it was renamed CSVOTP and expanded to include youth who were committed for murder, capital murder, and if the offense involved the use of a weapon or deadly force. The high intensity CSVOTP is designed to impact emotional, social, behavioral, and cognitive developmental processes (TJJD, 2012). The program integrates cognitive-behavioral, social-learning, and psychodynamic techniques to create an intense therapeutic approach that aims to

reduce individual risk factors and to enhance and build upon unique strengths of youth (TJJD, 2012).

In addition to being a sentenced offender committed for murder, capital murder, or an offense which involved the use of a weapon or deadly force, youth must also demonstrate a “high need” for CSVOTP. However, specialized treatment in CSVOTP is not guaranteed. For instance, in 2010 147 youth were in high need of CSVOTP, yet only 28 youth were able to complete the program. On average, 30-36 youth housed at Giddings during any given year will participate in CSVOTP. Typically, youth in CSVOTP will be divided into small groups of 8-9 youth as they progress through the program.

Youth are divided into cottages where they will be kept separate from the general population. Youth enrolled in the CSVOTP participate in a structured 24-week treatment program. Each youth in CSVOTP is responsible for telling his/her “life story”. The life story portion usually requires two to three and a half-hour sessions for each student, as they are referred to at Giddings (Hubner, 2005). Each youth will narrate their life story and tell the group what has been done to them. Following their life stories, students are then to narrate their “crime stories,” which requires the students to relay what they have done to others in an attempt to understand what may have led to their current circumstance (Hubner, 2005).

After each youth completes their life and crime stories the youth will then participate in role-plays. At the end of every crime story there are two role-plays. In the first, the students play themselves, reenacting their crime exactly as it happened. In the second, the student plays his or her own victim. Therapists hope by reenacting key scenes in their lives in a setting that is safe will allow the youth a chance to experience the emotions they have kept hidden inside and experience the events that have shaped them, which in effect, will begin to build empathy

(Hubner, 2005). Provided a youth successfully completes the intensive CSVOTP, the therapists make a recommendation as to the youth's outcome: eligible for immediate release, continued commitment until age 18, or transfer to the Texas prison system to serve the remainder of their determinate sentence.

Among the 3,382 youth who have been sentenced to TYC as sentenced offenders between 1987 and 2011, 17% or 582 have been through CSVOTP. However, this thesis will focus only on those determinately sentenced offenders who were released from TYC, as opposed to being transferred to the Texas prison system to face the adult portion of their determinate sentence. This group equals 2,082 offenders of which 20% or 416 offenders participated in the CSVOTP. The remaining 1,677 offenders, who were released but did not participate in CSVOTP, were compared to the 416 participants relative to recidivism.

Research Questions

The prevention of violent criminal acts and other serious crimes perpetrated by youth has become a pressing issue. While growing in recent years, few systematic empirical studies have been conducted on effective treatment specifically for violent youth. This research aims to fill some of this void by examining the recidivism outcomes of determinately sentenced offenders who received treatment in TYC's CSVOTP and have been released, compared to sentenced offenders who were released but did not participate in TYC's CSVOTP. In doing so, the study attempts to answer the following research questions:

- 1) How do CSVOTP participant releases compare to CSVOTP non-participant releases in terms of demographic, delinquent history, and risk factor measures?
- 2) What are the basic descriptive recidivism outcomes (e.g., rearrested or not; most serious arrest charge) of CSVOTP participant releases and non-participant releases during the

first three years following their release from TYC to the community compared to non-participant releases?

- 3) In terms of recidivism, how do CSVOTP released recidivists compare to non-participant released recidivists in terms of demographic, delinquent history, and risk factor measures?

Conclusion

Traditionally, the philosophy of the juvenile court has emphasized the use of treatment and rehabilitation of young offenders. In recent years, societal protection, retribution, and punishment have been adopted as the primary objective of the juvenile court, but only for the most serious and violent delinquent youth. In general, research suggests that serious and high-rate juvenile offenders reoffending should be expected and is often found (Scott, 2000). However, research has shown that some offenders actually do change and/or succeed in avoiding re-arrest for new offending (Trulson, Marquart, Mullings, & Caeti, 2005).

In Texas, youth convicted of violent crimes have one last chance to change in TYC's CSVOTP. The offenders enrolled in CSVOTP are arguably the most serious, violent, and chronic of all juvenile offenders. Unfortunately, there has been little research on this subpopulation of delinquents and the potential for changing their behavioral trajectory. Although critics argue the failure of the juvenile justice systems capability to change the trajectory of such violent offenders, or even whether these offenders deserve another chance at change, this study seeks to determine what their outcomes will be if they are given another chance at change. But first, Chapter 2 examines the literature regarding serious, violent, and chronic delinquent youth with an eye towards what is known about their recidivism outcomes following juvenile institutionalization.

CHAPTER 2

LITERATURE REVIEW

Introduction

This literature review summarizes the research on the post-release behavior of institutionalized juvenile offenders in general, and serious and violent offenders in specific. Through this, the goal of the literature review is threefold: 1) to uncover the most reliable predictors of recidivism among the institutionalized juvenile offender population, 2) to highlight empirical studies that have examined recidivism among serious and violent institutionalized juvenile offenders, and 3) to help frame and guide the present study in terms of what to expect with the release of juvenile offenders in this study.

The first section examines recidivism among mixed samples of institutional delinquents, some which are serious and violent and some which are garden-variety institutionalized delinquents. This section also includes findings from meta-analysis focused on effective components of rehabilitation programs and risk factors related to reoffending among institutionalized delinquents. This review then examines empirical studies focused on serious and violent juvenile offenders. Finally, it ends with a discussion of the limitations of prior research.

General Juvenile Offender Recidivism

Empirical Research Findings

A study by McMackin, Tansi, and LaFratta (2004) examined the recidivism outcomes among a sample of juvenile offenders who were institutionalized in a residential treatment facility in Massachusetts. The sample included 162 youth discharged between 1976 and 1995. Data was provided on the most serious pre-placement conviction. Person offenders made up

43.2% ($n = 70$) of the sample, sex offenders 9.3% ($n = 15$), and nonperson offenders 47.5% ($n = 77$). Recidivism was the primary outcome variable and was defined as any juvenile or adult conviction to occur following release from this treatment program.

Overall chronic offenders, those with four or more pre-commitment arrest, were convicted more quickly than non-chronic offenders (48.4% compared to 40.3%, respectively) within one year of discharge. In addition to chronic offending, length of stay was also significantly associated with reconviction rates across the sample. Those who stayed over 11 months had a lower reconviction rate for one year, 34.3% ($n = 35$) than the one-year reconviction rate for those who stayed under 11 months, 48% ($n = 127$).

Minor, Wells, and Angel (2008) examined a mixed sample of juveniles in an attempt to identify predictors of recidivism. This study analyzed a sample of 580 juvenile offenders released from out-of-home placements administered by the Kentucky Department of Juvenile Justice (DJJ). In Kentucky, out-of-home placements include two types of facilities. The first type, youth development centers (YDCs), are small juvenile institutions ranging from low to high security levels; most are medium security. The second type is low security group homes. Recidivism was analyzed across an 18-month follow-up period, and was measured by whether any Class A misdemeanor or any felony resulted in a new adjudication. Overall, 52.2% of the 580 youth experienced adjudication for a Class A misdemeanor or a felony crime.

This research also detailed predictors of recidivism. Analysis revealed gender was a strong predictor of recidivism; males were over two times more likely than females to recidivate. Likewise, for each year of age, a youth was 1.3 times more likely to recidivate. The probability of recidivism was also greater among youth with histories of abandonment as well as those with

special education needs. However, those with a documented history of sexual abuse were 44.6% less likely to recidivate than those without such history.

A study by Abrams, Terry, and Franke (2011) examined the influence of length of participation in a community-based reentry program on the odds of reconviction in the juvenile and adult criminal justice systems. The reentry program exclusively served young men who were placed at a 4-8 month County administered juvenile probation camp program for felony level offenders. A telephone survey was conducted with a sample of 75 male alumni who participated in the reentry program between the years of 2002 and 2009. Recidivism was the primary outcome variable and was defined as any juvenile or adult conviction to occur since the time of exit from the reentry program.

The overall analysis revealed that 24% of the sample reported at least one new conviction in the juvenile system, and 41.3% reported at least one new conviction in the adult system. Length of stay was significantly associated with reconviction rates. The average number of months of reentry program participation was 2.3 months higher for those who did not receive new juvenile convictions compared to those who did, and was similarly 2.4 months higher for the group reporting no new adult convictions compared to those who reported at least one new adult conviction. Analysis revealed that for an additional 3 months of service provision the odds of recidivating as a juvenile are reduced by half.

Becker, Kerig, Lim, and Ezechukwu (2012) examined 587 youth remanded to a Midwestern county juvenile detention facility between 2006 and 2009. This study investigated the interrelations among mental health problems, posttraumatic stress disorder (PTSD), age, ethnicity, gender, and recidivism over a three-year period. The majority of participants were male (417 boys). Seventy-two percent were Caucasian and 28% were African American. Their

ages at the time of the initial assessment were between 11 and 17 years of age. The number of admissions to detention ranged from 1 to 9. Youth offense charges ranged widely from status to felony offenses.

The researchers utilized the Massachusetts Youth Screening Instrument- Second Version (MAYSI-2) and the Post-Traumatic Stress Disorder- Reaction Index (PTSD-RI) in order to distinguish any differences or similarities among the offenders. The MAYSI-2 is a standardized, 52-item, true-false method for screening every youth ages 12-17 entering the juvenile justice system, in order to identify potential mental health problems. The PTSD- RI is one of the most widely used instruments for assessing symptoms related to trauma in children and adolescents. It consists of a three-section questionnaire that assesses lifetime history of exposure to trauma. Overall, younger offenders were more likely to recidivate than older offenders; however, girls and younger African American youth with PTSD were more likely to reoffend than were their peers. At the time of first admission to a juvenile detention center, boys reported higher alcohol/drug use, whereas girls reported greater anger/irritability. Caucasian offenders experienced higher rates of alcohol/drug use and somatic complaints compared to African American offenders. In addition, youth who were younger in age displayed higher levels of anger/irritability and depression/anxiety. Across multiple admissions to detention, alcohol/drug use increased for all youth, whereas somatic complaints decreased for boys only.

Meta-Analysis Findings

In addition to individual studies of juvenile delinquents, two notable meta-analyses examined components of effective treatment programs and risk factors related to recidivism among juvenile offenders. The first meta-analysis conducted by Lipsey and Wilson (1998) aimed to identify effective interventions for reducing recidivism of juvenile offenders and various

program factors that are associated with the best outcomes. This comprehensive meta-analysis examined 200 studies involving serious juvenile offenders. These programs were analyzed in two groups: 1) programs with noninstitutionalized juveniles, and 2) programs with institutionalized juveniles. Due to the nature of this study, the review focused solely on programs with institutionalized juveniles.

Of the 200 studies investigating intervention with serious juvenile offenders, 83 dealt specifically with programs for institutionalized youth. The majority of programs ($n = 74$) studied operated in juvenile justice institutions and a few ($n = 9$) involved residential facilities. Four groups of variables were studied: 1) juvenile offender characteristics, 2) program characteristics, 3) types of treatment, and 4) dose of treatment delivered.

The analysis revealed the variables associated with general program characteristics showed the strongest overall relationship of treatment effectiveness in regards to recidivism. Well-established programs, operating for two years or more were found to yield larger recidivism reductions (e.g., effect size). In addition, administration of treatment by mental health professionals, opposed to juvenile justice personnel, was most strongly related to effect size. Treatment programs of longer duration in weeks were associated with larger recidivism reductions. Likewise, programs with a high level of monitoring to ensure that the intended juveniles receive the intended service yielded larger recidivism reductions. With regard to effectiveness of treatment types (e.g., interpersonal skill programs, behavioral programs, individual/group counseling, or drug abstinence programs) no conclusive results can be drawn, due to the small number of studies upon which many of the estimates were based.

The most effective interventions impacted recidivism by 10-15%. Considering this study applies to serious and violent institutionalized offenders this decrease in recidivism is a sizeable

effect. The review of intervention programs for serious and violent institutional delinquents by Lipsey and Wilson (1998) is directly relevant to the present study. Essentially, the extensive meta-analysis provided support that even the most serious delinquents can positively respond to treatment. In addition, the review of intervention programs provides insight as to the more effective rehabilitation efforts for institutionalized offenders. Generally, a well-established program of longer duration, service providers who are not juvenile justice personnel, and a strong program implementation tailored to individual juveniles can reduce recidivism by a significant amount.

Cottle, Lee, and Heilbrun (2001) conducted a meta-analysis to identify risk factors that best predict juvenile recidivism. This meta-analysis examined 23 studies involving 15,265 juveniles. Studies selected for this meta-analysis required juveniles between the ages of 12 and 21 years who had at least one prior arrest and provide data on subsequent offending. Recidivism was defined by either official records or self-reports reflecting reincarceration, rearrest, or violation of probation or parole. The analyses found an overall mean recidivism rate of 48%.

This research used a total of 30 predictor variables divided into 8 domains. The domains of offense history and family and social factors were consistently associated with recidivism. In particular, analyses revealed the strongest individual predictors to be a younger age at first commitment, a younger age at first contact with the law, and a history of nonsevere pathology. Other strong predictors included family problems, ineffective use of leisure time, delinquent peers, and conduct problems.

Serious and Violent Juvenile Offenders

Empirical Research Findings

Heide, Spencer, Thompson, and Solomon (2001) attempted to add to the limited research on the long-term follow-up of juvenile homicide offenders by following a sample of 59 juvenile homicide offenders released from adult prisons in Florida. The sample was committed to the adult Department of Correction (DOC) in Florida during the period January 1982 through January 1984 for one or more counts of murder, attempted murder, or in a few cases, manslaughter. This study examined these juveniles during a 15 to 17-year follow-up period. The study measured success or failure after release in the community by recommitment (being sent back) to the DOC. An offender was deemed a failure under two conditions. One, he was on parole status when he violated the conditions of parole, which could include his arrest, regardless of whether he was subsequently prosecuted or convicted. Second, after having served his time on the initial homicide-related charge, he committed a new crime and was sentenced again to prison.

Of the 59 juvenile homicide offenders, 73% ($n = 43$) were released during the follow-up period. Of the 43 offenders released from prison, 40% ($n = 18$) were not returned to prison and 60% ($n = 25$) were sent back, only to be released again in most cases. Of the 25 offenders who were sent back to prison, 20 were released again. The highest amount of failures occurred during the first three years, during which 20 offenders failed.

Benda, Corwyn, and Toombs (2001) evaluated recidivism among a sample of youth released from the only serious offender program in the Arkansas Division of Youth Services (DYS). The program, created in 1993, targets those juveniles who are committed to DHS for serious violent offenses and persistent offending- much like the population under study here. Arkansas's DHS defines a serious offender as those who have committed crimes such as rape or

arson, as well as individuals who persist in other criminal activities, such as burglary or terroristic threatening.

The program aims to intervene behaviorally by using cognitive restructuring to teach youth how to reexamine the thoughts and personal beliefs that have continued their drug use, failure, and criminal activities. In addition, individual and group counseling is utilized daily to teach adolescents to realize that they are responsible for their behavior and that they are making choices that bring certain consequences. The minimum length of stay is 9 months, and youth are supervised for at least 6 months in aftercare.

The sample consists of 414 youth released from the program between 1993 and 1996 during a minimum two-year follow-up period. Recidivism was measured as a dichotomous outcome, did not enter a correctional system for adults or entry into this system. Of the 414 people in the study, 270, or 65.2%, entered a correctional system for adults. The analysis found people who had lived most of their lives with both biological parents in the same home were less likely to recidivate (82.9% versus 63.6%). Consistent with other research, gang members were more likely to recidivate than those who remained out of gangs (62.6% versus 50.2%). This research found the strongest predictors of criminal recidivism involved prior criminal history. According to this analysis, recidivists had prior commitments to DYS and were younger both at age of first illicit drug use and at age of first criminal offense.

Lattimore, Macdonald, Piquero, Linster, and Visser (2004) examined two cohorts of male youth released by the California Youth Authority (CYA). Similar to the present study, the CYA is the last “stop” in the juvenile justice system in California, resulting in housing of the most serious and violent juvenile offenders in the state (Lattimore et al., 2004). Two cohorts resulted in a total sample of 3,586 youth. The first cohort, released from CYA between 1981 and

1982 included 1,928 youth. The second included 1,658 youth released between 1986 and 1987. The total sample was followed during a three-year follow-up period starting at the time of each offender's release. Researchers used a variety of risk factors such as prior antisocial behavior, as well as the family and personal characteristics that place these youth at risk for criminal offending.

Following their release from institutional commitment, these 3,586 participants accumulated a total of 16,556 arrests in 9,728.2 net years of street time. This resulted in a group arrest rate of 1.70 arrests per participant per year free during this period. Having evidence of prior drug abuse, being involved in a gang while in the CYA, and being involved in violence during the current commitment increased the expected arrest rate. Together, these findings suggest the substantive importance of prior antisocial behavior predicting the expected count of arrests.

Two variables were found to negatively affect the expected arrest rate and those were prior violence and evidence of alcohol abuse. This may suggest that youth are more likely to be arrested if they have previously engaged in property rather than violent crimes and/or engaged in abuse of illegal substances rather than alcohol. The model found little relationship with regard to personal and family characteristics on the likelihood of arrest. The study found prior histories of physical and sexual abuse, neglect, parental alcohol use, and criminality have an insignificant relationship with the likelihood of arrests. This study also found youth who were younger at the time of their release were less likely to recidivate compared to those who were older at the time of release.

A longitudinal study by Loughran, Mulvey, Schubert, Fagan, Piquero, and Losoya (2009) examined a mixed sample of delinquents in an attempt to examine the effect of institutional

placement, as compared with probation and, among those placed in institutions, whether their subsequent rates of offending declined as a function of the length of stay. This study analyzed a total of 921 adolescents following their release in two counties: Maricopa County, Arizona or Philadelphia County, Pennsylvania. These youth were ages 14 through 17 years at the time of the study. Overall, the sample consists of minority (44 percent African American and 29 percent Hispanic) males (86 percent) with an average of 2 prior petitions to court. Of the 921 juveniles, 55% ($n = 502$) were put on probation, and the remaining 45% ($n = 419$) were sent to an institutional placement. Recidivism was analyzed during a 48-month follow-up period, and was measured using officially self-reported offending and reported arrest.

For those individuals sent to institutional placement, the mean rate of rearrest was 1.20 arrests per year, following release. In comparison, those who received probation had a mean rate of about .63 arrests per year. Similarly, self-reported offending found those individuals who are placed within institutions report, on average, about 2.5 more offenses per year of time in the community than those individuals who received probation. After controlling for selection, the study found those youth who were sent to institutional placement experienced no marginal benefit, in terms of reducing future rate of rearrest or rate of self-reported offending. Loughran and colleagues also found, for the group sent to institutional placement, little or no marginal benefit existed for longer lengths of stay. These findings suggest that there is little benefit from increased deterrence connected with either institutional placement or longer stays in institutions (Loughran et al., 2009).

Mulder, Brand, Bullens, and Marle (2011) aimed to find risk factors that predicted both overall recidivism and severity of recidivism in serious juvenile offenders. The sample consisted of 728 serious juvenile delinquents who were adjudicated in the Netherlands between 1995 and

2004. Youth were followed for a minimum of 2-years. To measure recidivism, all convictions starting at time of release from the institution were registered, together with the date and type of offense committed. Overall, recidivism for the study participants was 79.9%. One of the few studies to measure the nature of the most serious subsequent offense, Mulder and colleagues found when less serious recidivism measures were excluded (e.g., misdemeanors and vandalism), recidivism declined to 62.9%. The average number of offenses after release was 7.1. Similar to other studies Mulder and colleagues found the majority (78.4%) of offenders recidivated within the first two years.

This research also examined risk factors associated with recidivism. In this study 37.1% of the population ($n = 270$) did not commit a violent offense after treatment, whereas 62.9% ($n = 458$) recidivated with a violent offense. The study examined the differences between violent recidivists and non-violent recidivists. Compared to non-violent recidivists, the violent recidivists scored higher on the following risk factors: high number of past offenses, young age at first offense, unknown victim of past offenses, criminal behavior of family members, history of neglect, and alcohol abuse by parents, alcohol addiction, and a diagnosis of conduct disorder. In addition, violent recidivists scored higher in involvement in the criminal environment, lack of problem insight, lack of emotional support, lack of positive coping, escape, lack of treatment adherence, and motivation.

A study by Caudill (2010) explored the effect of gang affiliation on recidivism outcomes. The sample included 2,436 youth incarcerated and released from a large southern state's Department of Juvenile Corrections (DJC) in 1997 and 1998. In order for the juvenile court to sentence a youth to the DJC, a youth must have at least one felony or multiple (3) adjudications

for misdemeanor offenses. Recidivism was analyzed during a 5-year follow-up period and was measured as time until first rearrest.

The results of this study showed 83% of the study sample experienced rearrest postincarceration. The average time to rearrest occurred just after 1-year post release, with the highest hazard for recidivating for all participants occurring within the 3-6 month range. Although non-gang affiliates and gang affiliates were statistically similar on all delinquent history indicators, gang affiliates were significantly more likely to recidivate compared to non-gang affiliates. Additionally, gang affiliates were rearrested significantly sooner than non-gang affiliates.

Vries and Liem (2011) examined the relationship between recidivism and risk factors. This study examined 137 juveniles involved in homicide in the Netherlands between 1992 and 2007 and who were between the ages of 12 and 17 at the time of the offense. The outcome variable of recidivism is measured as at least one conviction for an offense, committed after the index offense (homicide). The follow-up period ranges from 1 to 16 years, with an average of 8.5 years. Additionally, the speed of recidivism was measured by the time between release and the first recidivism offense.

Following release, until the end of the follow-up time, a total of 59% of juvenile homicide offenders recidivated. Of those whom recidivated, 3% involved specific recidivism (another homicide offense). There were 616 new convictions recorded for this sample, which equals an average of 7.64 offenses after their homicide offense. Findings show a major influence of male sex and all criminal history risk factors (previous number of offenses, age at first offense, and age at homicide offense) emerge as influencing recidivism significantly.

Considering the effect of dynamic risk factors, results show that relationship with delinquents is an important predictor of recidivism.

Trulson, Haerle, DeLisi, and Marquart (2011) examined the recidivism outcomes among a cohort of 1,804 serious and violent delinquents released from a juvenile correctional facility. Overall, 26% were committed for a homicide-related offense, 39% were committed for a serious sexual-related offense, 20% were committed for a serious property/person offense, and another 16% were committed for “other” serious and violent offenses such as aggravated assault and aggravated kidnapping. The results of this study showed 64% of released sentenced offenders were rearrested post release for any offense. More specifically, 73% of the recidivists were rearrested for at least one felony postrelease as their most serious offense.

Findings showed a majority of the recidivists appeared to continue their serious ways postrelease, and the most serious and violent of all commitments (e.g., homicide commitments) appeared to have the highest rate of rearrest and to be rearrested for the most serious crimes postrelease. Additionally, findings showed the total number of delinquent adjudications prior to state commitment, being a homicide-related offender, being gang affiliated, and having perpetrated a gang-related commitment offense emerges as significant predictors of recidivism. Furthermore, offenders who engaged in assaultive activity during their state commitment and those with a higher infraction rate/year were also found more likely to recidivate.

In a more recent study, DeLisi, Hochstetler, Jones-Johnson, Caudill, and Marquart (2011) examined the effects of juvenile confinement associated with juvenile homicide offending. The sample consists of 445 male frequent/habitual offenders. To be considered a frequent/habitual offender, the offenders record must contain at least 30 arrest charges. Most ($n = 400$, 89.9%) offenders were not confined as juveniles, whereas others ($n = 45$, 10.1%) were. In all, 20 (4.5%)

offenders were confined once as adolescents, 16 (3.6%) offenders were confined twice, 7 (1.6%) were confined three times, 1 (0.2%) offender was confined five times, and 1 (0.2%) offender was confined nine times during adolescents. Career murder arrest was the primary outcome variable measured as arrests for first-degree murder, second-degree murder, or manslaughter over the entire criminal career. Overall, the analyses revealed male offenders with greater commitments to confinement during adolescence were significantly more likely to be arrested for murder during their criminal career. Two additional significant effects emerged. Juvenile homicide offending predicted career murder arrest. In addition, career violent index arrest (e.g. rape, armed robbery, aggravated assault, kidnapping) emerged as significant predictors of career murder arrests.

In one of the most recent studies, Trulson, Caudill, Haerle, and DeLisi (2012) examined the relationship between gang affiliation and commitment for gang-related homicide on postincarceration recidivism. The sample consists of 1,804 serious and violent delinquents released from a large southern juvenile correctional system. Analyses revealed that being gang affiliated and committed for a gang-related homicide offense was not related to the frequency of rearrests postrelease. However, gang murderers were more likely to be rearrested for any offense and for a felony offense postrelease than those not considered gang murderers. Moreover, general homicide offenders without gang affiliations were more likely to be rearrested for a felony, compared to non-homicide offenders. Finally, gang affiliation itself, regardless of commitment offense, was a significant determinant of the expected rearrest rate.

Summary of Literature

The majority of studies previously discussed focus on mixed samples of juvenile delinquents. The samples include a wide range of offenders from those who committed status offenses to those who committed violent offenses. Furthermore, the majority of the previous literature fails to specify the seriousness of the commitment and recidivism offenses. Nevertheless, these studies have produced some consistent findings to suggest that males (Minor et al., 2008; Vries and Liem, 2011; Delisi et al., 2011), those younger at first commitment (Cottle et al., 2001; Benda et al., 2001; DeLisi et al., 2011), those younger at first contact with the law (Cottle et al., 2001; Benda et al., 2001; Mulder et al., 2011; Vries and Liem, 2011), gang members or affiliates (Benda et al., 2001; Lattimore et al., 2011; Caudill, 2010; Trulson et al., 2011; Trulson et al., 2012), and those who have engaged in institutional violence while confined (Lattimore et al., 2004; Trulson et al., 2011) have emerged as some of the most significant predictors of recidivism among institutionalized juvenile delinquents.

When reviewing the data regarding recidivism of juvenile offenders, several trends emerge. First, it is unusual for recidivism levels to reach as high as the 83 percent rearrest figure Caudill (2010) reported. On the other hand, it is rare in the literature to find studies reporting juvenile recidivism rates of less than one-third or one-quarter (Howell, 2003). Second, the majority of studies reviewed found recidivism rates between 40 and 65 percent (Minor et al., 2008; Abrams et al., 2011; Cottle et al., 2001; Heide et al., 2001; Benda et al., 2001; Vries and Liem, 2011; Trulson et al., 2001). Additionally, recidivism rates among the studies on serious and violent delinquent populations were slightly higher compared to studies on general juvenile offender recidivism rates (59%- 83% and 24%- 74.6%, respectively). Similar to research on recidivism among general juvenile offenders, the previous studies on serious and violent juvenile

offenders found that the majority of offenders re-offended within the first three years (Heide et al., 2001; Mulder et al., 2011; Caudill, 2010).

While we cannot compare the present study directly to any of the previous studies with different samples, methodology, and time frames, these studies can help frame and guide our expectations with the current population under study. The reviewed studies clearly documented at least half of juvenile offenders go on to reoffend following release. Furthermore, most offenders who do go on to re-offend do so within the first three-years following release. However, research has shown that some offenders actually do change and/or succeed in avoiding re-arrest for new offending (Trulson et al., 2005).

Overall, there are numerous studies which focus on the recidivism rates of juveniles, but very few that focus on the recidivism rates of serious and violent juveniles that were incarcerated and then released from a state facility. Much of the research is also limited by the fact that the studies use various follow-up times during which they attempt to capture recidivism of juvenile offenders. The follow-up times used in the existing research on juvenile offenders range from 12 months all the way up to 17 years. The present study will use a three-year follow-up period because research has shown that a large amount of recidivism occurs during the first three years following release from institutionalization (Becker et al., 2012; Lattimore et al., 2004).

Many of the studies use differing definitions of recidivism. Some studies use a narrow recidivism measure such as specific recidivism (e.g. committing another homicide) (DeLisi, 2011), whereas others use wider measures such as violation of parole, any new conviction, or re-arrest of any crime after release (McMackin et al., 2004; Abrams et al., 2011; Cottle et al., 2001; Heide et al., 2001; Mulder et al., 2011; Caudill, 2010; Vries and Liem, 2011; Trulson et al., 2011; Trulson et al., 2012). Regardless if recidivism is defined as rearrest, reconviction, or

violation of probation/parole, much of the research fails to include categories of offenses or any specific information on the types of crime committed when these juveniles reoffend (Abrams et al., 2011; Becker et al., 2012; Lipsey and Wilson, 1998; Cottle et al., 2001; Heide et al., 2001; Loughran et al., 2009; Vries and Liem, 2011). Only three studies reviewed separate felony and misdemeanor recidivism offenses, but these studies failed to provide a description of how these recidivism offenses were distributed (e.g., as violent or non-violent/property offenses) across the given sample (Minor et al., 2008; Trulson et al., 2011; Trulson et al., 2012). One study provides information on specific recidivism (e.g., committing another homicide) but fails to detail recidivism beyond the specific murder category such as property crimes, violent crimes, and weapons felonies (DeLisi et al., 2011).

Although research on recidivism among serious and violent juvenile offenders is growing, little research exists among serious and violent juvenile offenders who participate in innovative treatment programs prior to being released from correctional supervision. The present study will help improve upon these limitations and others by further adding to the literature regarding recidivism rates among serious and violent juvenile offenders released from a secure juvenile institution at the state level. Juveniles who were adjudicated of a serious and violent offense were the primary focus of the present study. This study will help fill a gap in the literature by presenting research on a large sample of serious and violent juvenile offenders committed in a state correctional facility for serious offenses three years after their release. The present study will define recidivism as rearrest. Additionally, the present study will attempt to fill in gaps in other research by providing detailed description of the crimes committed when these offenders recidivate, violent or otherwise. While this will not fill all gaps, it will contribute to the large gap in current literature.

Conclusion

Youth who commit heinous crimes and have a violent past are often described as the “worst of the worst” (Dietch, 2011). Most people believe these youth are beyond the rehabilitation efforts offered in the juvenile justice system. However, in Texas, serious and violent youth are given one last chance at change in Texas Youth Commission’s (TYC) Capital and Serious Violent Offender Treatment Program (CSVOTP). Unfortunately, there has been little research on this subpopulation of delinquents. The need for further empirical research on recidivism of serious and violent offenders, in particular, those who participate in an innovative treatment program prior to being released from correctional supervision, is necessary.

The present study will attempt to contribute to the gap in literature regarding serious and violent juvenile offenders and their recidivism outcomes. The recidivism rates of juveniles who were determinately sentenced to the Texas Juvenile Justice Department (TJJD) were analyzed. Those who participate in the CSVOTP and were subsequently released were compared to non-participant releases in terms of demographic, delinquent history, and risk factor measures. Next, specific commitment offenses for the sample of CSVOTP releases were compared to those non-participant releases. The second portion of the analysis focuses on the recidivism outcomes among the groups. The first three years following release were examined and differences between those who participated in the CSVOTP and non-participants were examined.

Next Chapter 3 introduces the methodology of the present study. This investigation was accomplished through secondary data analysis that examines the participants in the innovative treatment program, which treats the most serious and violent juvenile offenders in the state of Texas. The program is the only such program in the state of Texas, and one of the few in the

nation that aims to treat serious and violent youthful offenders. The methods conducted to perform these tasks are outlined in the following chapter.

CHAPTER 3

METHODOLOGY

Introduction

As discussed in Chapter 2, literature regarding recidivism among juvenile offenders has consistently found that males, those younger at first commitment, those younger at first contact with the law, gang members or affiliates, and those who have engaged in institutional violence while confined, are more likely to recidivate upon release from juvenile correctional authorities. In addition, studies have revealed the majority of offenders released from juvenile correctional authorities go on to re-offend within the first three years following release.

This thesis examines the recidivism outcomes of serious and violent juvenile offenders following their exit from the Texas Juvenile Justice Department (TJJD) (formerly the Texas Youth Commission-this thesis references TYC as it was the guiding agency when this study was initiated) and their treatment in one of the most innovative programs in the nation for violent institutionalized delinquents. This research also examines the individual differences between Capital and Serious Violent Offender Treatment Program (CSVOTP) participant releases and those who did not participate in CSVOTP but were released from TYC as well. In order to investigate these differences, three research questions were examined in this study.

The first research question explores the background characteristics and original commitment offenses of the entire sample. Specifically, it explores how those released CSVOTP participants differ from non-participant releases across a number of important measures:

- 1) How do CSVOTP releases compare to non-participant releases in terms of demographic, delinquent history, and risk factors measures?

The second and third questions explore the descriptive recidivism outcomes of CSVOTP releases compared to non-participant releases during a three year period following their release

from TYC (each offender in this study was followed for exactly three years from his or her individual release date). These questions also investigate any individual differences between those who recidivated among the CSVOTP sample compared to the non-participant sample.

- 2) What are the basic descriptive recidivism outcomes (e.g., rearrested or not; most serious arrest charge) of CSVOTP participant releases and non-participant releases during the first three years following their release from TYC to the community compared to non-participant releases?
- 3) In terms of recidivism, how do CSVOTP released recidivists compare to non-participant released recidivists in terms of demographic, delinquent history, and risk factor measures?

The first section of this chapter provides information regarding the source of data for this study sample and briefly discusses the treatment program. Information is then provided on the measures used in the present study. The chapter then includes information on the data analysis plan. The chapter concludes with the reliability and validity of the present study.

Data and Setting

TYC Secondary Data Collection

Data for this study was originally obtained in 2011 from the Texas Youth Commission (TYC). For offenders who received a determinate sentence and were placed in TYC, they first undergo intake/assessment. During intake, youth participated in a series of assessments to collect information on their delinquent, medical, psychological, and familial histories, as well as any need for specialized treatment programs. This data was collected by TYC through a combination of official records, youth self-reports completed during intake, interviews, and direct observations of youth.

In addition to the information collected upon initial commitment, arrest records were also requested in order to examine the outcome variable of recidivism. This second type of data is

provided to TYC by the Texas Department of Public Safety (DPS) and then afforded to the researcher. TYC coordinates with the DPS to track any rearrest released offenders accumulate following their release. All data utilized were completely de-identified.

Capital and Serious Violent Offender Treatment Program (CSVOTP)

As discussed in the first chapter, the CSVOTP was implemented in 1987 for youth who had committed a capital offense (originally called the Capital Offenders Program). The program was later expanded, and the name of the program changed, to include youth who were committed for murder, capital murder, and those offenses that involved the use of a weapon or deadly force. Since the programs existence, only 582 juveniles have participated in the CSVOTP. Each year approximately 100 serious and violent sentenced offenders are committed to TYC facilities each year. The small proportion treated in this program is primarily due to the fact that youth must demonstrate a high need for such treatment. Additional issues (e.g., space in the program, number of available counselors, housing availability) further limit the number of eligible offenders that would receive treatment.

Sample

The initial pool of participants for the present study included all 3,382 determinately sentenced offenders between 1987 and 2011, of which 582 had participated in CSVOTP for some period of time, according to TYC data. However, the present study will focus only on those determinately sentenced offenders who were released from TYC and who had at least three years of recidivism follow-up time from their release, as opposed to being transferred to the Texas prison system to face the adult portion of their determinate sentence. Of the 3,382 determinately sentenced offenders, 1,300 were removed from the final sample because they were not released from TYC. In addition, 405 offenders were excluded from the final sample because they lack the

necessary three years of follow-up time. After excluding the previously mentioned individuals, the final sample for this study includes 1,677 determinately sentenced juveniles released from TYC. The final sample of 1,677 is divided into two groups: those who participated in the CSVOTP during their TYC incarceration ($n = 416$) and those who did not participate in the CSVOTP during their TYC incarceration ($n = 1,261$). All youth in the 1,677 sample were released from TYC instead of transferring to the Texas prison system.

The final sample of 1,677 is used to explore the similarities and differences between those who participated in the CSVOTP during TYC incarceration and were subsequently released and those who did not participate in the program during their TYC incarceration and were also subsequently released. Such a comparison also allows an opportunity to compare the two groups in terms of recidivism, and among other things, be able to examine whether the CSVOTP releases are considered higher risk offenders than non-participant releases.

Table 1 provides basic descriptive information on the 1,677 determinately sentenced offenders comprising the sample for this thesis. The age at first commitment ranged from 10 to 18 years and the average offender was roughly 16 years old at commitment to TYC. The majority of the study sample consisted of minorities, 40.9% Hispanic and 33.9% African-American. The average length of each determinate sentence was 9.34 years. Three-fourths of the juveniles (75%) had a history of substance abuse and 67.7% experienced a chaotic home life. The most common type of abuse was emotional abuse (18%) followed by physical abuse (15%) and then sexual abuse (14%). More than half (56.6%) of the juveniles and their families lived in poverty. Additionally, 24% of the juveniles were violent toward their family and 18% were gang affiliated.

Measures

Three types of measures were used in the analyses in Chapter 4. These include demographic measures, delinquent history measures, and risk factor measures. These variables are consistently found in recidivism literature as important determinants of recidivism (Farrington & Loeber, 2000; Benda et al., 2001; Lattimore et al., 2004; McMackin et al., 2004; Trulson et al., 2005; Minor et al., 2008; Trulson et al., 2011).

Demographic. Three different demographic measures are used in the present study: race, sex, and age. The races include African American, White, Hispanic, and other. The other two demographic measures include gender and age.

Delinquent History. Delinquent history measures include eleven measures either dichotomously or continuously coded. Continuously coded measures include: 1) length of determinate sentence, 2) length of stay in TYC, 3) number of previous delinquent adjudications, 4) length of CSVOTP, and 5) number of previous out of home placements. The remaining delinquent history measures are dichotomous and include: 1) whether the youth participated in CSVOTP, 2) whether the youth participated in Chemical Dependency (CD) treatment, 3) whether the youth participated in Sex Offender (SO) treatment, 4) whether the youth participated in Mental Health (MH) treatment, 5) gang affiliation, and 6) probation failure.

Risk Factors. Risk factor measures are also dichotomously and continuously coded. Twelve predictive measures include the following: 1) highest grade completed, 2) enrolled in school at the time of TYC commitment, 3) history of substance abuse, 4) history of emotional abuse, 5) history of sexual abuse, 6) history of physical abuse, 7) youth violent towards family, 8) evidence that the youth is or has been suicidal, 9) characterized as mentally disabled, 10)

characterized as mentally ill, 11) evidence that the youth lived in poverty, and 12) evidence that the youth lived in a chaotic home environment.

Recidivism. Data for the present study was provided by TYC. Statewide arrest data, collected by DPS was provided to TYC for the specific study sample. The outcome measure of focus in this study is the recidivism of determinate sentenced offenders. Recidivism is defined as any re-arrest within a three-year time span upon release from TYC. Additionally, the seriousness of the subsequent arrests were examined.

Table 1

Descriptives of Total Sample

Measures	M/Proportion	SD	Range
Demographic			
Race			
African American	.34	--	--
Caucasian	.23	--	--
Hispanic	.41	--	--
Other	.03	--	--
Gender			
Male	.94	--	--
Female	.06	--	--
Age	15.93	1.17	10.78-18.90
Delinquent History			
Length of Determinate Sentence (in years)	9.34	7.68	0-40
Length of TYC commitment (in years)	3.48	1.19	.05-8.32

(table continues)

Table 1(continued).

Measures	M/Proportion	SD	Range
Previous Delinquent Adjudications	1.89	1.63	0-22
Participated in CSVOTP	.25	--	--
Length in CSVOTP (in days)	202.50	85.60	17-528
Participated in CD Treatment	.34	--	--
Participated in SO Treatment	.21	--	--
Participated in MH Treatment	.07	--	--
Number of Previous Out-Of-Home Placements	2.52	3.40	0-25
Gang Affiliation	.18	--	--
Probation Failure	.25	--	--
Risk Factors			
Highest Grade Completed at Commitment	8.3	1.40	2-12
Enrolled in School at Commitment	.73	--	--
History of Substance Abuse	.75	--	--
History of Emotional Abuse	.18	--	--
History of Sexual Abuse	.14	--	--
History of Physical Abuse	.15	--	--
Previously Violent Towards Family	.24	--	--
Classified as Suicidal	.10	--	--
Classified as Mentally Disabled	.12	--	--
Classified as Mentally Ill	.12	--	--
Evidence of Poverty	.57	--	--
Evidence of Chaotic Home Life	.68	--	--

Note. Delinquent history measure, length of determinate sentence (in years) ranges from 0-40. There was only 1 case with zero, and it was a person who had just under a year sentence but listed as 0. The actual sentence served was .70 or 70% of a year.

Data Analysis Plan

The first portion of the data analysis provides a descriptive examination of the offenders in this study. Chapter 4 compares CSVOTP releases to non-participant releases on the measures using t-tests for continuous variables and Mann-Whitney *U* non-parametric tests for categorical variables. Next, specific commitment offenses for the sample of CSVOTP releases are compared to those non-participant releases. The second portion of the analysis will then focus on the recidivism outcomes among the groups. Descriptive recidivism outcomes of those rearrested in the follow-up are provided. Here, a comparison of the CSVOTP recidivists and non-participant recidivists were analyzed.

Reliability and Validity

Some limitations exist in the present study, including the way in which recidivism is measured. Recidivism is most commonly measured in terms of rearrests, referrals to court, reconvictions, or reconfinement. Regardless of which measure of recidivism is used, an obvious challenge in any recidivism study is created when those who are not actually rearrested but are still involved in criminal behavior. Those who go on to commit criminal offenses during the follow-up period but who fail to be detected by authorities displays a level of recidivism that cannot be measured through the analysis of existing records.

Furthermore, our data does not allow an examination of whether youth were reincarcerated during the follow-up period. That is, if an offender is released from TYC and then is subsequently removed from the community and reincarcerated for six months, the six months of incarceration should not count as part of the follow-up time frame. In order for the time to count, there should be an opportunity to offend. This limitation means that actual exposure time

in the follow-up period may be shorter for some than others due to unknown incarceration time. Unfortunately, no information regarding potential post release incarceration time, either short or long term, was provided to the researchers.

Another limitation is the small sample size of serious and violent youth who participated in the CSVOTP. Any research conducted on serious and violent youth is automatically limited due to the fact that this population consists of a violent few. Nonetheless, this research adds to the small amount of existing literature on serious and violent juvenile populations, and does so with a sample larger and arguably more serious than most other empirical studies. In addition, it improves upon previous literature that fails to incorporate other offender groups as comparisons (Liem, 2013).

Despite these limitations, this study is consistent with the literature in terms of the recidivism follow-up. Studies often vary in the length of follow-up. In recidivism literature, most offenders who do go on to re-offend do so within the first three-years following release. Studies that utilize a one-year follow-up period will undoubtedly produce lower recidivism rates than those that follow cases for at least three-years.

An additional strength in the present study is the use of official records. The data collected and maintained by TYC maintains a number of variables that are found to be relevant in current recidivism literature (Farrington & Loeber, 2000; Benda et al., 2001; Lattimore et al., 2004; McMackin et al., 2004; Trulson et al., 2005; Minor et al., 2008; Trulson et al., 2011) and includes a detailed record of the delinquent history and social lives of the sample under study. The use of official data, with its recognized limitations, however, is advantageous in this thesis because it is not subject to the numerous threats of validity as is characteristic with the use of self-report data. When self-report surveys or interviews are conducted, youth may be dishonest,

answers may be exaggerated, respondents might be too embarrassed to reveal private details, or may give answers that they feel are desired (Haerle, 2008). By using official records, as opposed to self-report data, the threats to validity are lessened by relying on the objective measurement of the youth's history.

Conclusion

The purpose of this study is to examine recidivism outcomes among determinately sentenced youth with a focus on serious and violent offenders who participated in an innovative treatment program and were then released from TYC. Any and all limitations aside, this study provides a basic but clear picture of the recidivism outcomes among Texas's most serious and violent juveniles three years following their release from juvenile state commitment.

Likewise, the study investigates individual differences between those who were rearrested between the two groups of offenders of focus in this thesis. The bottom line is that this study expands on existing literature by not only examining a sample that is truly serious and violent and who participated in an innovative treatment program, but by also comparing this subpopulation to a large group of determinately sentenced offenders who did not participate in the innovative treatment program, but who were released nonetheless. The following chapter presents the findings and analyzes the results of this study.

CHAPTER 4

ANALYSIS AND FINDINGS

Introduction

Previous research has indicated several characteristics that influence recidivism among institutionalized and released juvenile offenders. Males who are younger at first commitment, those younger at first contact with the law, gang members or affiliates, and those who have engaged in institutional violence while confined are more likely to recidivate upon release from juvenile correctional authorities (Minor et al., 2008; Vries and Liem, 2011; Delisi et al., 2011; Cottle et al., 2001; Benda et al., 2001; Mulder et al., 2011; Lattimore et al., 2011; Caudill, 2010; Trulson et al., 2011; Trulson et al., 2012). Research has also indicated that the majority of offenders released from juvenile correctional authorities go on to re-offend within the first three years following their release (Heide et al., 2001; Mulder et al., 2011; Caudill, 2010). However, very few studies have focused specifically on a group of serious and violent offenders (Liem, 2012; Vries and Liem, 2011; Heide et al., 2001; Lipsey, Wilson, and Cothorn, 2000). Further, even fewer studies have focused on a group of serious and violent offenders and compared them to a mixed sample of juvenile offenders (DiCataldo and Everett, 2008; Hagan, 1997; Shumaker and McKee, 2001). This study begins to fill that gap in literature.

This chapter addresses the research questions posed in previous chapters, with an overall focus on the recidivism of determinately sentenced offenders three years following their release from the Texas Youth Commission (TYC). It begins by examining demographic, delinquent history, and risk factor measures among determinately sentenced offenders who participated in the Capital and Serious Violent Offender Treatment Program (CSVOTP) and were later released from TYC, compared to those determinately sentenced offenders not treated in the CSVOTP but

who were also released from TYC. This descriptive analysis then investigates the frequency and seriousness of the original commitment offenses between the two groups.

The second portion of this chapter includes a descriptive analysis of those offenders who were rearrested for any offense and those who were rearrested for a felony offense between the two groups. This descriptive analysis then investigates any differences between the two groups of recidivists in terms of demographic, delinquent history, and risk factor measures. The analysis concludes with an examination of the two groups' most serious rearrest.

Descriptive and Bivariate Analyses

Comparison of Released CSVOTP Offenders to Non-Participant Releases

While this thesis primarily focuses on the recidivism outcomes of 416 released CSVOTP offenders and the 1,261 non-CSVOTP participants released from TYC, both groups are examined to determine the differences and similarities that may exist between groups. It is important to compare these two groups to determine how those who participated in CSVOTP are different than non-participants.

The first research question investigates the differences between those CSVOTP youth released by the TYC and those determinately sentenced youth who did not participate in CSVOTP but were also released by the TYC (as opposed to being transferred to the Texas prison system).

- 1) How do CSVOTP releases compare to non-participant releases in terms of demographic, delinquent history, and risk factors measures?

Table 2 examines the demographic, delinquent history, and risk factor measures for the entire sample of 1,677 juveniles, and divides them into two groups: 1) those who participated in CSVOTP and were subsequently released from TYC to the streets ($n = 416$), and 2) those

determinately sentenced offenders who did not participate in CSVOTP and were subsequently released from TYC to the streets ($n = 1,261$). In general, several significant differences emerged between released CSVOTP offenders and non-participant releases. The CSVOTP population is composed of a significantly greater proportion of African-American youth (38%) than the non-participant group (33%). Further, the non-participant population is composed of significantly more Caucasian youth (24%) compared to those youth who participated in CSVOTP (18%).

Based on demographic comparisons, the only non-significant difference is found in the Hispanic race and age measures between the proportion of CSVOTP offenders and those determinately sentenced non-participants. Hispanic race makes up the largest proportion of the sample and is relatively equal in each group (39% of CSVOTP offenders and 42% of non-participants). In terms of age, both groups were quite similar at their age of commitment to TYC (an average of 15.85 years of age for the CSVOTP offenders and an average of 15.95 years of age for non-participants).

The variables that serve to best distinguish between CSVOTP offenders and non-participant sentenced offenders are delinquent history measures, all of which prove to be significantly different between the groups. Due to the serious nature of the offenses eligible for CSVOTP, as expected, the average length of the determinate sentence for the CSVOTP offenders was almost twice as high as non-participants (14.26 years compared to 7.72 years, respectively). In some ways, this may be recognition that those youth who received CSVOTP treatment were considered more risky offenders than those who ultimately did not receive CSVOTP treatment. Indeed, it is a reality that not all sentenced offenders receive CSVOTP due to space limitations and other considerations, even though all youth are serious and violent juvenile offenders. Similarly, the length of TYC commitment was significantly longer for those

who participated in CSVOTP (4.04 years) than non-participants (3.29 years). A significantly greater proportion of those who participated in CSVOTP were gang affiliated compared to non-participants (29% compared to 14%, respectively). Interestingly, non-participants had significantly more delinquent adjudications on average (an average of 1.99 compared to an average of 1.58 for CSVOTP offenders), more out-of-home placements (an average of 2.73 compared to an average of 1.88 for CSVOTP offenders), and evinced a greater proportion of probation failures at state commitment (28% compared to 17% for CSVOTP offenders).

There were a few significant differences between the CSVOTP offenders and non-participants concerning risk factor measures. Only three variables prove to be significantly different for these two groups. First, a greater portion of CSVOTP participants than non-participants were substance abusers (81% compared to 72%, respectively) and were exposed to emotional abuse at some point during their upbringing (22% compared to 17%, respectively). Alternatively, non-participants were more likely to have been exposed to sexual abuse than CSVOTP offenders (16% compared to 6%, respectively). Nearly all of the other risk factors are very similar for these two groups, including nearly identical percentages of those enrolled in school, those exposed to physical abuse, those who previously engaged in violence towards their families, those who were once suicidal, and those who were considered mentally disabled, mentally ill, those living in poverty, and those living in a chaotic home prior to state juvenile commitment.

Overall, several differences emerge relative to demographic, delinquent history, and risk factor measures among CSVOTP offenders and non-participants. CSVOTP offenders received longer determinate sentence length and served longer periods of stay in TYC, which probably served as at least one reason why they were more likely to participate in the innovative treatment

program. Interestingly, CSVOTP offenders had less delinquent adjudications, fewer out-of-home placements, and less probation failures compared to non-participants. Other studies comparing the social and delinquent histories of youth who committed homicide offenses to youth who committed violent nonhomicide offenses have found similar findings (DiCataldo and Everett, 2008).

Table 2

Comparison of Released CSVOTP Offenders to Non-Participant Releases

Variables	Released CSVOTP Offenders (n = 416)		Non-Participant Releases (n = 1,261)		Comparisons
	PP/M	SD	PP/M	SD	Significance
Demographic					
Race					
African-American	.38	--	.33	--	*
Caucasian	.18	--	.24	--	*
Hispanic	.39	--	.42	--	ns
Other	.05	--	.02	--	*
Gender					
Male	.90	--	.95	--	*
Female	.09	--	.05	--	*
Age	15.85	1.04	15.95	1.21	ns
Delinquent History					
Length of Determinate Sentence	14.26	9.56	7.72	6.13	*
Length of TYC Commitment	4.04	1.18	3.29	1.13	*
Previous Delinquent Adjudications	1.58	1.19	1.99	1.74	*

(table continues)

Table 2 (continued).

Variables	PP/M	SD	PP/M	SD	Significance
CD Treatment	.51	--	.29	--	*
SO Treatment	.02	--	.27	--	*
MH Treatment	.03	--	.09	--	*
Previous Out-Of-Home Placements	1.88	3.28	2.73	3.42	*
Gang Affiliation	.29	--	.14	--	*
Probation Failure	.17	--	.28	--	*
Risk Factors					
Highest Grade Completed	8.33	1.40	8.29	1.40	ns
Enrolled in School	.70	--	.74	--	ns
Substance Abuser	.81	--	.72	--	*
Emotional Abuse	.22	--	.17	--	*
Sexual Abuse	.06	--	.16	--	*
Physical Abuse	.14	--	.15	--	ns
Previous Violence Towards Family	.24	--	.24	--	ns
Suicidal	.09	--	.11	--	ns
Mentally Disabled	.11	--	.12	--	ns
Mentally Ill	.10	--	.12	--	ns
Poverty	.58	--	.56	--	ns
Chaotic Home	.67	--	.68	--	ns

Note. Categorical variables were dichotomized and indicate proportion with 1 as coding score under the PP/M. For example, previous violence towards family for the CSVOTP releases and non-participant releases at 0.24 indicated that 24% of each group previously engaged in violence towards a family member. Values are rounded to the nearest one hundredth of a percent and using actual proportions to obtain n may be slightly inaccurate because of rounding.

* $p < .05$. ns means not significant.

Commitment Offense Profile for CSVOTP Releases and Non-Participant Releases

Table 3 provides a picture of each juvenile's commitment offense. By detailing the offenses for which a juvenile was originally committed to TYC, a better understanding of the true severity, particularly among CSVOTP offenders emerges. As seen in the columns of Table 3, the entire sample of 1,677 determinately sentenced offenders is divided into two groups: Released CSVOTP offenders ($n = 416$), and Non-Participant Releases ($n = 1,261$). By splitting these two groups, it is evident that the CSVOTP offenders were most frequently committed for the following offenses: murder ($n = 141$), aggravated robbery ($n = 122$), and capital murder ($n = 62$). Alternatively, non-participants were most frequently committed for the following offenses: aggravated robbery ($n = 445$), aggravated sexual assault ($n = 352$), and aggravated assault ($n = 201$).

Additionally, Table 3 reflects the overall category of offenses that lead to each group's commitment. The majority (50.5%) of CSVOTP offenders were committed for homicide related offenses. For those non-participant releases, 34.8% were committed for sexual offenses and 35.5% were committed for robbery offenses. Surprisingly, 1.4% of the CSVOTP offenders were committed for a sexual offense compared to 34.8% of the non-participants.

The seriousness of both the CSVOTP offenders and those non-participants who were released by the TYC is evident in Table 3. Although only 46 (or 3.7%) of the non-participants originally committed homicide related offenses, the majority of non-participants (79.1%) committed other major offenses such as aggravated sexual assault, aggravated robbery, and aggravated assault. It is clear from the commitment offenses listed in Table 3, that the offenders treated in CSVOTP and those non-participants released by the TYC without a doubt make up a serious and violent sample of juveniles.

Table 3

Comparison of Commitment Offense Profile for Released CSVOTP Offenders to Non-Participant Releases

Commitment Offense	Released CSVOTP Offenders (n = 416)		Non-Participant Releases (n = 1,261)	
	Frequency	%	Frequency	%
<i>Homicide Related Offenses</i>				
Capital Murder	62	14.9	25	2.0
Manslaughter	7	1.7	2	0.2
Murder	141	33.9	19	1.5
Category Total	210	50.5	46	3.7
<i>Sexual Offenses</i>				
Aggravated Sexual Assault	5	1.2	352	27.9
Sexual Assault	1	0.2	22	1.7
Indecency With A Child	--	--	66	5.2
Category Total	6	1.4	440	34.8
<i>Robbery</i>				
Aggravated Robbery	122	29.3	445	35.3
Robbery	--	--	3	0.2
Category Total	122	29.3	448	35.5

(table continued)

Table 3 (continued).

Commitment Offense	Frequency	%	Frequency	%
<i>Assaultive Offenses</i>				
Aggravated Assault	56	13.5	201	15.9
Injury to a Child or an Elderly Individual	6	1.4	24	1.9
Category Total	62	14.9	225	17.8
<i>Other Offenses</i>				
Aggravated Kidnapping	8	1.9	29	2.3
Arson	--	--	6	0.5
Burglary	--	--	2	0.2
Deadly Conduct	8	1.9	31	2.5
Escape	--	--	1	0.1
Delivery of a Controlled Substance	--	--	25	2.0
Unlawful Possession of Controlled Substance	--	--	8	0.6
Category Total	16	3.8	102	8.2
Total	416	100	1261	100

Note. Percentages are column percentages. Due to rounding, percentages within each category may not equal category total percentages.

Recidivism Outcomes of CSVOTP Releases and Non-Participant Releases

The second research question explores recidivism outcomes within the sample of CSVOTP releases and non-participant releases.

- 2) What are the basic descriptive recidivism outcomes (e.g., rearrested or not; most serious arrest charge) of CSVOTP participant releases during the first three years following their release from TYC to the community compared to non-participant releases?

Answering this research question is the primary aim of the present study. The recidivism outcomes are investigated to determine whether these juveniles who receive CSVOTP fair better than those non-participants from criminal behavior three years following their release.

Data reveals that among non-participant releases, 627 (or 49.7%) were rearrested for any offense, and 479 (or 78.1%)¹ were rearrested for at least one new felony offense during the three year follow-up period. Similarly, of those who participated in the CSVOTP and were subsequently released, 209 (or 50.2%) were rearrested for any offense, and 168 (or 80.8%)² were rearrested for at least one new felony offense during the three year follow-up period. This is consistent with previous research that found roughly half of the samples to recidivate upon release by committing at least one new offense (Minor et al., 2008; Heide et al., 2001; Vries and Liem, 2011; Trulson et al., 2001).

Considering their exposure time of three years during which recidivism was measured, non-participant releases remained in the community longer than CSVOTP releases before being rearrested for a new criminal offense (an average of 460.07 days compared to an average of 441.81 days, respectively). In sum, approximately 50% CSVOTP offenders and non-participants were rearrested. Of those recidivists, 81% of CSVOTP offenders and 78% of non-participants were rearrested for a felony with regard to their most serious single rearrest. It appears the majority of both CSVOTP offenders and non-participants appeared to continue their problematic ways in terms of being involved with law violating behavior. Unfortunately, the absence of

¹ The non-participant recidivists included 627 who were rearrested for any offense. However, 14 cases were missing data concerning the most serious rearrest. The 78.1% figure was calculated by using 613, the total known rearrest outcomes.

² The CSVOTP recidivists included 209 who were rearrested for any offense. However, 1 case was missing data concerning the most serious rearrest. The 80.8% figure was calculated by using 208, the total known rearrest outcomes.

specific offense data does not allow a specific examination of escalation or de-escalation in offending from before to after TYC commitment.

Comparison of Released CSVOTP Recidivists and Non-Participant Recidivists

The final research question to be answered examines the differences between those who recidivated between the two groups.

- 3) In terms of recidivism, how do CSVOTP released recidivists compare to non-participants released recidivists in terms of demographic, delinquent history, and risk factor measures?

Table 4 indicates that 50%, or 209 of the released CSVOTP offenders and 50%, or 627 non-participant releases were rearrested at least once during the first three years following their release for any offense. Accordingly, 50% or 207 of the released CSVOTP offenders and 50% or 634 non-participant releases did not recidivate. There are several noteworthy differences between those CSVOTP offender recidivists and non-participant recidivists. In terms of demographic variables, recidivists in both groups are more likely to be African-American (51% for CSVOTP recidivists and 40% for non-participant recidivists) than any other racial group. This finding may be partially attributed to the fact that 38% of CSVOTP offenders and 33% of non-participants are African-American. While the majority of the population is Hispanic (39% of CSVOTP offenders and 42% of non-participants) only 30% of CSVOTP recidivists and 39% of non-participant recidivists were Hispanic. Otherwise put, even though Hispanics make up the majority of the population in both groups, African-American youth recidivated at a higher rate relative to their proportion of the sample compared to other racial groups.

Moreover, a statistically greater proportion of recidivists in both the CSVOTP and non-participant groups are male. While the majority of the population is male (90% for CSVOTP offenders and 95% for non-participants) 96% of CSVOTP recidivists and 97% of non-

participants recidivists were male. Interestingly only 4% of CSVOTP recidivists and 3% of non-participant recidivists are female, which indicates that more than two times more females in both the CSVOTP and non-participant groups desisted from further criminal activity as gauged by the official data used in this thesis (at least during the three year follow-up). With regard to age at TYC commitment, recidivists in both groups were almost exactly the same age (an average of 15.85 years for CSVOTP offenders and an average of 15.93 years for non-participants).

Concerning delinquent history, all measures serve to distinguish CSVOTP recidivists from non-participant recidivists. As expected, CSVOTP recidivists' length of determinate sentence was higher than non-participant recidivists (an average of 13.57 years for CSVOTP offenders compared to 7.34 years for non-participants). Interestingly, recidivists in both groups had lower average lengths of determinate sentences compared to the entire sample. For instance, CSVOTP offenders average length of determinate sentence was 14.26 years and the average length for non-participants was 7.72 years (that's an average difference of 0.69 years for CSVOTP recidivists and an average of 0.38 years for non-participant recidivists). Otherwise put, offenders in both groups who did recidivate received a shorter determinate sentence

CSVOTP recidivists served longer lengths of commitment in TYC compared to non-participant recidivists (4.00 years to 3.28 year, respectively). With regard to previous delinquent adjudications, two differences emerge. First, CSVOTP recidivists averaged less delinquent adjudications than non-participant recidivists (an average of 1.72 to an average of 2.20, respectively). Second, recidivists who participated in CSVOTP and non-participant recidivists averaged more adjudications (1.72 to 2.20, respectively) compared to the entire population of CSVOTP offenders (1.58) and non-participants (1.99). Concerning participation in specialized treatment programs, more recidivists participated in Chemical Dependency treatment (55% of

CSVOTP recidivists and 34% of non-participant recidivists) than those who participated in other treatment programs. Otherwise put, there is a higher probability that someone who participated in Chemical Dependency treatment will recidivate when compared to other treatment programs. This finding may be partially attributed to the fact that 51% of CSVOTP offenders and 29% of non-participants participated in the Chemical Dependency treatment.

Further, recidivists in both groups had more previous out-of-home placements (an average of 2.12 for CSVOTP recidivists and an average of 3.16 for non-participant recidivists) compared to the population averages (1.88 for all CSVOTP offenders and 2.73 for all non-participants). Although gang affiliation has been found to differentiate recidivists from non-recidivists in previous literature, fewer CSVOTP recidivists (25%) were gang affiliated at their commitment to TYC compared to the original sample of CSVOTP offenders (29%). Conversely, 14% of non-participants were gang affiliated, yet 17% of non-participant recidivists were gang affiliated. Recidivists in both groups are more likely to be probation failures (21% of CSVOTP recidivists and 33% of non-participant recidivists) than the original sample.

Very few risk factor measures serve to distinguish CSVOTP recidivists from non-participant recidivists. The only significant difference concerns substance abusers and youth who were indicated to have been sexual abused. A large proportion of substance abusers distinguished recidivists in both the CSVOTP (87%) and non-participants (79%).. Those who suffered from sexual abuse were less likely to be recidivists (5% of CSVOTP offenders and 12% of non-participants) than the original sample (6% of CSVOTP offenders and 16% of non-participants).

The lack of significance among measures between these two groups is somewhat surprising. The majority of previous research on serious and violent juvenile offenders has focused on highly mixed samples of offenders (e.g., offender samples with a mix of serious and

violent and non-violent juvenile offenders still serious enough to face state juvenile incarceration). One would expect when comparing a mixed sample of offenders to a relatively homogenous group of violent delinquents as examined in this study, significant differences would emerge between the CSVOTP recidivists and non-participant recidivists.

One reason for a lack of significance across the majority of the independent measures may be explained by the fact that CSVOTP offenders and non-participants were closely comparable on most demographic and risk factor measures. Therefore, there is little variance between these two groups and thus lack of statistically significant differences.

The few measures found to be significant during this analysis are related to delinquent history measures. Different forms of delinquent history measures distinguish groups best, first between CSVOTP offenders and non-participants and then between CSVOTP recidivists and non-participant recidivists. Recidivists in both CSVOTP and non-participants had more previous delinquent adjudications, more previous out-of-home placements, and more probation failures.

Table 4

Comparison of Released CSVOTP Recidivists and Non-Participant Recidivists

Variables	Released CSVOTP Recidivists (n = 209)		Non-Participant Recidivists (n = 627)		Comparisons
	PP/M	SD	PP/M	SD	Significance
Demographic					
Race					
African-American	.51	--	.40	--	*

(table continues)

Table 4 (continued).

Variables	PP/M	SD	PP/M	SD	Significance
Caucasian	.16	--	.20	--	ns
Hispanic	.30	--	.39	--	*
Other	.02	--	.01	--	ns
Gender					
Male	.96	--	.97	--	ns
Female	.04	--	.03	--	ns
Age	15.85	1.02	15.93	1.20	ns
Delinquent History					
Length of Determinate Sentence	13.57	9.01	7.34	6.10	*
Length of TYC Commitment	4.00	1.15	3.28	1.18	*
Previous Delinquent Adjudications	1.72	1.32	2.20	1.98	*
CD Treatment	.55	--	.34	--	*
SO Treatment	.02	--	.22	--	*
MH Treatment	.02	--	.08	--	*
Previous Out-Of-Home Placements	2.12	3.76	3.16	3.83	*
Gang Affiliation	.25	--	.17	--	*
Probation Failure	.21	--	.33	--	*
Risk Factors					
Highest Grade Completed	8.43	1.42	8.26	1.33	ns
Enrolled in School	.72	--	.73	--	ns
Substance Abuser	.87	--	.79	--	*
Emotional Abuse	.21	--	.16	--	ns
Sexual Abuse	.05	--	.12	--	*
Physical Abuse	.11	--	.13	--	ns

(table continues)

Table 4 (continued).

Variables	PP/M	SD	PP/M	SD	Significance
Previous Violence Towards Family	.25	--	.24	--	ns
Suicidal	.09	--	.11	--	ns
Mentally Disabled	.11	--	.13	--	ns
Mentally Ill	.10	--	.13	--	ns
Poverty	.61	--	.58	--	ns
Chaotic Home	.68	--	.72	--	ns

Note. Values are rounded to the nearest one hundredth of a percent and using actual proportions to obtain n may be slightly inaccurate because of rounding.

* $p < .05$. ns means not significant.

Table 5 further studies recidivism outcomes by examining the most serious rearrest between CSVOTP recidivists and non-participant recidivists. The first column of Table 5 (Category of Most Serious Rearrest) examines the specific offense category of rearrests (e.g., Capital Felony) that occurred for each group during the three year follow-up period. For example, of those 416 CSVOTP offenders who were released (of which 209 were rearrested), 7 were rearrested for a capital felony.

Of the 209 CSVOTP recidivists 168, or 81% were rearrested for a felony. Of the 1,261 non-participants (of which 627 were rearrested) 479, or 78% were rearrested for a felony. Additionally, Felony 1 and Felony 2 arrests comprised the most serious rearrest for both groups (105, or 50% for CSVOTP recidivists and 304, or 49% for non-participant recidivists). Capital Felonies accounted for 1% of rearrests with only 7 arrests among both the CSVOTP recidivists and non-participant recidivists. The total number of recidivists in Table 5 equals 821, rather than 836 because of the fact that there are 15 missing cases in the data for most serious rearrest

category. Although the specific rearrest is unknown, a substantial portion of both groups continued to offend in relatively serious offense categories.

Table 5

Comparison of Most Serious Rearrest for Released CSVOTP Recidivists and Non-Participant Recidivists

Category of Most Serious Rearrest										
	CF	F1	F2	F3	SJF	UF	MA	MB	MC	UM
Released CSVOTP Recidivists (n = 208)	7	62	43	26	28	2	25	15	-	-
Non-Participant Recidivists (n = 613)	7	138	166	87	78	3	67	62	3	2
Total	14	200	209	113	106	5	92	77	3	2
	2%	24%	26%	14%	13%	1%	11%	1%	1%	1%

Note. Total not equal to 836 overall, is a result of 15 missing cases in the most serious rearrest category. Percent values are round to the nearest percent (%). CF=Capital Felony; F1= Felony 1; F2= Felony 2; F3= Felony 3; SJF= State Jail Felony; UF= Unclassified Felony; MA= Misdemeanor A; MB= Misdemeanor B; MC= Misdemeanor C; UM= Unclassified Misdemeanor.

Conclusion

This chapter examined the recidivism outcomes among offenders who participated in the CSVOTP while at TYC as determinately sentenced offenders compared to determinately sentenced offenders in TYC who did not participate in CSVOTP while at TYC—both groups of offenders who were eventually released “to the streets” by TYC. In this examination, this

chapter examined the extent to which these groups reoffended during the first three years following their release from confinement. The bottom line is that roughly 50% of both CSVOTP offenders and non-participants went on to commit another offense of any kind, and nearly 80% of both groups committed a new felony offense when they re-offended. The factors which served to distinguish both groups included African-American race and a number of delinquent history measures. Those delinquent history measures included previous delinquent adjudications, previous out-of-home placements, and probation failures. This might indicate that youth with an extensive delinquent history are more likely to continue offending despite serving time in a secured correctional facility and receiving an innovative treatment program. Interestingly, those youth who did recidivate between both groups served slightly shorter lengths of confinement and their average length of determinate sentence was shorter. Further, consistent with previous research, substance abusers were more likely to be recidivists.

This thesis provides another piece of research with which to extend research on samples of violent juvenile offenders. All things considered, the present study does find nearly identical recidivism rates among both CSVOTP offenders and determinately sentenced non-participants.

The final chapter of this thesis discusses the implications that recidivism rates of determinately sentenced youth have on current policy and research. In addition, the advantages and disadvantages of taking such a risk by releasing such violent offenders back into society will be expanded on in the next chapter. In sum, this particular group of offenders deserves significant attention and understanding so to create effective treatment and correctional plans due to the severity of their crimes.

CHAPTER 5

DISCUSSION AND CONCLUSIONS

Summary of Findings

This thesis examined the recidivism outcomes among determinately sentenced offenders who participated in the Capital and Serious Violent Offender Treatment Program (CSVOTP) while at the Texas Youth Commission (TYC) compared to determinately sentenced offenders who did not participate in the CSVOTP while at TYC. Of the 416 released CSVOTP offenders, 209 (or 50.2%) were rearrested, and of those recidivists, 168 (or 80.8%) were rearrested for at least one new felony offense. Of the 1,261 non-participants, 627 (or 49.7%) were rearrested for any offense, and of those recidivists, 479 (or 78.1%) were rearrested for at least one new felony offense. Several differences emerged relative to demographic, delinquent history, and risk factor measures among CSVOTP participants and non-participants. The factors that served to distinguish both groups included African-American race and a number of delinquent history measures. For example, CSVOTP participants received longer determinate sentences and served longer periods of stay in TYC compared to non-participants. Also, CSVOTP participants had less delinquent adjudications, fewer out-of-home placements, and less probation failures compared to non-participants.

Recidivists in CSVOTP did not significantly differ from non-participant recidivists on most measures in this study. Recidivists in both CSVOTP and non-participant groups had more previous delinquent adjudications, more previous out-of-home placements, and more probation failures compared to the entire population of CSVOTP participants and non-participants. This thesis added to the limited amount of research for the study of serious and violent juvenile offenders released from juvenile incarceration. In order to better understand this group of

offenders, the implications of this study are discussed to assist researchers with studying similar populations of serious and violent juvenile offenders.

Policy Implications

In Texas, determinate sentencing allows extremely serious and violent delinquents one more chance to change their ways by releasing them to the streets instead of being transferred to prison. However, many feel it is not worth the risk to release serious and violent offenders if roughly half of them are going to recidivate, some for very serious crimes. The simplest way to avoid this risk presented by the released offenders in this study is to transfer all such future juvenile offenders to adult prison and incarcerate them for long periods of confinement. However, several issues arise with this type of reasoning.

The first is economic concerns. According to recent figures, it cost approximately \$360 per day, or nearly \$131,000 per year to house a youth within a TYC institution, while it would cost approximately \$51 per day, or nearly \$19,000 per year to house an adult within an adult prison facility in Texas (Legislative Budget Board, 2011). Based on these amounts, the State of Texas would incur a total approximate cost of \$1,096,000 to incarcerate a juvenile for his entire 40-year determinate sentence (most determinate sentences are, however, under 10 years, so this is a maximum estimate) (\$393,000 for three years in TYC, combined with \$730,000 for the following 37 years in TDCJ- Texas Department of Criminal Justice). Alternatively, had all 416 youth been transferred to prison the state of Texas would have wasted an enormous amount of money since 207 juveniles identified as non-recidivists (at least during the 3 year follow up of this study), and 40 recidivists who committed only a misdemeanor as their most serious post-release arrest would be serving the remainder of their determinate sentence in prison. This

example clearly illustrates that if the CSVOTP can successfully help rehabilitate serious and violent juvenile offenders, then the state of Texas can ensure significant monetary incarceration savings (Haerle, 2008).

The second concerns viable alternatives. An alternative to determinate sentencing is to try future serious offenders through the adult system and incarcerate them for the next several decades. However, this is not happening. During the 1990's when governors promised to get tough on crime by sending more juveniles through the adult system, the assumption was that such legislation would give juvenile offenders longer and harsher sentences (Rhodes, 2008). Instead, those juveniles prosecuted through the adult system serve shorter sentences and leave with a greater propensity towards criminal behavior (Rhodes, 2008). While confined with adult criminals much of their time is spent learning criminal behavior from the inmates (Redding & Howell, 2000). Further, in prison there is less focus on rehabilitation to help youth in the transition to life beyond incarceration. Not only were these sentences not tough they were also not effective.

Juveniles who commit serious and violent crimes are often considered unredeemable and beyond the help of the juvenile justice system. But that assumption is based on the seriousness of the offense committed. In Texas, youth who are waived to adult court and sentenced to TDCJ miss out on the specialized program opportunities in TYC, in particular the renowned CSVOTP. Whether serious and violent juvenile offenders are sentenced in adult or juvenile court, more than likely they will get out. On one level, this seems preferable than having these juveniles sentenced to adult prison without the opportunity to participate in specialized programming offered only in the juvenile system. Although no specialized program can curb recidivism outcomes 100%, sending all of these offenders to adult prison without a chance means that we

will be missing out of the benefit of those who did not re-offend after their time in TYC, youth who otherwise might still be sitting in a Texas prison cell.

Although many feel long-term incarceration may be the safest option to prevent recidivism, less punitive means with an emphasis on rehabilitation may best benefit society (Haerle, 2008). Determinate sentencing provides judges with tremendous flexibility in ensuring that offenders are held accountable for their crimes while protecting public safety and providing youth the opportunity to become rehabilitated and turn their lives around (Dietch, 2011). In Texas, determinate sentencing did allow serious and violent juvenile offenders a chance to change their ways by allowing them to be released to the streets instead of being transferred to prison. Considering the alternatives, where the chance to change is few and far between, determinate sentencing may be a more suitable option.

Limitations and Suggestions for Future Research

Future studies can build upon this research in many ways. And while this section details limitations of this thesis, these limitations are also ideas for future research. First, data for this study were limited in the specificity of independent measures. Most of the independent measures were dichotomies and prevented a more detailed look into the measures. For example, gang affiliation. Although gang affiliation originated from official records and from youth self-reports, the measure would have improved the current study had more detailed information (e.g., length of gang affiliation or measures of intensity or status in the gang) been provided (Trulson et al., 2012). Further, rather than focus solely on information collected from a juvenile's past, more up-to-date measures (e.g., housing, job status, social support, etc.) might provide more insight about the subsequent offending behavior of formerly institutionalized serious and violent juvenile

offenders. This type of data seems especially critical for sentenced offenders who are released. Indeed, we do not know much about their circumstances following release and improved and updated measures would have benefitted this thesis.

While the measures included in this study have been found relevant in previous recidivism research among juveniles, future studies should incorporate institutional misconduct measures. Research has found youth who demonstrate continuity in delinquent and other antisocial behaviors while institutionalized, there is little reason to believe that these offenders will cease offending in the immediate period following their release from institutionalization (Trulson et al., 2009). Also, institutional misconduct measures are more recent behavioral measures of misconduct compared to other delinquent history and preincarceration measures routinely correlated with recidivism.

Additionally, findings from this study are difficult to generalize because the sample consists of juveniles released from institutionalization in the state of Texas. Those determinately sentenced youth who did receive treatment may not be representative of other states. More programs that target violent delinquent youth need to be evaluated in order to determine whether or not programs similar to the CSVOTP have the ability to curb the recidivism outcomes of serious and violent juvenile offenders.

Further, although this study used a comparison group (non-matched, however), the use of an additional comparison group could shed more light on the extent to which this program prevented recidivism. Many youth arrive at TYC with a “high need” of specialized treatment. In the first nine months of 2010, 42% of all youth committed to TYC exhibited a high need of CSVOTP (TYC, 2011). However, not all youth in need of such treatment were able to participate in the innovative treatment program. CSVOTP is a highly specialized program that only targets 9

to 10 juveniles at a time, for a period of 24- to 32-weeks, there simply may not be enough room for some juveniles to make it into one of these groups, regardless of their need for treatment. A comparison group of the youth labeled in need of treatment but never participated in the CSVOTP, would allow for further research of the programs impact on recidivism.

Conclusion

This thesis focused on the offenders enrolled in CSVOTP—offenders who are arguably the most serious, violent, and chronic of all juvenile offenders. In Texas, youth convicted of violent crimes have one last chance to change in TYC’s CSVOTP. Through determinate sentencing, very serious offenders can avoid adult incarceration for extremely violent crimes. In this context, this thesis suggest that the risk of allowing these juveniles to avoid adult incarceration is that roughly half of them will continue their criminal behavior following release. Further, this thesis looked to a group of determinately sentenced offenders who did not participate in CSVOTP but were released from TYC as well. This group of offenders, arguably just as serious as those who participated in the CSVOTP, presented a nearly identical risk to that of the released CSVOTP offenders. Roughly half of those determinately sentenced offenders who did not participate in CSVOTP will continue their criminal behavior following release.

In general, research suggests that serious and high-rate juvenile offenders reoffending should be expected and is often found (Scott, 2000). Yet, despite the serious and violent crimes that youth who participated in the CSVOTP committed, half of them desisted from crime altogether, and another 10% (or 40) went on to commit a misdemeanor as their most serious rearrest—at least during the three year follow up of this thesis.

Due to the severity of their crimes, researchers and correctional administrators alike bear a heavy burden in determining who is “safe enough” to release. The findings here provide recidivism outcomes on 1,677 determinately sentenced offenders, of which 416 participated in an innovative treatment program. This study takes a step in the right direction by providing evidence of recidivism outcomes of serious and violent youth who were given another chance at change. More research is needed to provide juvenile correctional administrators with the knowledge they need in order to fully understand, treat, and sentence serious and violent juvenile offenders. However, considering the way that the juvenile justice system is currently structured, the release of such violent offenders is likely to continue.

REFERENCES

- Abrams, L. S., Terry, D., & Franke, T. M. (2011). Community-based juvenile reentry services: The effects of service dosage on juvenile and adult recidivism. *Journal of Offender Rehabilitation, 50*(8), 492-510.
- Becker, S. P., Kerig, P. K., Lim, J. Y., & Ezechukwu, N. (2012). Predictors of recidivism among delinquent youth: Interrelations among ethnicity, gender, age, mental health problems, and posttraumatic stress. *Journal of Child & Adolescent Trauma, 5*(2), 145-160.
- Benda, B. B., Corwyn, R. F., & Toombs, N. J. (2001). Recidivism among adolescent serious offenders: Prediction of entry into the correctional system for adults. *Criminal Justice and Behavior, 28*(5), 588-613.
- Birch, S. (1996). *The changing profile of the Texas Youth Commission population*. Austin, TX: Criminal Justice Policy Council.
- Bishop, D. M. (2000). Juvenile offenders in the adult criminal justice system. *Crime and Justice, 27*, 81-167.
- Caudill, J. W. (2010). Back on the swagger: Institutional release and recidivism timing among gang affiliates. *Youth Violence and Juvenile Justice, 8*(1), 58-70.
- Cottle, C. C., Lee, R. J., & Heilbrun, K. (2001). The prediction of criminal recidivism in juveniles: A meta-analysis. *Criminal Justice and Behavior, 28*(3), 367-394.
- DeLisi, M., Hochstetler, A., Jones-Johnson, G., Caudill, J. W., & Marquart, J. W. (2011). The road to murder: The enduring criminogenic effects of juvenile confinement among a sample of adult career criminals. *Youth Violence and Juvenile Justice, 9*(3), 207-221.
- DiCataldo, F., & Everett, M. (2008). Distinguishing juvenile homicide from violent juvenile offending. *International Journal of Offender Therapy and Comparative Criminology, 52*, 158-174.
- Dietch, M. (2011). *Juveniles in the adult criminal justice system in Texas*. Austin, TX: The University of Texas at Austin, LBJ School of Public Affairs. Retrieved July 3, 2013, from <http://www.utexas.edu/lbj/sites/default/files/file/news/juvenilestexas--final.pdf>
- Farrington, D. P., & Loeber, R. (2000). Epidemiology of juvenile violence. *Juvenile Violence, 9*(4), 733-748.
- Garland, B., Melton, M., & Hass, A. (2012). Public opinion on juvenile blended sentencing. *Youth Violence and Juvenile Justice, 10*(2), 135- 154.

- Griffin, P. (2008). *Different from adults: An updated analysis of juvenile transfer and blended sentencing laws, with recommendations for reform*. Pittsburgh, PA: The National Center for Juvenile Justice.
- Griffin, P., Addie, S., Adams, B., & Firestine, K. (2011). *Trying juveniles as adults: An analysis of state transfer laws and reporting*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. Retrieved July 23, 2013, from <https://www.ncjrs.gov/pdffiles1/ojjdp/232434.pdf>
- Griffin, P., Torbet, P., & Szymanski, L. (1998). *Trying juveniles as adults in criminal court: An analysis of state transfer provisions*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. Retrieved July 23, 2013, from <http://www.ojjdp.gov/pubs/tryingjuvasadult/toc.html>
- Haerle, D. R. (2008). *Recidivism outcomes among a cohort of violent institutionalized juvenile offenders*. (Master's thesis). Retrieved from UNT Digital Library. Retrieved June 23, 2013, from <http://digital.library.unt.edu/ark:/67531/metadc9098/>.
- Hagan, M. P. (1997). An analysis of adolescents perpetrators of homicide and attempted homicide upon return to the community. *International Journal of Offender Therapy and Comparative Criminology*, 41, 250-259.
- Heide, K. M., Spencer, E., Thompson, A., & Solomon, E. P. (2001). Who's in, who's out, and who's back: Follow-up data on 59 juveniles incarcerated in adult prison for murder or attempted murder in the early 1980s. *Behavioral Sciences and the Law*, 19, 97-108.
- Howell, J. C. (1996). Juvenile transfers to the criminal justice system: State of the art. *Law & Policy*, 18, 17-60.
- Howell, J. C. (2003). Diffusing research into practice using the comprehensive strategy for serious, violent, and chronic juvenile offenders. *Youth Violence and Juvenile Justice: An Interdisciplinary Journal*, 1, 219-245.
- Hubner, J. (2005). *Last chance in Texas: The redemption of criminal youth*. New York: Random House, Inc.
- Jordan, K. L. (2006). *Violent youth in adult court: The decertification of transferred offenders*. New York, NY: LFB Scholarly Publishing.
- Knoll, C., & Sickmund, M. (2012). *Delinquency cases in juvenile court, 2009*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. Retrieved July 23, 2013, from <http://www.ncjj.org/Publication/Delinquency-Cases-in-Juvenile-Court-2009.aspx>

- Lattimore, P. K., MacDonald, J. M., Piquero, A. R., Linster, R. L., & Visher, C. A. (2004). Studying the characteristics of arrest frequency among paroled youthful offenders. *Journal of Research in Crime and Delinquency*, 41(1), 37-57.
- Legislative Budget Board (LBB). (2012). *Texas Youth Commission offender characteristics 2012*. Retrieved January 30, 2014 from http://www.lbb.state.tx.us/Documents/Publications/Issue_Briefs/604_Juveniles_in_TJJD_Facilities_Before_Reforms.pdf
- Legislative Budget Board (LBB). (2011). *Criminal justice uniform cost report, fiscal years 2008-2010*. (Submitted to the 82nd Texas Legislature). Retrieved January 15, 2014 from http://www.lbb.state.tx.us/Public_Safety_Criminal_Justice/Uniform_Cost/Criminal%20Justice%20Uniform%20Cost%20Reports2008-2010.pdf
- Legislative Budget Board (LBB). (2011). *Texas Youth Commission offender characteristics 2011*. Retrieved January 30, 2014 from http://www.lbb.state.tx.us/Public_Safety_Criminal_Justice/Juvenile_Offender_Char/TYC%20Offender%20Characteristics%202011.pdf
- Legislative Budget Board (LBB). (2010). *Texas Youth Commission offender characteristics 2010*. Retrieved January 30, 2014 from http://www.lbb.state.tx.us/Public_Safety_Criminal_Justice/Juvenile_Offender_Char/TYC%20Offender%20Characteristics%202010.pdf
- Legislative Budget Board (LBB). (2009). *Texas youth commission offender characteristics 2009*. Retrieved January 30, 2014 from http://www.lbb.state.tx.us/Public_Safety_Criminal_Justice/Juvenile_Offender_Char/TYC%20Offender%20Characteristics%202009.pdf
- Liem, M. (2012). Homicide offender recidivism: A review of the literature. *Aggression and Violent Behavior*, 18, 19-25.
- Lipsey, M., & Wilson, D. (1998). Effective intervention for serious juvenile offenders: A synthesis of research. In R. Loeber & D. Farrington (Eds.), *Serious and violent juvenile offenders* (pp. 313-345). Thousand Oaks, CA: Sage.
- Lipsey, M. W., Wilson, D. B., and Cothorn, L. (2000). *Effective intervention for serious juvenile offenders*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. Retrieved January 10, 2014, from <https://www.ncjrs.gov/pdffiles1/ojjdp/181201.pdf>
- Laughran, T. A., Mulvey, E. P., Schubert, C. A., Fagan, J., Piquero, A. R., & Losoya, S. H. (2009). Estimating a dose-response relationship between length of stay and future recidivism in serious juvenile offenders. *Criminology*, 47(3), 699-740.

- Martinson, R. (1974). What works? Questions and answers about prison reform. In Howell, J. C. (1995). *Guide for implementing the comprehensive strategy for serious, violent, and chronic juvenile offenders* (pp. 134). Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. Retrieved July 1, 2012, from <https://www.ncjrs.gov/pdffiles/guide.pdf>
- McMackin, R. A., Tansi, R., & LaFratta, J. (2004). Recidivism among juvenile offenders over periods ranging from one to twenty years following residential treatment. *Journal of Offender Rehabilitation, 38*(3), 1-15.
- Minor, K. L., Wells, J. B., & Angel, E. (2008). Recidivism among juvenile offenders following release from residential placements: Multivariate predictors and gender differences. *Journal of Offender Rehabilitation, 46*(3-4), 171-188.
- Mulder, E., Brand, E., Bullens, R., & Marle, H. V. (2011). Risk factors for overall recidivism and severity of recidivism in serious juvenile offenders. *International Journal of Offender Therapy and Comparative Criminology, 55*, 118-135.
- Polachek, E. A. (2009). Juvenile transfer: From get better to get tough and where we go from here. *William Mitchell Law Review, 35*(3), 1162-1193.
- Redding, R. E. (1999). Juvenile offenders in criminal court and adult prison: Legal, psychological, and behavioral outcomes. *Juvenile and Family Court Journal, 50*(1), 1-20.
- Redding, R. E., & Howell, J. C. (2000). Blended sentencing in american juvenile courts. In Fagan, J. & Zimring, F. (Eds.), *The changing borders of juvenile justice*. Chicago: University of Chicago Press.
- Rhodes, K. (2008). The criminal prosecution of juveniles: A philosophical reappraisal of adolescent agency. *Lethbridge Undergraduate Research Journal, 3*(2).
- Scott, E. S. (2000). The legal construction of adolescence. *Hofstra Law Review, 29*, 547-598.
- Shumaker, D. M., & McKee, G. R. (2001). Characteristics of homicidal and violent juveniles. *Violence and Victims, 16*(4), 401-409.
- Sickmund, M., Snyder, H. N., & Poe-Yamagata, E. (1997). *Juvenile offenders and victims: 1997 update on violence*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Snyder, H. N., & Sickmund, M. (2006). *Juvenile offenders and victims: 2006 national report*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

- Texas Juvenile Justice Department (TJJD). (2011). *Annual review of treatment effectiveness*. Retrieved July 20, 2013, from <http://www.tjjd.texas.gov/Docs/Treatment%20EffectivenessFY2011.pdf>
- Texas Juvenile Justice Department (TJJD). (2012). *Annual review of treatment effectiveness*. Retrieved July 20, 2013, from <http://www.tjjd.texas.gov/Docs/Treatment%20Effectiveness%20Report%202012.pdf>
- Texas Youth Commission (TYC). (2011). *Strategic plan 2011-2015*. Retrieved January 15, 2014, from http://www.tjjd.texas.gov/about/TYC_Strategic_Plan_2011_to_2015.pdf
- Trulson, C. R., Caudill, J. W., Haerle, D. R., & DeLisi, M. (2012). Cliques up: The postincarceration recidivism of young gang-related homicide offenders. *Criminal Justice Review, 37*(2), 174-190.
- Trulson, C. R., Delisi, M., & Marquart, J. W. (2009). Institutional misconduct, delinquent background, and rearrest frequency among serious and violent delinquent offenders. *Crime & Delinquency, 57*(5), 709-731.
- Trulson, C. R., Haerle, D. R., DeLisi, M., & Marquart, J. W. (2011). Blended sentencing, early release, and recidivism of violent institutionalized delinquents. *Prison Journal, 91*(3), 255-278.
- Trulson, C. R., Marquart, J. W., Mullings, J. L., & Caeti, T. J. (2005). In between adolescence and adulthood: Recidivism outcomes of a cohort of state delinquents. *Youth Violence and Juvenile Justice, 3*(4), 355-387.
- Vries, A. M., & Liem, M. (2011). Recidivism of juvenile homicide offenders. *Behavioral Sciences and the Law, 29*, 483-498.