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Toward Modernization: Using Strategic Development to Address Deficits in the Juvenile Justice System

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Abstract

The Juvenile Justice System was established on the premise of rehabilitative action for behaviors that have led youth to the criminal justice system. However, the system has increasingly moved away from this original concept toward a punitive model. The authors present how this movement resulted in the devolution of human rights for the youth involved, a decrease in public safety, and a radical departure from fiscal responsibility related to the theoretical origins of rehabilitation. Studies on topics ranging from costs of correctional centers to trauma experienced by youth in these systems, along with many others, are compared to identify specific areas for renovation. Evidence-based pathways are presented to address these concerns along with pragmatic strategies for utilization of a constructed theory focused on the relationship between diversionary policies, attrition, and growth through the reinvestment of existing resources.

Keywords

juvenile justice, juvenile arrests, youth incarceration, the judicial system

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Introduction

Across the U.S., problems with corruption, abuse, mental misdiagnosis, inconsistency, and mistreatment have plagued the juvenile justice system (Bowman, 2018). The juvenile justice system was initially designed to create a rehabilitative setting for youth but has drifted from this well-meaning intention. The juvenile justice system originated in the 1800's on the premise that youth were developmentally different from adults and should be treated so, emphasizing rehabilitation over punishment (Desai et al., 2006; Shoemaker & Wolfe, 2016). Yet, the system has increasingly moved towards and more closely represents the punitive nature of the adult carceral system (Shoemaker & Wolfe, 2016). This article aims to examine the shortcomings of the current juvenile justice system and offer solutions through a new ideological approach reframing this societal intervention as a youth development system.

Numbers and Demographics of Incarcerated Youth

In 2019, 696,620 youth were arrested in the U.S., amounting to one arrest every 45 seconds, despite a 62 percent reduction in arrest rates between 2009 and 2019 (Children's Defense Fund, 2021). This data does not account for changes in incarceration rates during the Covid-19 pandemic. While there has been a decline in juvenile arrests in recent years, the justice system continues to fail youth. Many are still held for low-level convictions and spend time in punitive correctional settings (Sawyer, 2019). Youth primarily commit crimes due to a lack of opportunities, whether in their schools, communities, family system, or more (Ameen et al., 2012). This, combined with sociopolitical forces that contribute to involvement in the carceral system, means that youth must be provided opportunities by the system to help them (Ameen et al., 2012). Creating a system that allows for transformation and restoration leads to better outcomes for the individual and society. Systemic disparities regarding race also exist in the juvenile justice system. While system involvement rates have fallen across the country, racial inequality in the system has not improved (Rovner et al., 2016). Hispanic, Black or African American, and Native American youth are all more likely to be arrested than White youth. Black youths are four times more likely to be arrested nationwide and more than ten times more likely in some states, including Utah, New Hampshire, New Jersey, Connecticut, Wisconsin, and Rhode Island (Rovner et al., 2016). In addition, youth with mental health challenges, with disabilities, those who have been subjected to abuse and neglect, those in the foster care system,

and LGBTQ+ youth are all more likely to enter the juvenile justice system than their peers (Children's Defense Fund, 2021). In short, the juvenile justice system is filled with at-risk and marginalized children.

Problems with the Current System

Impact on Youth and Families

Many system-involved youths have experienced trauma, contributing to a higher prevalence of substance abuse and dependence on alcohol, tobacco, prescription drugs, and illegal drugs. Illicit substance use is grounds for being arrested on drug charges and often for multiple interactions with law enforcement, whether it be due to addiction or selling drugs. In 2019 alone, there was 81,320 youth arrested for drug abuse violations within the United States (Office of Juvenile Justice and Delinquency Prevention, 2020a). Of those, 3,470 were arrested for drunkenness and 5,570 for driving under the influence (Office of Juvenile Justice and Delinquency Prevention, 2020a). In addition to substance abuse and alcohol dependence, many arrested youths also present with complex behavioral and psychological issues ranging from mental health problems to poor academic performance (Cocozza et al., 2005). Because of this, they need support to avoid reoffending and further involvement in the system (Shoemaker & Wolfe, 2016). Yet, juvenile correctional facilities often do not have the resources for social and psychological development or rehabilitation. This leads to recidivism and other criminal behavior endangering the individual and the community.

Loss of Education

Low academic success and suspension are significant risk factors for being involved in the juvenile justice system (Ogletree et al., 2015). Factors such as poverty, low teacher expectations, high minority rates, and increased student turnover result in lower academic success for individual students and school-wide success rates (Ogletree et al., 2015). Students who meet these criteria are already vulnerable, and when they find themselves in schools where their needs cannot be met, they are at risk for lower academic achievement (Ogletree et al., 2015). Expulsion tactics for penalizing student misconduct do not consider the harm being done to at-risk youth.

Zero-tolerance disciplinary approaches leave no room for mistakes from youth and contribute to the school-to-prison pipeline (Ogletree et al., 2015). The school-to-prison pipeline theory illustrates the connection between school security, zero-tolerance-based policies, and exclusionary discipline as promoting delinquent behavior and, therefore, involvement in the juvenile system (Novak & Fagan, 2021). Even with the failings of many public schools, the education children receive in public schools is still better than what they may or may not receive in the juvenile

system (Ogletree et al., 2015). Studies demonstrate schools with lower expulsion rates focus on behavioral intervention and promoting positive behavior versus punishing behavior and harsh disciplinary actions (Ogletree et al., 2015).

Positive school experiences serve as a protective factor in preventing criminality and involvement in the system. While in correctional centers, youth have rights to education, experiences vary among states and detention centers, with some facilities overseeing education themselves, while other facilities are led by outside entities (Leone & Wruble, 2015). The inadequate and differential educational standards in many facilities result in poor student-school outcomes, including but not limited to low academic aspirations, truancy, negative attitudes, suspension and expulsions, and more (Leone & Wruble, 2015). Lower academic success also leads to grade repeating and, for many, eventual dropout and incompleteness of their General Education Development (GED) (Leone & Wruble, 2015). This leads to later difficulties reaching employment, primarily if they have not achieved their high school GED, a statistic further exacerbated for formerly incarcerated individuals of color (Couloute, 2018). The data overwhelmingly shows that formerly incarcerated people are less likely to go to college, get their GED, or complete even a few years of high school.

Even after achieving initial (post-carceral) employment, youth continue to make less than their peers who have not been involved in the system and face income reductions for years following their first involvement (Looney & Turner, 2018). As of 2018, of the 2.2 million individuals incarcerated yearly and approximately 620,000 released annually, 55% of previously incarcerated adults recorded a median annual income of only \$10,090 (Looney & Turner, 2018). While these data are recorded on adults, it is predictive of what system-involved youth will face in the future. Lack of ability to gain work experience during teen years while incarcerated also impacts the ability to gain employment as an adult. There has been limited attention to the need to improve the job market for those under 18 in the system, even though they have less experience and skills compared to their peers who have not been system-involved (Council of State Governments Justice Center, 2015).

Fiscal Costs

Fees cause financial hardship to families, weaken family relationships, and undercut family reunification (Shapiro, 2019). In addition to this disparity, research has shown the imposition of fines and fees on youth offenders correlates with higher youth recidivism (Shapiro, 2019). The financial consequences of system involvement are more harmful to youth of color, with their families having almost twice the fines and fee debt upon their child's case closing as white families (Shapiro, 2019). Financially, juvenile offenders and their families are not the only ones affected by this loss.

Regarding the system, research findings consistently show how the incarceration of children and youth is far more expensive and far less effective than other options related to diversion, rehabilitation, and youth development. While incarceration rates of youth have declined significantly, incarceration costs have not (Justice Policy Institute, 2020). Some confinement options can cost up to \$588 per day, costing about \$214,620 a year per child (Justice Policy Institute, 2020). Some states, such as New York, Vermont, Alaska, and New Hampshire, spend as much as \$500,000 per year to keep youth in confinement (Justice Policy Institute, 2020). Even the lowest-spending state of Wyoming spends \$234.00 per day or \$85,410.00 per year for a child (Justice Policy Institute, 2020). In addition to operating costs, dangerous practices in correctional facilities lead to expensive and lengthy lawsuits. Mistreatment by correctional officers, complaints of abuse, or poor facilities conditions can also result in costly legal action against these facilities (Justice Policy Institute, 2020). Contrary to confinement, community-based services can cost as little as \$75 per day per child (Justice Policy Institute, 2020). If these services were conducted 365 days a year, they would still be drastically more affordable than confinement at around \$27,375 per year per child.

Previous Efforts at Reform

It must be noted that juvenile justice systems vary from state to state, and there has been progress in system reform. Many states have implemented policies and practices to improve the system. The number of youths incarcerated peaked in the mid-1990s and has since dropped by 73% (Office of Juvenile Justice and Delinquency Prevention, 2020b). The Second Chance Act, which aims to help youth readjust into their communities after confinement, was passed in 2008 and has since been successful in reducing recidivism rates (Council of State Justice, 2018). The Second Chance Act awards grants to government agencies and nonprofit organizations to invest in programs that help youth and adults transition out of incarceration and back into their communities (Council of State Justice, 2018). While effective, this effort between the Bureau of Justice Assistance and the National Reentry Resource Center has awarded far more grants to adult-based services than youth as of 2018 (Council of State Justice, 2018). This speaks to the need for increased services for youth because, as seen, these services are effective but must be made available on a larger scale.

A New Ideological Approach and Model for Modernization

Research findings suggest a new approach could be used to address the systemic failures of recent history. Through a combination of strategies related to (1) diversion, (2) attrition, and the (3) reinvestment of existing resources, the

authors suggest the needs of youth and the public can be better met without continuing the negative trends associated with the current juvenile justice system. These concepts will be further developed throughout the following section, with specific attention given to their convergence, relationships, and potential for operationalization.

The process for the successful modernization of juvenile justice systems should begin with a focus on practical and community-driven diversion activities. Diversionary programs allow for positive restorative actions rather than retributive punishment. Pushing the juvenile system towards diversionary programs would allow youth to move forward in life positively and work toward expungement and reducing their criminal record. Diversionary processes should focus on Maslow's Hierarchy of Needs, which identifies which needs need to be met to, in turn, fulfill other needs (McLeod, 2007). The basic premise is that deficiencies must first be fulfilled for growth. Maslow's Hierarchy of Needs goes in order of basic, psychological, and self-fulfillment needs (McLeod, 2007).

It should be expected that these diversionary activities be contextually linked to the jurisdictions in which they are enacted. For example, successful diversion programs and activities from other regions of the country may or may not work within different jurisdictions, and special attention should be paid to the evidence-based evaluation of existing activities and their impact on participants. The system's modernization will depend on changes driven by data and focused on the operational goals described above. In terms of the literature-based evidence, the authors suggest those goals be focused on:

1. acknowledging, expanding, and working towards advancing human rights for system-involved youth,
2. creating a system that contributes to and improves public safety, and
3. using community-based and system resources in a way that is fiscally responsible and ethical.

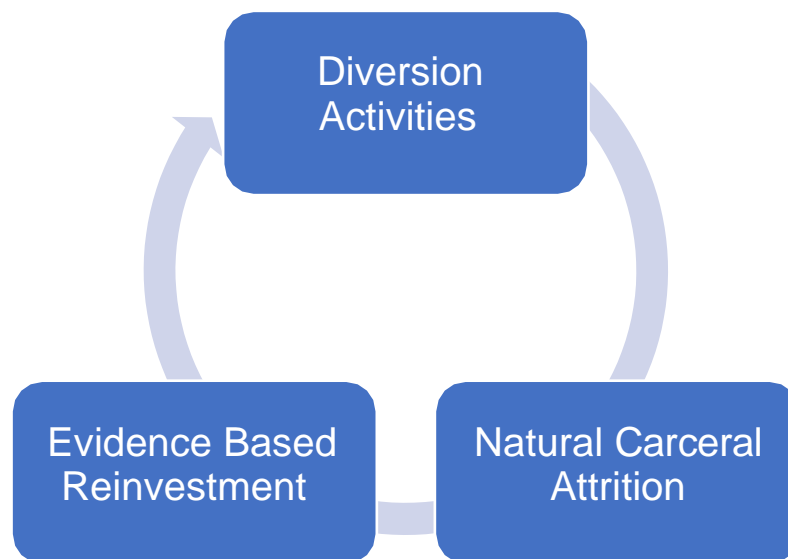
Natural attrition begins when these applied diversion activities create scenarios where fewer youth are sent to carceral spaces. For example, if a current budget allows for and supports 100 beds in a juvenile detention facility, but diversion practices have created a sustained need for only 60 beds, the system has then experienced a natural level of attrition which should lead to a recognition that earlier levels of resources are no longer needed to sustain the traditional mission. The next step in the process is using evidence-based strategies to repurpose the resources that would have previously been spent on the 40 beds that the system is no longer in need of. This would suggest that a sizable portion of the facility budget in this example could be repurposed toward other predetermined goals. The need for counseling and family work, education and job training activities, and other life

skill development activities could be met with these capital streams, which do not require additional financial resources. This allows new innovative programs to be developed without added tax revenue or external investment. Additionally, income created by this natural level of attrition can be reinvested in support of diversion-related activities, which should lead to even higher levels of natural attrition, and thus the process repeats.

As Figure 1 illustrates, this cycle reinforces itself. Over time, continued reinvestment in evidence-based strategies for youth development, along with the expansion of diversion services, will continue to support natural attrition until a new status quo is achieved. As the system modernizes and evolves, the need for carceral spaces and the expectation of the societal need for youth incarceration, in general, should drastically reduce. This is not to say that there would no longer be a need for full detainment or youth incarceration. There will always be situations and circumstances in which a minor is unsafe to themselves and the community and needs isolated detainment. However, in cases where there is no public or personal safety concern, this strategy allows for positive youth development without expanding revenue outside of what currently exists in the system. A visualization of this cycle is presented in Figure 1.

Figure 1

Cyclical Process of Diversion, Attrition, and Reinvestment in Modernizing the System



This modernization process can serve many purposes related to the abovementioned problems. There is profound evidence of how trauma has affected

the behavioral trajectories of youth affiliated with the current juvenile justice system. Reinvestment of resources could expand how we help these youth process and deal with the trauma they have experienced. This serves many roles, including improving public safety by reducing future criminal behavior. Also vitally important to address are the components of systemic racism which currently manifest in the juvenile justice systems of the United States. The development of evidence-based programming specifically targeted at addressing these problems holistically and intentionally can help influence diversion and decrease the likelihood of future system involvement. Further, the thoughtful and ethical use of public resources can contribute to a better perception of the system from the perspective of the taxpaying citizen.

Operationalizing the Process

Diversion

Supporting individual wellness, establishing and strengthening family relations and support systems, and giving youth the resources for positive life pathways allow not only their needs to be met for positive development but also for the establishment of a cost-effective mechanism to reduce criminality (McLeod, 2007). Diversion can be either formal or informal and aims to provide alternatives to move people away from behavior that brings them into the justice system (Schlesinger, 2018). Informal diversion can look like police officers warning and releasing over arresting, while formal diversion focuses on creating court-sanctioned pathways for non-punitive rehabilitation (Schlesinger, 2018). Practices include completing specific requirements, such as mental health or substance abuse treatment, community service, or education (Schlesinger, 2018). Because most youths are in the system for unruly behavior rather than violent crimes (12%), these strategies benefit youth offenders (Schlesinger, 2018). Some of the most common diversion-related activities will be further detailed below. These include incorporating trauma-informed practices, mental health screenings, therapeutic practices, wraparound services, vocational and educational services, and strengthening social support systems.

Trauma-Informed Practices

Once in the system, punitive approaches such as restraints or solitary confinement can trigger responses to prior abuse and contribute to further delinquent behavior (Rapp, 2016). The ACEs study examined the impact of physical, sexual, and emotional abuse, mental and emotional neglect by caretakers, divorce, domestic violence, parental incarceration, substance abuse, and household mental illness experiences before the age of 18 (Hays-Grudo & Morris, 2020). The study found higher scores (of adversity in childhood) can predict a greater

probability that an individual will face negative experiences in adulthood, including incarceration (Hayes-Grudo & Morris, 2020) because many youths enter the system already traumatized from high ACEs, the potential of facing further traumatization while inside the system can also result in additional negative outcomes (Hayes-Grudo & Morris, 2020). Trauma-informed practices and interventions must be engrained into the system to provide better youth outcomes (Dierkhising et al., 2013).

Being trauma-informed requires that prior trauma be considered when analyzing the reasoning behind one's actions (Miller & Najavits, 2012). Approaches like mental health treatment promote better well-being and reduced criminality for incarcerated individuals and should be incorporated by mental health service providers and judges, prosecutors, correctional officers, and all those interacting with the criminal justice system-involved youth (Miller & Najavits, 2012). According to the National Child Traumatic Stress Network, being trauma-informed encompasses seven elements (Dierkhising, Ko, & Goldman, 2013). These elements cover a broad range of principles, from mental health screenings for youth to mental health care for correctional center staff. These elements are as listed:

- 1) Routinely screen for trauma exposure and related symptoms.
- 2) Use culturally appropriate evidence-based assessment and treatment for traumatic stress and associated mental health symptoms.
- 3) Make resources available to children, families, and providers on trauma exposure, its impact, and treatment.
- 4) Engage in efforts to strengthen the resilience and protective factors of children and families affected by and vulnerable to trauma.
- 5) Address parent and caregiver trauma and its impact on the family system.
- 6) Emphasize continuity of care and collaboration across child-service systems.
- 7) Maintain an environment of care for staff that addresses, minimizes, and treats secondary traumatic stress, increasing staff resilience (Dierkhising et al., 2013).

Incorporation of Mental Health Screenings and Services

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has developed numerous inventories that aid policymakers and practitioners with relevant research and evaluation tools for working with youth. Mental health professionals utilize the Diagnostic and Statistical Manual of Mental Disorders (DSM 5) to screen and diagnose youth with mental health disorders (Office of Juvenile Justice and Delinquency Prevention, 2017). While different systems use varying tools to assess mental health needs, the tools are likely to fall under

screening or assessment (Office of Juvenile Justice and Delinquency Prevention, 2017). Screening, in diversion, is similar to a triage process where youths with the highest need and who need more immediate intervention are identified. At the same time, the assessment is a more comprehensive assessment based on which youth screened higher for needs (Office of Juvenile Justice and Delinquency Prevention, 2017). It is essential to highlight that mental health disorders are prevalent in the juvenile justice system. Still, the relationship between mental health and system involvement, while correlated, does not prove causation for being in the system (Office of Juvenile Justice and Delinquency Prevention, 2017). While the OJJDP has set a standard for mental health screening and assessment, this varies between systems. In addition, multiple therapeutic modalities must be used to address mental disabilities and trauma. Not all youths in the system have extensive trauma histories, nor do all have mental disabilities; they cannot all be lumped into the same category for intervention techniques. This also speaks to the importance of accurate screening and assessment tools.

To help prevent unnecessary system involvement, the County Attorney in Lancaster County, Nebraska designed an Early Assessment Process to screen out youth who can be diverted for minor offenses (Hobbs et al., 2013). Involved parties included representatives from juvenile diversion, juvenile probation, the public defender's office, the city and county's attorneys, private and nonprofit providers, and juvenile detention facilities (Hobbs et al., 2013). The goal of this program was to identify early on which youth need intervention versus which have enough community support to not go through processing in the system (Hobbs et al., 2013). The process involves referral from law enforcement within ten days of law violation, after which staff uses the Nebraska Youth Screen (NYS). Upon results, the prosecutor chooses to dismiss, divert, or file the court case (Hobbs et al., 2013). This program exemplifies determining necessary versus unnecessary system involvement for youth.

Therapy for Youth

Trauma-Focused Cognitive Behavioral Therapy. Youth involved in the juvenile justice system have some of the highest trauma exposure rates in the population; therefore, treating this trauma both in and out of the system is exceedingly important (Calleja, 2020). Trauma-Focused Cognitive Behavioral Therapy (TF-CBT) emphasizes resiliency and reconstructs maladaptive thinking patterns (Cohen & Mannarino, 2017). TF-CBT aims to address trauma symptoms and the externalizing behaviors that can result from trauma, such as aggression and criminal behavior (Hoogsteder et al., 2021). By addressing trauma symptoms and behaviors, the goal is to avoid future involvement in the system by traumatized youth (Hoogsteder et al., 2021). TF-CBT has been found effective in reducing trauma symptoms and externalizing behaviors in a study of youth ages 11-21 who

had been exposed to trauma (National Institute of Justice, 2011). In a 2011 study based on youth ages 3-14 who had experienced traumatic life events, TF-CBT effectively reduced PTSD, depressive symptoms, and other problematic behaviors (National Institute of Justice, 2011). It is important to note that these studies, while conducted on youth who had experienced trauma, were not conducted in a correctional facility. However, another study conducted in two secure residential treatment facilities demonstrated positive results when using TF-CBT. In this study of 117 male youths, trauma symptoms were measured before and after treatment using the Trauma Symptom Checklist for Children Scale (TSCC), which measured anger, anxiety, depression, posttraumatic stress, and dissociation (Calleja, 2020). The study found that these symptoms were significantly reduced using the techniques of TF-CBT. Another important finding was that TF-CBT is also effective without a caregiver's participation, as a standard TF-CBT technique involves a parent or caregiver. This is important, considering parental involvement is often not a practical option for incarcerated youth in detention settings (Calleja, 2020).

Dialectical behavioral therapy. Dialectical Behavioral Therapy (DBT) is a form of Cognitive Behavioral Therapy (CBT) that was established for the treatment of a variety of mental illnesses ranging from Attention- Deficit/ Hyperactivity Disorder (ADHD) to Borderline Personality Disorder (BPD) (Granato et al., 2021). Defining features of DBT include mindfulness, discussing maladaptive thoughts, and the knowledge and application of behavioral science by therapists (Granato et al., 2021). Studies have found DBT to be cost-effective and successful in group settings (Banks et al., 2015). This study also found that implementing DBT skills training, rather than the total DBT protocol, still yielded positive outcomes in a short time for participants (Banks et al., 2015). In this form of DBT, the group leader teaches skills in core mindfulness, interpersonal effectiveness, emotional regulation, and distress tolerance (Banks et al., 2015). In addition, participants have homework and use daily diary cards to document emotions (Banks et al., 2015). This form of DBT is evidence-based and takes around six months. The group leader, while a trained professional, also does not have to be an expert-level clinician as they are instead required to very closely follow the leader manual, which less trained clinicians are capable of (Banks et al., 2015). All these variables make DBT a cost-effective solution in correctional facilities.

Wraparound Services for Youth

Wraparound services aim to achieve positive goals and improve well-being through a strengths-based approach. These services can be offered in and out of the system, ranging from education aid to future preparation. Educational interventions in juvenile detention aim to learn and build social and vocational skills and prepare youth to succeed in school. Whether educational or vocational, skill-building

interventions are vital in lowering recidivism rates (Lipsey et al., 2010). Different educational programs have been implemented in correctional facilities, and some have better outcomes than others. The wraparound approach was introduced in the 1980s to provide the individual with a collaborative team of service providers to develop, implement, and evaluate a plan tailored to the individual (McCarter, 2016). These plans should be strength-based, family-centered, culturally sensitive, and prioritize the youth's needs, values, and talents (McCarter, 2016). Holistic services are both a preventive and protective approach as they address underlying issues that result in increased involvement in the systems, such as unaddressed mental health needs, as well as emphasize the youths' inner strengths and build resiliency within (McCarter, 2016).

Education and Job Training

Two crucial factors for a sustainable lifelong trajectory are education and job training. Education must exist in a way that is not only about getting through but setting youth on a successful path constructed around individual strengths. While college is the goal for many, trade skills can provide the means for independence and financial security for others. Employment brings a sense of social responsibility and connectedness in a socially acceptable way and allows one to fulfill material needs (Cullen et al., 1997). Across the lifespan, formerly system-involved youth face difficulty attaining income and proper and legal employment (Office of Juvenile Justice and Delinquency Prevention, 2010). Youth must be equipped with the necessary education and skills to hold jobs that will support their livelihood. The successful completion of K-12 education is essential. Vocational and job training approaches are not only a reaction to system involvement but a preventative and protective factor as these young people move forward. This is important in preventing future involvement in the justice system and, in turn, lowering recidivism rates. Preventive strategies focus on basic skills, academic and occupational training, and exposure to job opportunities (Office of Juvenile Justice and Delinquency Prevention, 2010). Different job training programs include career curricula incorporated in high school programs for at-risk youth, summer work and subsidized employment, short-term training and later job placement, and long-term intensive residential programs (Office of Juvenile Justice and Delinquency Prevention, 2010). All these programs vary in length and cost and meet the needs of various individuals. In addition, these programs can provide other support such as counseling, resources, and referrals (Office of Juvenile Justice and Delinquency Prevention, 2010).

Support Systems

Social support is a positive factor in reducing crime and consists of family, peers, parents, and mentoring relationships (Kort-Butler, 2018). Social support

levels correlate to rates of delinquent behavior, where individuals with more social support have been found to commit fewer delinquent crimes (Kort-Butler, 2018). Social support can be categorized into three dimensions. First, social support is perceived and received (Thoits, 2011). Perceived support insinuates that one feels they have the support they need, and received support is self-explanatory (Thoits, 2011). The second dimension is that support can look like the provision of materials, advice-giving, or emotional expression such as sympathy (Thoits, 2011). The third dimension of support comes from various sources concerning the individual, including family, friends, or secondary groups such as schools or religious organizations (Thoits, 2011). Outside of the juvenile's immediate relationships, efforts within the court system must be made to foster more positive relationships between youth and the court system. Justice practices that are restorative and participatory can produce more positive outcomes for youth. Court partnerships, for example, allow for the integration of services and support both within and outside the court system. These partnerships and roles encourage courts to maintain accountability for rehabilitative support for juvenile offenders.

Young people also do not live outside the context of their family and community dynamics. Protective adult relationships can even help lower the risk of engaging in risky or delinquent behaviors (Brown & Shillington, 2017). After addressing individual mental health needs and concerns, any problems within the family or social support systems must be addressed. Reunification with families and the opportunity to make amends where needed is part of transformative and restorative justice. Mentorship increases the chance that youth will have better outcomes due to having a positive influence on their life. If a family cannot provide this mentorship or is not part of the youth's life, a family system needs to be created for them by whatever means of intervention is necessary. These support systems are vital in initiating and developing Protective and Compensatory Experiences (PACES).

PACES are positive experiences that reduce the effects of adversity, increase resiliency, and promote overall better health and well-being throughout one's life (Hays-Grudo & Morris, 2020). Studies show that PACES help mitigate the negative impact ACEs have on an individual (Racine et al., 2020; Afifi & Macmillian, 2011; Garland et al., 2019). Whether it be on an individual level, such as self-regulation or coping skills, at a family level, including support and warmth, or at a community level, such as engagement, and supportive relationships, PACES can improve one's response to ACEs (Racine et al., 2020; Afifi & Macmillian, 2011). These are often attained collectively through an array of wraparound services and resources; specific attention should be paid to cultivating opportunities for youth to experience these supportive and protective interactions. To assess PACES, the Benevolent Childhood Experiences Scale includes the following factors as identified by Narayan:

- 1) Had at least one caregiver with whom they felt safe
- 2) had at least one good friend
- 3) held beliefs that give them comfort
- 4) liked school
- 5) had at least one teacher who cared about them
- 6) had good neighbors
- 7) had an adult (non-parental caregiver) who could provide support for them
- 8) had opportunities to have a good time
- 9) liked themselves or felt comfortable with themselves
- 10) had a predictable home routine (Narayan et al., 2018).

Attrition

The premise of these diversionary strategies is that fewer youth should be detained in carceral spaces if those diversionary strategies are working. However, the goal is not necessarily to close facilities or reduce overall staff numbers. Instead, it is to reallocate resources efficiently and in ways that support evidence-based positive youth development. As programs time out or become obsolete, and resources previously invested in helping those programs become available, these resources should be earmarked for new creating new evidence-based programs rather than reinvesting in programs that do not measurably serve the goals of youth development, fiscal responsibility, and public safety. This process does not call for new tax dollars; when diversion strategies allow fewer youth to be committed to carceral spaces, positive attrition strategies suggest that capital be reinvested in programs that increase desired system outcomes. Correctional centers that do not have the population to stay open can be repurposed for other uses, such as job training, family support and development, education, life skill development, and other areas of community-driven need. These strategies have already proven successful in a variety of contexts. Six communities in the U.S. have repurposed corrections centers into affordable housing, a technology park, a teen community center, a hub for social services, mixed housing, and a large-scale development project (Harvell et al., 2020).

Repurposing resources can also allow staff to keep their jobs by taking on new roles. Staff can partake in meaningful interactions with youth, significantly impacting their renewed opportunity for improvement and success. Courses centered around Positive Youth Development allow workers to better connect and engage with youth, question the dominant practices of correctional centers, and better understand their harmful impacts (Krystiniak, 2020). Correctional center workers have a vast amount of knowledge and experience within the system; applying a healing-centered lens by accepting the harm done by centers can allow

officers to be an agent for change by instilling more supportive and effective positive practices when working with youth (Krystiniak, 2020). In addition to involving staff, youth need to be active participants in their rehabilitation, a strategy known as Positive Youth Development (Krystiniak, 2020).

Reinvestment of Existing Resources

Reinvesting existing resources happens in tandem with attrition. This cyclical process will continue to evolve until a new status quo is established. Several systems have adopted reform strategies to reduce youth in confinement and become more economically efficient. The OJJDP enacted the Juvenile Justice System Reform and Reinvestment Initiative to help states implement policies and programs while lowering costs (Office of Juvenile Justice and Delinquency Prevention, 2022). This initiative helps states improve their systems and implement more sustainable strategies to reinvest or avert costs (Office of Juvenile Justice and Delinquency Prevention, 2022). In addition, all implemented materials and practices are research-based, data-informed, and target the system across varying disciplines and components of the system (Office of Juvenile Justice and Delinquency Prevention, 2022). The initiative works by applicants receiving funding from the OJJDP, which is to be used to develop more sustainable strategies for juvenile justice while producing more positive outcomes for youths (Office of Juvenile Justice and Delinquency Prevention, 2022). As of 2021, the JRI has saved or averted over one billion dollars over 36 states and invested half of the savings into reducing recidivism (Harvell et al., 2021). The JRI is a nine-step process, as stated in the implementation guide:

- 1) "assessment and state selection,
- 2) establish an inter-branch bipartisan workgroup,
- 3) engage stakeholders,
- 4) analyze data, identify drivers, and research best policies,
- 5) develop policy options and build consensus,
- 6) codify changes and invest in implementation,
- 7) translate system improvements into policy and practice,
- 8) reinvest savings, and
- 9) measure outcomes" (Harvell et al., 2021).

This initiative's success includes South Dakota bringing behavioral health services to rural areas for individuals on parole and Oregon, which distributed funds at a county level to strengthen services (Harvell et al., 2021). This initiative is a robust framework for reinvesting funds at the state level. However, not all states have yet been able to access these funds and implement these strategies for reform yet. In addition, special consideration must be taken into what state and local resources

there are and challenges unique to each state.

Conclusion

Far more research is needed to investigate how and in what creative ways these concepts can be applied to modernize the juvenile justice system. Specific community-based evaluations and needs assessments are necessary to understand the context and needs of youth in particular jurisdictions and available resources that could contribute. Additional large-scale research is also needed to assess all the possible implications of modernization. These could range from social and behavioral research projects to economic ones and from a point in time to longitudinal studies.

In moving forward, the successful application of these strategies will depend on the buy-in of key stakeholders. Interprofessional partnerships are needed with cooperation from local and state agencies and local court systems. This is because the entire cycle cannot begin without the incorporation of effective diversion strategies. The research listed demonstrates the importance of interprofessional relationships and the incorporation of treatment and recidivism reduction strategies from nonprofit and external agencies, working in partnerships with local jurisdictional court systems. In addition, there is a significant need for legislative support and the evolution of state-level policy regarding juvenile justice system deployment and budgeting. Specific risks relate to the ability to reinvest existing resources, especially if current facility leadership fears the inability to sustain jobs and budget lines to support their personnel. Leadership at the facility level is essential, and buy-in in those spaces is necessary to modernize and evolve the system. Other localized barriers to successfully implementing a transition system like this will likely exist. Therefore, implementation plans related to system modernization must include flexibility to meet existing challenges as they develop.

As demonstrated, systems can and do evolve. Initially, the juvenile justice system was created to acknowledge the uniqueness and rehabilitation needs of criminal justice involved youth. Over time the system in the United States has evolved to resemble more closely that of the adult system, with a focus on punitive approaches for behavioral modification. However, scholars over the past decades have used research to show how the system has become counterproductive. A recognition of the way trauma has affected the youth who find themselves in carceral spaces, along with a need to reduce the presence of physical, sexual, and emotional abuse in juvenile justice settings, shows how the system, as it exists today, struggles to serve high-need youth ethically. Further research has shown the system does not serve its purpose in reducing future criminal behavior. The system as it exists makes us less safe. Lastly, research has shown how much money is spent to facilitate these empirically negative outcomes.

The authors have presented an evidence-based plan that can quickly adapt to fit any localized context. Following the cycle of diversion, attrition, and reinvestment, jurisdictions from local to state levels can modernize their juvenile justice systems by using evidence-based strategies to not only improve the lives of youth and families but also respectfully and efficiently use community resources to improve public safety. The modernization of the system will be dependent on a shifting mindset. The data is clear. It is time to move from punishment to youth development for our children and communities. It is not only possible; the pathway is clear.

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