

Recipe for Reform School

WHY SOME KIDS AND TEENS IN THE CHILD WELFARE SYSTEM END UP IN THE JUVENILE JUSTICE SYSTEM

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Are All Youth in the Child Welfare System Equally Likely to End Up in the Juvenile Justice System?

Originally established to address the needs of child victims of abuse and neglect, the child welfare system was primarily concerned with child safety and home stability. Over time, the system has increasingly provided services to youth with additional needs, including learning disabilities, mental health issues, and behavioral problems. At the same time, an increasing body of research has shown that youth in the juvenile justice system frequently have prior contact with the child welfare system—leading many to conclude that child welfare youth generally have increased risks of delinquency. New research led by Joseph P. Ryan at the University of Michigan School of Social Work and funded by the [John D. and Catherine T. MacArthur Foundation](#) through its [Models for Change](#) initiative, however, challenges the breadth of this finding. Professor Ryan’s studies shed new light on the pathway from child welfare to the juvenile and criminal justice systems—and which youth are likely to follow it.¹

Prior research on crossover youth, or youth who move from the child welfare and juvenile justice system, does not distinguish youth based on why they are referred to the child welfare system. Ryan follows youth placed in the child welfare system in Washington State, grouping them based on the reason for substitute care placement—either maltreatment, behavioral problems, or

¹ The main ideas in this document are drawn from the Models for Change Knowledge Brief, “How Well Is the Child Welfare System Serving Youths with Behavioral Problems?” from December 2011, available at <http://www.modelsforchange.net/publications/318>, and from Joseph P. Ryan, “Substitute Care in Child Welfare and the Risk of Arrest: Does the Reason for Placement Matter?” *Child Maltreatment*, 17 (May 2012): 167, accessed at <http://cmx.sagepub.com/content/early/2012/04/24/1077559512443125> on October 25, 2012.

for both behavioral reasons and abuse/neglect—and whether or not they had prior contact with the juvenile justice system.

Ryan finds that youth placed in substitute care for behavioral problems, regardless of prior justice system involvement, were more likely to be subsequently involved in the justice system than youth placed there for maltreatment. Despite the fact that youth referred to the child welfare system for behavioral problems could well have had an undocumented history of maltreatment, the child welfare system treated them differently than youth placed for maltreatment alone. Not only were their specific needs often unmet, but more critically, they were more frequently placed in unstable group homes or larger residential facilities (e.g., “congregate care”) instead of with foster families. Ryan’s prior research in Los Angeles County shows that congregate care itself is associated with later delinquency.²

Ryan concludes that not all youth in the child welfare system have the same heightened risk of justice involvement; but youth who are referred for behavioral problems and placed in congregate care certainly do.

Key Findings

Youth referred to the child welfare system for behavioral problems are placed in congregate care settings at increased rates and experience greater instability when compared to youth referred for child abuse/neglect.

- In Washington, 78 percent of youth referred for behavioral problems are assigned to congregate care. Only 9 percent of youth referred for abuse/neglect are placed in congregate care.
- While 14 percent of youth referred for behavioral problems change placements at least three times, only 8 percent of youth referred for abuse/neglect experience the same instability in Washington.

Youth referred for behavioral problems have a greater chance of arrest.

- Only 23 percent of youth referred to substitute care in Washington are youth with behavioral problems, yet they account for 31 percent of all youth who are subsequently arrested.
- On the other hand, 62 percent of youth are referred to substitute care in Washington because of abuse/neglect, but account for only 50 percent of all youth referred to substitute care who are subsequently arrested.
- This disparity exists regardless of whether youth enter the child welfare system after previous involvement with the justice system.

² Joseph P. Ryan et al., “Juvenile Delinquency in Child Welfare: Investigating Group Home Effects,” *Children and Youth Services Review*, 30 (2008):1088.

Youth placed in congregate care have a greater chance of arrest.

- Ryan's study of Los Angeles County found that although only 26 percent of youth there were placed in a group home, 40 percent of all arrests in the local child welfare system were associated with a group home placement.
- In Los Angeles County, the risk of arrest is 2.5 times greater for youth with at least one group home placement, when compared to youth who only experience a family foster care placement.

POLICY IMPLICATIONS

Delinquency prevention efforts should target youth referred to child welfare systems because of behavioral problems and youth placed in congregate care (often the same population).

- Targeting these youth will likely have the largest effect on juvenile and criminal involvement of child welfare youth.

Child welfare systems should reconsider their use of congregate care and improve their ability to handle youth with a variety of needs.

- Reform efforts should focus on expanding family and community care settings for all youth within the child welfare system. In addition, child welfare systems should improve their response to youth with varying needs, particularly those with behavioral issues.

DIRECTIONS FOR FUTURE RESEARCH

- Future research should provide a more detailed analysis of the types of behavioral issues for which youth enter the child welfare system, a description of services offered for these youth, and more insight into the decision process behind placing a youth in a particular type of substitute care.
- Future research should determine whether youth entering the child welfare system with a history of delinquency are simultaneously being served by other agencies. If so, is there a correlation between increased surveillance and subsequent arrest?
- Finally, similar studies in other states will provide greater insight into the transferability of the findings of this Washington State study.