



From foster care to juvenile justice: Exploring characteristics of youth in three cities



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ABSTRACT

Children placed in foster care are at risk for becoming involved with the juvenile justice system. This study documents the rates at which children involved with foster care enter the juvenile justice system (crossover or dually involved), and the factors associated with this risk. We utilize multiple birth cohorts and prospective, longitudinal data from birth to maturity separately in three major American cities. Analyses consider integrated administrative records from multiple birth cohorts representing populations in Cook County (Chicago; $N = 26,003$), Cuyahoga County (Cleveland; $N = 10,284$), and New York City ($N = 13,065$). Crossover rates ranged from 7 to 24%. African American males, and children who experienced congregate care were at highest risk for juvenile justice involvement. Older age at first foster care placement signaled progressively greater risk, as did more foster care spells for those first placed as infants. We discuss findings in terms of developmental theory, and as actionable intelligence to inform prevention, practice, and policy.

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A lack of comprehensive, longitudinal, cross-sector data prevents academics, policymakers' and public sector administrators' from understanding long-term outcomes for children in foster care. Children who receive child welfare services are at-risk for later delinquency and involvement with the juvenile justice system, with more than 40 years of research affirming this link (Herz, Ryan, & Bilchik, 2010; Maschi, Hatcher, Schwalbe, & Rosato, 2008). Individuals who become involved in both systems appear to have needs that are more numerous and more complex than those involved with only one system, but dually-involved youth may be less likely to receive comprehensive, coordinated care because of agency boundaries (Herz et al., 2010). There is increasing interest in understanding those on the developmental pathways from the foster care system to juvenile justice services with the dual goals of informing developmental science as well as practice and policy decision making.

In line with a developmental perspective on risk and resilience (Luthar, Crossman, & Small, 2015; Masten & Cicchetti, 2016), this study details findings on the links between child welfare and juvenile justice services, focusing on characteristics of individuals and of foster care placements. We present separate analyses of administrative data from three, large urban localities: Cook County, Illinois, Cuyahoga

County, Ohio, and New York City, New York. The analyses pursue three aims: (1) determine how many children who experience out-of-home foster care placements become involved with the juvenile justice system, (2) understand individual characteristics (gender, race/ethnicity) and foster care histories (placement type, number of spells, age of first child welfare placement) that may distinguish children in foster care who go on to become involved with juvenile justice from those who do not, and (3) test for results in three locations to suggest which associations are more or less robust in different municipal and social service contexts. These analyses involve prospective information from birth for populations of children in three major American cities.

About 254,375 children entered foster care in the United States during 2010, with approximately 408,425 children in foster placements at any given point (U.S. Department of Health and Human Services Children's Bureau's, 2011). Past studies utilizing administrative data have documented the risk for juvenile justice system involvement among children receiving child welfare services, linking records from both systems (Herz et al., 2010). Between 9 to 29% of youth involved with child welfare services also become involved with the juvenile justice system (Herz, 2010), sometimes referred to as 'crossover' or 'dually-involved' youth. By definition, 'crossover youth' refers to maltreated children who later engage in delinquent behavior, whereas 'dually-involved youth' refers to those simultaneously involved with child welfare and juvenile justice systems (Herz, 2010; Herz et al., 2010). The

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most common sequence is for children to first become involved child welfare services and then later to come to the attention of the juvenile justice system, representing a subset of crossover youth (Huang, Ryan, & Herz, 2012).

Developmental theory appreciates that change is influenced by many factors both within and external to the individual that act together in complex ways to contribute to developmental pathways that describe functioning at a point in time (Blair & Raver, 2012; Masten & Cicchetti, 2016). When applied to children and youth who experience adversity, developmental theory on resilience and risk contextualizes factors with respect to how they tend to influence the attainment of competence in normative developmental tasks at different ages (Cutuli & Herbers, 2014; Masten, Cutuli, Herbers, & Reed, 2009; Thompson, 2014). The current study takes a developmental perspective on risk to test for effects of factors associated with out-of-home placements on juvenile justice involvement. Importantly, many of these factors can be influenced by social policy and practice.

Many factors contribute to the developmental pathways from child welfare involvement to later delinquency, as well as alternative developmental pathways that allow most children to avoid delinquency and other poor outcomes. Child welfare services, especially foster care, fill an important social role in the protection of children (Jonson-Reid, 2004). Because these services target children at very high levels of risk (e.g., those who experience substantiated abuse and neglect), experiencing foster care, itself, is a risk marker for an elevated level of many different sorts of accumulated risk factors. Relevant to the current study, for example, child maltreatment and experiencing inconsistent caregiving is a well-established risk factor as these experiences have a high likelihood to interfere with the normative developmental processes that establish good self-regulation and conduct, which are expected of children and youth to different degrees as they get older (Burt, Coatsworth, & Masten, 2016; Cicchetti, 2016). Experiencing child abuse and neglect has been linked with increased risk for delinquency and other conduct problems in adolescence (Jaffee, Caspi, Moffitt, & Taylor, 2004), sometimes mediated by mental health diagnoses and/or failure in other developmental domains (e.g., school failure, association with deviant peers; (Chapple, Tyler, & Bersani, 2005; Gaetana Malvaso, Delfabbro, & Day, 2015; Jaffee et al., 2004; Moffitt, 1993, 2006; VanZomeren-Dohm, Xu, Thibodeau, & Cicchetti, 2016; Yampolskaya & Chuang, 2012). Children placed in foster care appear to be at even higher levels of risk for behavior problems when compared to similar children and youth known to child welfare agencies who did not experience an out of home placement (Doyle, 2007). Nevertheless, many children who receive child welfare services go on to show resilience, functioning well in different developmental domains (Osgood, Foster, & Courtney, 2010). Understanding the factors that distinguish children who do well from those who do not represents an opportunity to better meet the needs of all.

Of particular interest are factors that can help providers and other decision-makers better target appropriate services to the most vulnerable youth, and factors related to practice that can be refined through single-agency action or cross-agency collaboration (Herz et al., 2010). Demographic factors tied to the individual, such as gender and race/ethnicity, have been consistently associated with juvenile justice involvement among children who received child welfare services. Males are much more likely to become juvenile justice involved, as are African American youth (Maschi et al., 2008; Ryan & Testa, 2005; Shook et al., 2013; Yampolskaya & Chuang, 2012). For example, 7% of all first-time juvenile offenders in Los Angeles County from 2002 and 2005 were involved with the child welfare system. By comparison, 14% of first-time arrests for African Americans were involved with child welfare (Ryan, Herz, Hernandez, & Marshall, 2007). Hispanic ethnicity has also been linked to increased risk for delinquency among children who receive child welfare services (Jonson-Reid & Barth, 2000a, 2000b).

Past work has examined factors associated with child welfare services. Children are more likely to become involved with juvenile justice

if they have their first contact with child welfare services later in childhood or in adolescence (Jonson-Reid & Barth, 2000a, 2000b; Kolivoski, Shook, Goodkind, & Kim, 2014; Shook et al., 2013; Widom, 1991; Yampolskaya & Chuang, 2012). Also well-documented is the link between multiple foster care placements and/or spells and later delinquency and juvenile justice involvement (Ryan & Testa, 2005; Shook et al., 2013; Widom, 1991; Yampolskaya & Chuang, 2012). Finally, the sort of foster care placement also appears to contribute as studies that compare kinship to non-kinship type placements frequently find lower rates of parent- or teacher-reported conduct problems for those in kinship care (Holtan, Ronning, Handegard, & Sourander, 2005; Keller et al., 2001; Rubin et al., 2008; Shore, Sim, Le Prohn, & Keller, 2002; Tarren-Sweeney & Hazell, 2006; Timmer, Sedlar, & Urquiza, 2004) though recent evidence has called this into question with some finding no difference (Font, 2014) and others noting that the effect may vary by race (Ryan, Hong, Herz, & Hernandez, 2010). Ryan, Marshall, Herz, and Hernandez (2008) document increased risk for juvenile justice involvement associated with group home or congregate care settings compared to other types of foster care. Increased risk for chronic juvenile justice involvement was also evident for children placed in congregate care among those with extensive histories of child welfare involvement, those in exclusively family-based placements were at low risk (Kolivoski et al., 2014).

We utilize a prospective, population-based, birth cohort design to test for associations between factors related to foster care placements and later juvenile justice involvement. Considering individuals who were born in a brief span of years helps ensure that the sample encountered similar policies and procedures from juvenile justice, child welfare, and other public service agencies, while helping to control for other macro-environmental effects (e.g., sudden increases in drug use or unemployment rates in a locality). Also, aligning individuals by birth year can assist in the interpretation of effects in the context of developmental risk periods, such as understanding the effects of foster care at particular ages on delinquency throughout adolescence when conduct problems become more prevalent in general (Moffitt, 1993). Prospective designs consider more information on individuals' service use patterns and developmental trajectories. Prospective information provides a window for understanding how demographic characteristics of the individuals, their situations, and experiences with varied social services influence the likelihood of positive or negative outcomes through later periods of risk. This is especially the case for analyses of integrated data from a variety of agencies that monitor and attempt to address a range of social risks. Finally, considering records that more closely approximate the population of interest minimizes the likelihood of various forms of bias that come with sample-based approaches, thereby increasing generalizability. For example, considering children who have ever been involved with the foster care system at any point in their lives, or those who have ever been involved with juvenile justice, reduces the likelihood of bias that might accompany selecting a subsample of cases.

The current study adds to the literature through considering population-based administrative records from birth through adolescence, the period of greatest developmental risk of juvenile justice involvement. In an early and important study, Widom (1991) examined 20-year juvenile justice and adult criminal charges for a large sample of individuals with a history of substantiated child abuse or neglect, but only for individuals with child welfare involvement before age 11 years. This effort produced important and valuable findings, but cannot speak to effects for children who enter the child welfare system during adolescence, leaving out youth who are at a very high level of risk (Osgood et al., 2010).

Conversely, a number of other studies have focused on children who interface with child welfare later in childhood and adolescence. Jonson-Reid and Barth (2000a, 2000b) analyzed administrative data from 10 counties in California, linking records for children with foster care involvement after age 6 to records for the California Youth

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