

Male Offenders in Child Welfare and Juvenile Justice Systems

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Background

Recent research indicates that maltreated children are disproportionately at risk for delinquency involvement and continuing their involvement into adulthood. In 2001, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) redirected efforts toward children in both the child welfare and juvenile justice systems by encouraging research on this topic as well as improved practice with these youths. Using interview data collected during an ethnographic research study of identity, treatment, and behavior change in Minnesota juvenile correctional facilities, this curriculum module provides information about the problem of youth who are dually involved in child welfare and juvenile justice systems of care. This module can be used for a child welfare, methods, or policy courses.

Research Synopsis Concerning Dual System Youth

See citations and articles section for more information.

- Research demonstrates that adolescents with a history of childhood maltreatment compared to non-maltreated peers are at greater risk for recidivism if incarcerated.
- Prospective studies of substantiated cases of child maltreatment indicate that the likelihood of juvenile arrest is decreased for male children when the child is placed in a stable foster care placement.
- Risks for adolescent delinquency among previously maltreated children differ according to the youth's race and gender. Males and youth of color are disproportionately likely to become involved in the criminal justice system.
- Male youth of color exiting the child welfare system compared with male youth of color in the general population are more likely to enter into the juvenile justice system for serious or violent offenses.
- Adolescent offenders with a history of childhood maltreatment consume a significant proportion of special education, mental health, and juvenile justice system budgets.

- Improved child welfare practices may prevent maltreated children from entering into the juvenile justice system.

Internet Resources

- [City Pages story about Jason Molacek](#), a young Maple Grove man released from residential treatment who killed his mother and is currently residing in a mental health facility.
- [Violence by youth living on the Leech Lake reservation](#), many of whom were foster children.
- [Bridging child welfare and juvenile justice systems](#)
- [Preventing delinquency through improved child welfare practices.](#)

Psychosocial Assessment of a Dual System Young Man

“Mike,” a 15 year-old Native American young man, was placed in the locked unit of a correctional residential treatment program after he escaped from the secure unit of a juvenile detention center in Minnesota. Mike’s current placement is locked in that residents’ access to rooms within the unit or outside the building are controlled by a centrally located surveillance office within the building that monitors all activities on the unit through video cameras. Before his placements, Mike lived with his guardian, “Claire,” and Mike’s three brothers, Marcus aged 17, Dakota aged 12, and Jamie aged 13. Mike came to live with Claire after the jailing of his father, Jessup, for driving under the influence of alcohol. Mike’s mother died while he was in school and Mike reported that he was not told the cause of her death by his foster care social worker. After the death of his mother, Mike was placed with his father who struggled periodically with alcohol addiction. Mike’s father Jessup worked sporadically as a roofer in southern Minnesota until he was jailed for driving while intoxicated. Mike reported that his mother, father, and paternal uncles were active alcoholics and some of his uncles died from alcohol related diseases.

Living Situations (Current and Historical)

Mike’s mother, Delores, struggled with alcohol addiction so her employment was sporadic and frequent moves and evictions were not uncommon. From birth until about age 8, Mike’s family moved around Minneapolis and Saint Paul when rents at their current apartment was unaffordable. Mike also remembers a time when his family was homeless for a short episode and he was placed in St. Joe’s shelter as a result. As a child he experienced multiple foster care placements. Around age 8, Mike reports moving to Northern Minnesota with his mother, father, and brothers. Between ages 8 and 13, Mike was placed in foster care on a Native American reservation while his mother completed treatment for her alcohol addiction. When Delores decided to enter alcohol treatment, Jessup was jailed after driving while intoxicated. Delores completed alcohol treatment and then regained custody of the children and moved into an apartment in Duluth until her death two years later.

Education and Employment History

Because of his family's frequent moves, Mike did not develop attachments to particular schools or teachers. At an early age, Mike's attendance at school began to drop and eventually he missed school entire weeks of school. Mike says, "I went to school for about a month at Red Lake, at Red Lake High School, and I had ran off there and I was tryin' to get to school back in October, and I just gave up on that..." Mike also demonstrated regret about skipping school and hopes to "get out and like graduate school this year" and is now thinking "What am I gonna do when I get outta here [his current placement]?" Mike's employment history is similar to his academic history in that he has not maintained gainful employment for any particular period of time. Mike was able to present a detailed account of his skills with cars and hopes to become a mechanic. Mike's statements about becoming a mechanic and working on cars were somewhat focused and detailed, which may indicate a genuine interest in auto mechanics.

Drug and Alcohol History

Mike began using marijuana at around 8 years old. According to Mike, Delores did not object to his marijuana use and he believes that his father began drinking again after he discovered Mike's marijuana use. Mike said, "...I went to Rosary Youth Shelter...until I sobered up...and told em' I wasn't gonna do drugs, and said I'm sorry to him...and then I went back [home] and...me and my brother started using again and he walked into the smoky room one time...and he was like...we heard him go down like, stairs, slammin' on a table...and later that he started drinkin..." Mike also makes statements that suggest he associates his drug use with past situations where Mike felt abandoned by family members, service providers, and/or friends. At different times in his life, Mike used marijuana or alcohol to forget or dissociate from the feelings he had. For example, Mike told a story in which some of his family members emotionally-distanced themselves from Mike because his uncle's girlfriend was suspicious of Mike's relationship with his female cousin. In response to his family's emotional distance, Mike describes feeling abandoned and he "just didn't care anymore...so we crushed up like a crack rock...and we rolled a blunt and we lacked it." Typically, the drug abuse literature would identify Mike's actions as using a drug to deal with or "medicating" his feelings. However, Mike describes further in his interview that he used drugs as a means to forget about the troubles in his life. A group of Mike's friends bought guns from him and then attempted to rob a convenience store but the local police interrupted the robbery; a stand off ensued and his friends were killed. Mike reports watching the event on the news and then using drugs to forget. Although Mike denies having a drug problem, he says that if he were released he most likely would be using marijuana and "doing bad stuff."

Many of Mike's family members struggled with alcohol dependence and their use resulted in significant impairments in their ability to provide a stable home for the children of the family. In addition to Delores and Jessup's alcohol abuse, Mike reported uncles and aunts alcohol dependence with three alcohol-related deaths. Mike says he found one of his uncles dead in his home. Mike commented that he is concerned about his brother Marcus currently drinking alcohol with one of their uncles.

Treatment History

Much of Mike's treatment history is derived from his placement in juvenile detention programs that provided residential treatment based on correctional philosophies. Mike states that his initial placements in detention programs were rough and he would cry through the night hoping his mother would "rescue him." Being removed from his family and placed in a treatment facility that prevented him from freely meeting with or seeing his family was a significant punishment for Mike. Mike escaped from many of his past placements and would attempt to return to his family members before being found and returned to the facility. Mike recently attempted to escape from his current placement because a staff member informed him that he would be unable to leave until he completed all the levels of the program. This escape seems to reflect his pattern of absconding when faced with prolonged separations from his family.

Although Mike "escaped" from many of the residential programs, he reports limited benefits from participating in treatment. Mike reports being prescribed Ritalin to treat Attention-Deficit Hyperactivity Disorder (ADHD), but further evidence to verify the prescription or the diagnosis could not be found in his records.

Legal History

Mike's first adjudication was for arson when he was around 10 years old. Mike says that he and a friend were setting small fires then throwing aerosol cans into the fires. At 15, he was placed at a juvenile center for stealing a digital camera and playstation from a house, placed in a Minnesota Juvenile Detention Center where he made two attempts to run from the facility. Then he was transferred to Bar None after Mike's second attempt to run from another Minnesota Juvenile Detention facility.

Subjective Observations

Overall, Mike seems to carry with him the dynamics of his early family life and these experiences are shaping his current life. Mike's early life experiences seem to be very difficult for Mike to cognitively process so, when drugs aren't available to him, he reverts to jumbled conversations about his future, stories about violence, or seemingly unrelated topics. In this case, Mike's drug use may be an external mechanism he uses to manage (not medicate) his internal processes. Mike also demonstrates the capacity to develop and execute a plan. In discussing his escapes from facilities, Mike was able to calculate how and when to escape several locked units. Although his planning skills were used to leaving facilities without permission, this skills could potentially aid him in achieve a positive life goal such as becoming a car mechanic or obtaining sobriety.

Discussion Questions

- How might Mike's maltreatment history influence his participation in delinquent behavior? What about his foster care placement history?

- What are the significant psychosocial concerns that a child welfare social worker would address in constructing a treatment plan with Mike?
- What are the significant psychosocial concerns that a social worker in the juvenile justice system might address in their case plans with Mike?
- Would conflicts exist in the goals of the treatment plans? If so, how might they be resolved?
- Compare and contrast the ways in which child welfare practitioners and social workers in the juvenile justice system might address Mike's personal and family history of drug use.

Selected References for Additional Readings

Johnson-Reid, M. & Barth, R. P. (2000). From placement to prison: The path to adolescent incarceration from child welfare supervised foster or group care. *Children and Youth Services Review*, 22(7), p. 493-516. In this article, the authors present a prospective study of adolescent incarceration as a post-discharge outcome for children in out of home placements. Results indicate that children first placed between the ages of 12 and 15, children with multiple placements and multiple spells in care, and children who have placement experiences supervised by probation following their child welfare involvement had a higher risk of incarceration for a serious or violent offense during adolescence.

Kelly, B.T., Thornberry, T.P., Smith, C.A. (1997). In the wake of childhood maltreatment (*Juvenile Justice Bulletin*) Washington, DC: Office of Juvenile Justice and Delinquency Prevention This bulletin presents findings on the relationship between childhood maltreatment and subsequent adolescent problem behaviors in the Rochester Youth Development Study. The researchers found that the subjects who had experienced maltreatment during childhood were significantly more likely to display a variety of problem behaviors during adolescence, including serious and violent delinquency, teen pregnancy, drug use, low academic achievement, and mental health problems. The bulletin clarifies the scope of the problem and presents some possible solution.

Johnson-Reid, M. & Barth, R.P. (2000). From maltreatment report to juvenile incarceration: The role of child welfare services. *Child Abuse & Neglect*, 24(4), p. 505-520. This article explores whether children who receive child welfare services (in- or out-of-home placement) are more or less likely to become incarcerated as serious & violent youthful offenders than children who are investigated as victims of abuse & neglect but receive no further child welfare intervention. Findings suggest that females who were removed from their homes were more likely to be incarcerated, but children of color who were not removed were more likely to be incarcerated. The article points to the need to understand the dynamics specific to various subgroups.

Ross, T., Conger, D., & Armstrong, M. (2002). Bridging Child Welfare and Juvenile Justice: Preventing Unnecessary Detention of Foster Children. *Child Welfare*, 81(3), 471-494. This article examines the gap between the child welfare & juvenile justice systems & discusses a program, Project Confirm, designed to reduce the problems associated with this gap.

Project Confirm aims to improve cooperation between juvenile justice & child welfare agencies to prevent the unnecessary detention of arrested foster children in secure facilities. The program's design is outlined, & implementation statistics & government partner perceptions of the program in its first year of operations are provided.

Weibush, R., Freitag, R., Baird, C. (2001). Preventing delinquency through improved child protection services (Juvenile Justice Bulletin). Washington, DC: Office of Juvenile Justice and Delinquency Prevention. After reviewing what is known about the links between childhood maltreatment and juvenile and adult offending, the authors review the Office of Juvenile Justice and Delinquency Prevention's strategy for serious and violent offenders and examine the role the child protective services can play in the in delinquency prevention and intervention. The bulletin also introduces the reader to the "structured decision making model" of child welfare services that might play a role in preventing future delinquency.