



**Increasing Collaboration and
Coordination of the Child Welfare
and Juvenile Justice Systems to
Better Serve Dual Jurisdiction Youth:
*A Literature Review***

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About the Research to Practice Initiative

Research to Practice's primary responsibilities are to discover and methodically review research literature related to the general well-being of children, youth, and families; disseminate information about pertinent research and its implications for practice; identify and carefully review effective evidence-based programs and practices; distribute information about successful programs and practices; support and promote the implementation of well-researched and evaluated programs or practices that will positively affect people, organizations, and systems; and encourage the use of program evaluation and outcome measurement.

Introduction

Dual jurisdiction youth are children and youth who are under the jurisdiction of the child welfare system; who are placed in out-of-home care; and who come to the attention of the juvenile justice system. Out-of-home care can consist of foster care, group care, kinship care, or residential placement. These youth cross between or concurrently exist in both the child welfare and juvenile justice systems. Research suggests that children who are abused or neglected are more likely to go on to commit delinquent acts than the general population.

From the standpoint of child welfare and juvenile justice professionals, dual jurisdiction youth pose special challenges and require special attention, thereby straining limited resources. Although dual jurisdiction youth make up only a small percentage of the juvenile court's total caseload¹, the research suggests that these youth may require a disproportionate share of agency resources. Dual jurisdiction youth make up a large proportion of the court's deeper-end delinquency caseload. For instance, 42% of all juveniles in a probation placement also had a dependency petition active for at least a portion of that calendar year (Halemba et al., 2004). Dual jurisdiction youth also have higher recidivism rates than those with no history of involvement with the child welfare system. From the standpoint of the youth themselves, contact with the juvenile justice system may result in heightened trauma, increased instability, contribute to a child's propensity to antisocial behavior, and impair a child's educational attainment and income.

The Child Welfare League of America (CWLA), therefore, is seeking to identify ways in which the child welfare and juvenile justice agencies can collaborate and coordinate

¹ There has been no attempt to gauge the size of the dual jurisdiction youth population nationally. However, a study of four Arizona counties found that dual jurisdiction youth comprise 1% of the court's informal delinquency caseload, 7% of all delinquency petitions, 7% of those on probation, 42% of those in a probation placement, and 11% of those detained by the court (Halemba, Siegel, Lord, & Zawacki, 2004).

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their efforts to better serve dual jurisdiction youth and prevent those children with a history of maltreatment from going down the path of delinquency. It is to this effect that CWLA is undertaking the creation of practice guidelines. Developed with the assistance of a national advisory committee comprised of behavioral health, child welfare, and juvenile justice practitioners, experts, and advocates, the practice guidelines will delineate the necessary factors and components of systems collaboration on behalf of youth in out-of-home care entering and transitioning through the juvenile justice system. Practice guidelines are developed to provide practical guidance to the field in a particular area and represent the “best thinking” of professionals across program areas.

This review of the literature will give first an overview of the research that suggests a link between maltreatment and delinquency. Second, we will review the research that evaluates the effect of placement on a child’s likelihood of delinquency. Next, we will examine programmatic responses child welfare and juvenile justice agencies may undertake to identify and deliver services to those children at risk of becoming dual jurisdiction youth. Lastly, we will examine models of collaboration between these agencies and review any policies, practices, or programs that have been evaluated for their effectiveness in assisting dual jurisdiction youth.

The Link Between Maltreatment and Delinquency

Research supporting a link between child maltreatment and delinquency stretches back several decades. In a review of the literature, Carter, Sterk, and Hutson (n.d.) detail the history of this research through 1997. Initially, observational and anecdotal studies using small samples of psychiatric patients or incarcerated individuals found that large percentages of these populations had histories of physical abuse. Subsequent cross-sectional studies strengthened the evidence of a link between maltreatment and delinquency. In a sample of female adjudicated delinquents, 86% reported being physically punished with hands, objects, or belts. Fifty-one percent reported bruises caused by physical punishment, 25% recalled scars, and 38% recalled bleeding (Carter et al., n.d.). Other studies yielded similar results. Studies comparing groups of delinquent youths and control groups found that delinquent youths were more likely to have abusive families (Carter et al., n.d.).

These studies suggested the existence of a relationship between maltreatment and delinquency. They failed, however, to demonstrate causality; it could not be ascertained whether maltreatment preceded delinquency, if delinquency preceded maltreatment, or if both were caused by a third variable (Carter et al., n.d.).

Seeking to address the limitations of earlier studies and determine if maltreatment and delinquency were directly correlated, Widom conducted several longitudinal studies utilizing controls (Luntz & Widom, 1994; Maxfield & Widom, 1996; Widom, 1991a; Widom, 1994; Widom, 1995; Widom, 1989, as cited in Carter et al., n.d.; Widom & Ames, 1994; Widom & Kuhns, 1996; Widom & Maxfield, 1996). These studies generated a cohort of children who had been abused or maltreated and processed through the

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juvenile or adult court of a Midwestern metropolitan area between 1967 and 1971. This group was paired with control groups drawn from the same schools and hospitals of birth. Thus, Widom was able to control for socioeconomic status.

Arrest records of these groups were examined in 1987, 1988, and 1994. At each point, Widom found that the maltreated children were at an elevated risk of arrest in comparison to the control group. Abused and neglected children also committed more offenses, were more likely to commit a violent offense, and were first arrested at earlier ages. Maltreated children, however, were just as likely as controls to continue offending once they had begun. Maltreatment increases the likelihood of a child beginning a life of crime, but not his or her chances of continuing a life of crime once it had begun (Carter et al., n.d.). English, Widom, & Brandford (2002) replicated this study using a sample from a different geographic region, time period, and ethnic composition. This replication yielded results similar to Widom's previous study: abused and neglected children were 4.8 times more likely to be arrested as a juvenile than the control group, two times as likely to be arrested as an adult, and 3.1 times more likely to be arrested for a violent offense (English et al., 2002).

Although Widom and colleagues were able to control for socioeconomic variables, the study design cannot determine whether maltreatment precedes delinquency or whether delinquency precedes maltreatment. Stewart, Dennison, & Waterson (2002) address this issue in their study of Australian youth, in which they excluded children whose first conviction preceded their first maltreatment notification. Among the 678 youths with both a child protection record and an offending record, only 31 youths had their first conviction preceding their first maltreatment notification. Stewart et al. found that children with one or more substantiated maltreatment notification were more likely (17%) than children with no maltreatment (10%) to have a later record of delinquency. By removing those whose first conviction preceded their first instance of maltreatment, the authors were able to provide evidence that a history of maltreatment is associated with increased likelihood of delinquency (Stewart et al., 2002).

Out-of-Home Care and Its Effect on Delinquency

These studies strengthen the evidence of the link between maltreatment and juvenile delinquency. The question remains, however: Is there a link between out-of-home placement and juvenile delinquency? The two studies that first tackled this question (Runyan & Gould, 1985; Widom, 1991b) found that placement has little effect on future delinquent behavior; children placed in foster care were no more or less likely to engage in delinquent behavior than those who received in-home services.

Stewart et al. (2002), however, found that placement outside the home was linked with the likelihood of future offending. Twenty-six percent of maltreated children placed outside the home subsequently offended at least once, compared with 13% of children who were never placed outside the home (Stewart et al.). The authors suggest that placement outside the home is likely indicative of the severity of maltreatment and the number of substantiated reports of maltreatment, both of which have been shown to have effects on delinquency (Smith & Thornberry, 1995; Widom, 1991b).

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The different designs of these studies may explain their conflicting results. First, as pointed out previously, Stewart et al. (2002) exclude records where delinquency preceded the first incident of maltreatment, whereas the earlier studies did not. Second, the earlier studies draw their samples from the United States, while the Stewart et al. study draws from Queensland, Australia. Additionally, the sample selection of Widom (1999) and Runyan and Gould (1985), specifically the timeframe from which the samples were drawn, may have been problematic (Jonson-Reid & Barth, 2000). Widom studied children who were processed through juvenile court before 1971, which was before the implementation of mandated reporting laws. Because of this timeframe, the sample may have been biased toward the most severe cases to warrant court intervention at that time (Jonson-Reid & Barth). Runyan & Gould drew their sample from children placed into foster care before 1983, early on in the implementation of reporting laws. The length of time between the earlier studies and Stewart et al. also could explain the contradictory findings.

Lastly, the Stewart et al. (2002) study includes children born in 1983 who had come to the recognition of the Queensland Department of Families. This study tracks the number of substantiated cases of maltreatment for these children between 1983 and 2000. During this timeframe, a dramatic increase occurred in the number of maltreatment notifications in Queensland. The authors attribute this increase at least partially to “changes in community attitudes towards maltreatment and the Department of Families’ child protection policies and strategies” (Stewart et al., p. 3). The study was able to capture these changes over time.

None of these studies conducted multivariate analyses. To address this, Jonson-Reid and Barth (2000) looked for different outcomes based on race, gender, and age at the time of reported abuse. When the sample was taken as a whole, children and youth who were reported for maltreatment and then received services (in-home or out-of-home) were no more likely to be incarcerated than those who received no services. Differences, however, began to emerge when certain factors were taken into consideration. For African Americans, the rate of entry into juvenile corrections for children who received in-home or out-of-home care was lower than the rate for those who received no services. Inversely, Caucasians experienced higher rates of entry following foster care compared with those who received no services. For females, the rate of entry into corrections increased with the received service level, investigation with no services, in-home supervision, and out-of-home care (Jonson-Reid & Barth).

Ryan and Testa (2005) conducted bivariate analyses of substitute care placement (“yes/no”) and gender. They found that children with at least one placement in substitute care were significantly more likely to be delinquent than those who had never entered substitute care. Males in placement were 1.9 times more likely to become delinquent than those who did not enter substitute care placement, while females in placement were 2.11 times more likely to become delinquent than those not placed (Ryan & Testa). For males in placement, African Americans were 1.98 times more likely to become delinquent than whites, and the odds of delinquency were 2.13 times greater for those with four or more placements than those with only one. For females in placement, only those with three or more instances of maltreatment were significantly more likely to be delinquent (Ryan & Testa).

Collaboration and Coordination

The previous sections have demonstrated that child welfare and juvenile justice agencies share a common interest in reducing child maltreatment and delinquency and reducing the likelihood that a child that experiences maltreatment will go on to commit delinquent acts. Now that these common interests have been identified, many in the field are calling for increased collaboration and coordination between these two agencies (Siegel & Lord, 2004; Wiig, Widom, & Tuell, 2003). These efforts may come in the form of programmatic responses, such as the identification of at-risk youth and the prescription of effective interventions, or through broader systematic reform (Wiig et al., 2003).

Programmatic Responses for Successful Delinquency Prevention

Given the link between maltreatment and delinquency, and juvenile justice and child welfare systems should embrace the common goal of delinquency prevention. Both systems, therefore, must recognize the goals and responsibilities they hold in common: “to interrupt the trajectory of juvenile and criminal offending that seems to be the destiny for at least some of these victims of child abuse and neglect” (Wiig et al., 2003, p. 11). That requires effective identification and intervention programs.

Successful delinquency prevention relies heavily on the early identification of youth at a greater risk of antisocial, predelinquent, and delinquent behavior. The literature suggests that a number of factors can be used to identify youth who are at risk. Additionally, many of the risk factors for child abuse and neglect are the same as the risk factors for future delinquency (Wiig et al., 2003). Juvenile justice and child welfare practitioners need to be aware of these factors and implement screening and assessment processes for incoming youth so that problem behaviors can be identified early and appropriate interventions may be prescribed. Because problem behaviors often arise several years before a child comes to the attention of the juvenile justice system, child welfare practitioners need to be aware of the relevant risk factors and appropriate intervention programs.

Factors That Predict Delinquency

In *Serious and Violent Juvenile Offenders* (Loeber & Farrington, 1998), the factors that predict youth violence are broken down into five groups:

- Individual
- Family
- Peer-Related
- School
- Community or Neighborhood (also see Hawkins, Herrenkohl, Farrington, Brewer, Catalano, Harachi, & Cothorn, 2000; Loeber & Farrington, 2001).

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Individual factors are “physical, emotional, cognitive, and social characteristics of an individual at a given point in time that may be the product of genetic factors and antecedent environmental factors” (Tremblay & LeMarquand, 2001, p.138). These factors often manifest themselves as problem behaviors (e.g., disruptive behaviors, the violation of the rights and property of others, sensation-seeking behaviors, and aggression) and antisocial behavior. Among individual factors, aggressiveness consistently has been linked to the onset of violence and juvenile offending (Hawkins et al., 2000; Loeber & Farrington, 2001; Loeber, Farrington, & Petechuk, 2003).

Family factors are those that adversely affect a child’s home environment or the support and social development fully functional families normally provide. The risk of delinquency sometimes may be reinforced by the co-occurrence of other children with behavior problems and incompetent parenting (Wasserman & Seracini, 2001). The strongest predictors of early onset violence include large family size, poor parenting skills, and antisocial parents (Derzon & Lipsey, 2000, as cited in Loeber et al., 2003).

Although peer factors are not thought to be as significant as individual and family risk factors, they nonetheless may amplify and reinforce delinquent behavior. Coie and Miller-Johnson (2001) discuss the influence that peers have on children and the risk of future delinquency. Children entering school who are already exhibiting aggressive and disruptive behavior may experience peer rejection because of their antisocial behavior. These youth then tend to gravitate toward deviant peer groups, where they look for social support and approval. Many studies have shown a relationship between deviant peer associations and juvenile offending (Loeber et al., 2003). As Loeber et al. point out, “The importance of having accomplices cannot be overstated ... Less than 5% of offenders who committed their first offense at age 12 or younger acted alone” (p. 7). Peer rejection also may lead to increased hostility and alienation on the part of aggressive children. Socially rejected children have been the targets of physical assault and excluded from group activities (Coie & Miller-Johnson, 2001).

The effects of school and community factors have not been as well documented as individual, family, and peer factors. Nonetheless, studies consistently show that poor academic performance is related to behavior problems, although causality cannot be determined (Hawkins, Herrenkohl, Farrington, Brewer, Catalano, & Harachi, 1998; Loeber et al., 2003). Also at risk of delinquency are youth with weak bonds to school, low educational aspirations, and poor motivation (Hawkins et al., 1998). Very little research has studied the relationship between community factors and a child’s likelihood of committing a delinquent act; the literature points to more general research examining community factors and crime or violence (Hawkins et al., 1998). Studies have shown that being raised in impoverished neighborhoods contributes to a greater likelihood of involvement in crime and violence, whereas community disorganization and the availability of drugs and firearms are predictors of violence (Hawkins et al., 2000). Once again, whether these factors are directly correlated to juvenile delinquency or whether they are correlates of intervening factors has not been determined.

Connecting the Factors of Delinquency and the Consequences of Child Maltreatment

In what ways are these predictors of juvenile delinquency related to the experiences of children who have been maltreated? Given the relationship between maltreatment and delinquency, child welfare practitioners need to know when they come across a child that is at risk for delinquency, just as juvenile justice practitioners need to know when they come into contact with a child at risk for maltreatment or with a history of maltreatment. Many of the family factors that predict delinquency also are indicative of the families of maltreated youth (Wiebush, Freitag, & Baird, 2001). The likelihood of child maltreatment has been linked to a wide variety of characteristics of the child's parents or caregivers (English, 1998). Low level of parental involvement is a risk factor for juvenile delinquency and inherent of parental neglect (Hawkins et al., 2000). Parental substance abuse is strongly associated with child maltreatment and also a risk factor for child delinquency (English, 1998; Loeber & Farrington, 2001). Family factors, such as a high number of children in the household, maternal unemployment, divorce, domestic violence, and parental psychopathology, are considered to be risk factors of both delinquency and maltreatment (National Clearinghouse on Child Abuse and Neglect Information, 2003; Wasserman & Seracini, 2001). Another factor of delinquency, parent-child separation, is a consequence of the worst cases of maltreatment where the child is taken out of the home and placed in out-of-home care.

Certain risk factors associated with delinquency also could arise because of a child's exposure to abuse or neglect. Many of the individual factors for delinquency are problem behaviors identified as consequences of child maltreatment. Child neglect has been linked to increased internalizing and externalizing behavior problems (Dubowitz, Papas, Black, & Starr, 2002). Aggression, which has been one of the largest predictors of serious violent offending (Loeber et al., 2003; Tremblay & LeMarquand, 2001), also has been shown to be a consequence of child maltreatment (Johnson, Kotch, Catellier, Winsor, Dufort, Hunter, & Amaya-Jackson, 2002; Litronwik, Newton, Hunter, English, & Everson, 2003). School factors also may be affected by the exposure to abuse and neglect. As children get older, those who have been abused and neglected are more likely to perform poorly in school (Zolotor, Kotch, Dufort, Winsor, Catellier, & Bou-Saada, 1999). Additionally, child abuse and neglect has been shown to have negative effects on early brain development, which can lead to a host of behavioral and developmental problems for the child (National Clearinghouse on Child Abuse and Neglect Information, 2001).

Early Identification

The literature places a lot of emphasis on the early identification of children with a high risk of future delinquency. Children showing persistent disruptive behavior, beginning in preschool, are more likely to become child delinquents and, in turn, child delinquents are more likely to become serious, violent, or chronic offenders (Loeber et al., 2003).

This trend is not to say that all children showing behavior problems will go on to commit delinquent acts. The fact remains, however, that a majority of children who go on to commit serious, violent juvenile offences have histories of problem behaviors that go back to the early childhood years, as early as 2 years old. Tolan and Smith (1998) discuss pathways to delinquency in more detail using the theories of developmental trajectories and criminal careers. These trajectories explain the ways in which children with minor problem behaviors early in childhood progress to more serious behavior problems and delinquency.

On average, the onset of minor problem behavior begins at age 7; moderately serious problem behavior, 9.5; serious delinquency, 11.9; and the first court contact for index offenses (e.g., murder, robbery, rape, aggravated assault, burglary, larceny, auto theft, and arson), 14.5 (Loeber et al., 2003). Because the onset of many conduct problems usually predates the onset of serious delinquency by several years (Loeber et al.), the task of the early identification of youth at risk to become delinquent cannot fall to the juvenile justice agencies alone. According to Halemba and colleagues (2004), juvenile justice officials have cited the need for child protection services to intervene earlier and more effectively in the lives of maltreated children, including filing dependency petitions before a youth experiences formal delinquency involvement. "Current knowledge about the background and developmental course of young SVJ [serious and violent juvenile] offenders ... will eventually force a change in the division of responsibilities among the different [child welfare and mental health] institutions" (Loeber & Farrington, 1998, p. 425). Child welfare agencies need to have effective screening and assessment processes to identify youth whose behavior and background indicate a higher risk for delinquency and to identify them early to prevent them from becoming dual jurisdiction youth.

Studies show that the risk factors for child delinquency are somewhat different than those for older delinquents (Hawkins et al., 2000; Loeber et al., 2003). Early on in a child's life, the most important risk factors are individual factors and family factors (Loeber & Farrington, 2001). "Family influence is at the heart of many of the risk factors offered by those who espouse the developmental criminology framework, and family is logically the most proximate social force affecting very young children" (Kempf-Leonard, Chesney-Lind, & Hawkins, 2001, p. 259).

Care, however, must be given not to misidentify or unnecessarily label youth as "problem children" when they may be exhibiting behaviors perfectly normal for their level of development (Wiig et al., 2003). Aggression, noncompliance, and lying are all typical behaviors and fairly common during the second year of life. Debate is ongoing about what is healthy and normal behavior and what should be considered problem behavior (Tremblay & LeMarquand, 2001).

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At the same time, child delinquents (those who commit delinquent acts between ages 7 and 12) are two to three times more likely to become serious, violent, and chronic offenders than adolescents whose delinquent behavior begins in their teens (Loeber et al., 2003). This population, therefore, poses a disproportionate risk and cost to society (Loeber & Farrington, 2001). Any risks associated with improper identification and labeling should be balanced with the possible benefits that could arise through thorough and effective identification of at-risk youth.

Screening and Assessment: For Risk

Only between 2% and 5% of young children are estimated to be at a detectable risk for serious, violent juvenile offending (Beuhring, 2002). Such a small percentage highlights the need for focused and efficient screening and assessment methods. The following screening and assessment processes are not intended to be universally administered to all youth, but only to those who already are at an increased risk. In this section, we will discuss the formation and formulation of screening and assessment processes for the juvenile justice and child welfare agencies.

In developing a screening and assessment tool, one must decide which factors will be included. Beuhring (2002) makes a distinction between causal factors (those that have a direct effect on the likelihood of delinquency) and indicators of risk (those with an indirect relationship). Although both may be useful in their identification of at-risk youth, only the mediation of causal factors will lead to changes in outcomes (Beuhring, 2002). Lipsey and Durzon (1998) make a similar distinction. For a risk factor to be considered as a target for intervention, it should be amenable to change.

The Risk Factor Profile instrument (Beuhring, 2002) focuses on risk factors proximal to the child (parents, siblings, peers, school, and neighborhood) rather than distal (race or ethnicity, gender, and poverty). Beuhring argues that proximal factors are better predictors of individual differences in problem behavior, as well as more useful in prescribing interventions. Additionally, by excluding distal factors such as gender, race, and socioeconomic status, one may avoid the ethical concerns about perpetuating stereotypes based on these factors. The Risk Factor Profile also takes into account a child's history of problem behavior and the psychosocial context in which the child has been raised. The instrument determines whether a child has a history of abuse, neglect, or poor supervision and if the child ever has had contact with child protection services. The predictive validity of the Risk Factor Profile score has yet to be determined (Beuhring, 2002).

The Strategic Home Intervention and Early Leadership Development (SHIELD) Program in the City of Westminster, California, uses the contacts law enforcement officers make in their duties to identify youth at risk of delinquency (Wyrick, 2000). The SHIELD youth referral process gives officers a procedure for providing assistance to youth who are exposed to family risk factors but are not determined by CPS to be at sufficient danger to be removed from the home. The SHIELD program's strength comes from its ability to identify youth at risk who might not otherwise have access to community resources and services. Sixty percent of youth referred by the SHIELD program received services (Wyrick, 2000). These rates, however, have not been

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compared with a randomized control group, and whether the program was responsible for the receipt of these services or if the youth would have received services without the program's assistance cannot be determined.

Within the child welfare system, a handful of screening and assessment instruments are either in place or modeled in the literature. The Washington State Pre-Passport Screen program uses several instruments to measure risk in a number of areas (Washington State Office of Children's Administration Research, 2004): Developmental progress is tested using the Denver II and Ages and Stages tests, while the Child Behavior Checklist is used to test emotional and behavioral functioning. San Diego County also uses the Denver II test, as well as a Bayley-II screening of those children determined to be "suspect" based on their Denver II score (Leslie, Gordon, Ganger, & Gist, 2002). Denver II and Ages and Stages measure, among other factors, language and personal social skills. Delayed development in these areas can be risk factors for anti-social behaviors and delinquency (Keenan, 2001; Loeber et al., 2003). The Child Behavior Checklist determines whether a child exhibits aggressive and destructive behavior and social problems and whether the child has a history of delinquent behavior.

Effective Interventions

Wiig et al. (2003) identify effective interventions for delinquency prevention. Multisystemic Therapy (MST) has been shown to have long-term reductions in criminal activity, drug-related arrests, violent offenses, and incarceration. Multidimensional Treatment Foster Care (MTFC) also has been shown to have positive effects. Those who had been through the program had less than half the number of arrests as a control group in traditional group care, had an 83% higher rate of desistance from arrest, and spent twice as many days living with parents or relatives one year after treatment. Both programs are part of the Blueprints for Violence Prevention Initiative at the University of Colorado and have met strict scientific standards of program effectiveness.

The Key Role of Collaboration and Coordination

To appropriately address the needs and challenges of dual jurisdiction youth, child welfare and juvenile justice agencies need to implement systemic reforms that enhance their ability to collaborate and coordinate, and thus strengthen their efforts. These systemic responses should address the needs of all children in the child welfare and juvenile justice systems and make more effective use of resources across service delivery systems (Wiig et al., 2003). This section will discuss some of the special challenges and obstacles to collaboration that these agencies face when dealing with dual jurisdiction youth, as well as the challenges dual jurisdiction youth face when they are served by both systems. It then will suggest ways in which juvenile justice and child welfare agencies can collaborate and coordinate their efforts to better serve this population.

Dual Jurisdiction Youth: Challenges and Obstacles for Youth and Agencies

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Many challenges arise when a youth concurrently exists in or is transferred between child welfare and juvenile justice agencies. According to Siegel and Lord (2004):

In too many instances, the two kinds of cases weave their way down separate paths, before separate judges, in pursuit of separate goals, and without any coordination, cooperation, or even communication. The child may be represented by different attorneys. His or her assigned probation officer and his or her assigned child protection worker may be unaware of each other's existence. Eventually, what are in effect dueling case plans may emerge, and may feature contradictory orders as well as services and treatment that are at odds with one another. (p. 1)

Halemba and colleagues (2004) list some of the challenges from the perspective of the juvenile justice and child welfare agencies. They contend that dual jurisdiction cases cause the unintended duplication of cases management efforts; drain scarce resources from child welfare agencies, probation departments, behavioral health systems, and the courts; add substantial costs; and detract from effective and timely action.

A study by Conger and Ross (2001), on the other hand, lists some of the challenges from the perspective of the youth. They cite the possibility of heightened trauma for foster care youth detained in the juvenile justice system. Detention also may contribute to a child's propensity to antisocial behavior and harm a child's educational attainment and income. These children already have been exposed to trauma and face lower educational and employment prospects. Their detainment, therefore, can compound and exacerbate these problems.

Additionally, foster youth who were detained for several days in a row were at risk of losing their foster care placements, which could lead to further disruption and instability in a youth's life. Halemba and colleagues (2004) find that, on average, dual jurisdiction youth in their study experienced 10.3 placements during two and a half years, translating into a change in placement once every three months. A change in placement may weaken a youth's relationships with important adults in their lives, such as biological parents and peers (Conger & Ross, 2001). Moreover, dual jurisdiction youth spend approximately as much time incarcerated as they do living with parents or relatives (Halemba et al., 2004). Dual jurisdiction youth are likely to be reported to the police by their caseworkers for behaviors such as fighting or stealing, an event less likely to occur in a biological family.

Furthermore, a number of obstacles exist that inhibit effective responses from the child welfare and juvenile justice agencies in relation to dual jurisdiction youth. Dual jurisdiction cases bring together a multitude of actors from several agencies. Conger and Ross (2001) observe that many obstacles—mainly failures of communication or a lack of established protocols—prevented these professionals from working together: “Frontline workers were not always aware of a youth's involvement in other systems. When informed, many did not know how to contact appropriate representatives in other agencies. Even when equipped with the necessary contact information, many frontline workers did not know their legally mandated responsibilities and roles” (p.

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10). Child welfare caseworkers may not be identified in time to attend initial detention hearings, and even when they are, they may feel that because of the arrest, the juvenile is no longer their responsibility (Siegel & Lord, 2004).

The literature cites an adversarial relationship between child welfare and juvenile justice agencies (Conger & Ross, 2001; Halemba et al., 2004; Siegel & Lord, 2004). Tension between the agencies may arise from a lack of resources and funding to serve dual jurisdiction youth. Many jurisdictions have specific categories for which funds are allocated to pay only for services to youth and families meeting certain criteria or being under the jurisdiction of a specific agency. When dual involvement occurs in such environments, conflicts may occur over which agencies' funds are to be used to pay for needed services (Siegel & Lord, 2004).

Models of Collaboration

How may juvenile justice and child welfare agencies go about collaborating and coordinating their efforts to better serve dual jurisdiction youth? The literature has identified some models of collaboration, risks and challenges associated with collaboration, and the factors critical to the success of collaboration. Much of this information may be used in any collaboration effort between agencies.

According to the Center for Technology in Government (2003), the definition of collaboration is, "A reciprocal and voluntary agreement between two or more distinct public sector agencies, or between public and private or non-profit entities, to deliver government services." Collaboration must include a minimum of two distinct organizations, a formal agreement about roles and responsibilities, a common objective aimed at the delivery of a public service, and the sharing or allocation of risks, benefits, and resources.

Butler and Coleman (2003) assert that the majority of collaborative efforts fit into one or more of five basic collaborative models: library, solicitation, team, community, and process support. Some of the aspects of these models might be especially useful in the effort of juvenile justice and child welfare collaboration. First, the library model provides collaborating organizations reciprocal access to common content or data. In this model, there are many more consumers of content than writers. The library model does not allow for direct communication between parties. This way of sharing data between organizations, however, allows all parties to have open access to all data. For example, child welfare and juvenile justice agencies would have access to each other's data, allowing for the timely or automatic identification of dual jurisdiction youth, along with any necessary contact information (e.g., case workers, probation officers).

In some instances, it may be desirable for an organization to have access to information from another organization, but only when necessary or vital; at other times this information is restricted. In the case of a child's mental health, delinquency, or maltreatment records, confidentiality requirements would necessitate that this information remain secure. A juvenile justice practitioner, however, may need access to a child's mental health records or history of maltreatment. In this case, the solicitation

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model is more appropriate. Solicitation involves requests for information in which respondents can ask questions of requestors and responses are hidden from others.

The team model moves beyond basic information sharing and involves a higher level of interactivity. Members of a team share some common objectives and a shared stake in their success, but also are certain to have conflicting objectives. For instance, child welfare professionals may be most interested in the well-being of a dual jurisdiction youth, while a juvenile justice professional must consider the objectives of public order and safety. The Center for Technology in Government (2003) offers four factors for success critical to overcoming internal risk factors (like conflicting objectives or culture differences): leadership, trust, risk management, and communication and coordination. These factors are examined in further detail in the following discussion.

The fourth model of collaboration is community. Although it is not as relevant to the collaboration between juvenile justice and child welfare agencies, this model could be used when other stakeholders, such as family, schools, or the greater community, become involved. Like the team model, the members of the community model have a common interest or goal. Community members are often self-grouping or join voluntarily to further their understanding of the area of interest.

Lastly, the process support model is the use of collaboration technologies in a process or workflow. This model is used for frequently performed processes that involve complexity or exceptions. Many processes include the need to interact and resolve complications, or, where the need for clarification exists, rules arbitration and exception handling. Many situations arise in the context of dual jurisdiction youth that involve complications and special circumstances and could use process support models of collaboration.

The Center for Technology in Government (2003) outlines what it found to be the four critical success factors that were crucial in ensuring a smooth development and successful implementation of collaboration projects:

- ∞ Leadership—Successful collaboration is initiated by public sector leaders who share a vision of better government. “Commitment of top political leaders at all levels of government proved critical to sustain the initial effort and achieve a successful partnership and service delivery” (p. 8).
- ∞ Trust—There are two kinds of trust relationships. First, public trust is the degree to which citizens and other groups in society believe the project or service program can be trusted to treat them fairly. Second, professional trust is the degree to which people and organizations charged with developing and delivering a service believe they can rely on the motives and predict the performance of other participants. Trust can be obtained through institutions (laws, contracts, MOUs) or personal relationships (Dawes, 2003).
- ∞ Risk management—Collaboration naturally encounters risks, both external and internal. Internal risks stem from the nature of the project, the

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participants, and their relationships. Risks may be managed if they are identified and understood early on in the process (Prefontaine, 2003).

- ∞ Communication and coordination—This factor includes information sharing, good communication, and well-orchestrated coordination. Formal roles should be defined, widely understood, and allowed to evolve, and informal relationships need to be allowed to flourish, as well (Gant, 2003).

Examples of Collaboration

The idea that child welfare and juvenile justice agencies need to collaborate and coordinate their efforts in relation to dual jurisdiction youth is a relatively new one. This reality, plus the inherent reluctance of most government agencies to change, means that few courts, probation departments, and child welfare agencies have instituted special practices or programs or have collaborated with other agencies to better serve dual jurisdiction youth. Still fewer practices or programs have been the subject of rigorous research (Siegel & Lord, 2004). Here, we will cover some of the programs and practices that have been identified in the literature as potentially useful or effective in addressing the needs of dual jurisdiction youth.

Siegel and Lord (2004) outline five areas in which the child welfare and juvenile justice agencies can work to coordinate and improve their services for dual jurisdiction youth: screening and assessment, case assignment, case flow management, case planning and supervision, and interagency collaboration.

Screening and assessment. Siegel and Lord (2004) point out the need for routine screening by the child welfare and juvenile justice systems for dual involvement on intake, which could take place through sharing automated databases or establishing interagency liaisons. This screening then needs to be followed up with the notification of the other agency when dual involvement is confirmed (Siegel & Lord). Some of the screening and assessment processes described previously screened for risk of delinquency or maltreatment as well as involvement in other systems. These processes, however, did not have protocols in place to contact members of the other agency in the case of dual jurisdiction. Project Confirm is an example of a screening process in which a system is in place in which an interagency liaison will notify the appropriate child welfare representative when a child is arrested and identified as dual jurisdiction (Conger & Ross, 2001). The evaluation of this project does not assess the effect it may have had on court appearances by child welfare representatives who have a legal responsibility to attend hearings and the authority to accept custody of youth released by the court.

The Structured Decision Making (SDM) model (Wiebush et al., 2001) includes a research-based risk assessment that classifies families according to their likelihood in continuing abusing their children. This assessment assists workers in their case management decisions and helps direct resources to those most in need. Siegel and Lord (2004) suggest that both agencies embrace a similar method of assessing risk and need and that courts receive reports from both child protection and probation that summarize their respective assessments.

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Case assignment. In the area of case assignment, Siegel and Lord (2004) highlight “One family/One judge” calendaring: “In dual jurisdiction cases, a single judge [who hears all matters related to a single family] will be much more likely to have a complete understanding of the family’s court history” (p. 6). Another example of innovative case assignment is the Texas Cluster Court Model (James Bell Associates, 2003). Cluster Courts were established in rural Texas counties to handle child welfare cases more effectively. Specialized child welfare dockets were created that were presided over by a single judge with specialized training in child welfare proceedings and who traveled to different counties on different days. A similar strategy could be taken with dual jurisdiction youth, in which a judge is specially trained to handle dual jurisdiction youth. Lastly, Siegel and Lord recommend the implementation of dedicated dockets. If a court reserves a block of time on their court calendar specifically for dual jurisdiction cases, it would enhance the ability of all parties across agencies to attend and participate.

Case flow management. The third area for improved coordination and collaboration of the child welfare and juvenile justice agencies is case flow management. Effective case flow management practices should help to avoid delays in dual jurisdiction matters. Such practices include joint prehearing conferences in which all parties involved in a case meet in advance of court proceedings to solidify their efforts and plans (Siegel & Lord, 2004). Project Confirm uses “court conferencing,” in which a project coordinator meets child welfare representatives and probation officers and guides them through the entire process, including prehearing conferences: “At these meetings, field coordinators explain the court’s action, answer questions, explain how juveniles need to prepare for future hearings, and explain the obligation to appear on the next court date” (Conger & Ross, 2001, p. 13). Additionally, Siegel and Lord suggest that courts combine dependency and delinquency hearings to ensure that different agencies are coordinating their efforts, sharing information, and complying with court orders.

Case planning and supervision. The fourth area, case planning and supervision, may come in the form of interagency liaisons. For example, Wraparound Milwaukee (Kamradt, 2000) employs care coordinators, whose job is to perform strength-based assessments, assemble a child and family team, conduct plan-of-care meetings, help determine needs and resources with the youth and family, identify services, arrange for community agencies to provide specific services, and monitor the implementation of the case plan. Project Confirm also uses a field coordinator and liaisons. Wraparound Milwaukee also includes a child and family team that is actively involved in case planning and is composed of family members, relatives, church members, and friends, as well as systems people, such as probation or child welfare workers. These teams are very similar to the MDTs suggested by Siegel and Lord (2004).

Interagency collaboration. Lastly, interagency collaboration includes ways in which agencies can pool, blend, or decategorize funding, implement cross-training, improve information sharing, and establish interagency agreements and protocols for dual jurisdiction cases (Halemba et al., 2004). Wraparound Milwaukee has a flexible system of funding that enhances the coordination and collaboration of services across agencies. The program pools funds of the child welfare and juvenile justice agencies (paid by

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each on a per case basis) and then decategorizes the funds so that they may be used to cover any services a family may need (Kamradt, 2000).

Few of these approaches to addressing the needs of dual jurisdiction youth have been the subject of rigorous research. In the future, practices and programs may be evaluated either for their ability to enhance collaboration and coordination between agencies or their effect on the outcomes of dual jurisdiction youth. Wraparound Milwaukee was evaluated for its effect on outcomes of youth with mental health problems. It was found to have reduced the recidivism rates for delinquent youth enrolled in the program. Court records of enrolled youth were collected for periods of one year before and after enrollment in the project. Among this population, the number of children who committed offenses up to one year before the program was much higher than those who committed offenses up to one year after (Kamradt, 2000). Project Confirm was evaluated for its youth outcomes, as well—its effectiveness in reducing what was termed the “foster care bias” in juvenile justice decisions and its ability to minimize placement transfers and use of emergency facilities. The project was found to have reduced the rate of detention both for those committing minor offenses and those without an extensive record of running away, while increasing the likelihood for those charged with more serious offenses and a history of running (Conger and Ross, 2001). New research also should look at whether certain practices and programs have led to increased collaboration and coordination, whether through information sharing, communication, planning, training, or any other avenue.

Concluding Remarks

Research has established a link between child maltreatment and delinquency; children who have been abused are more likely than the general population to go on to commit delinquent acts. Children in both juvenile justice and child welfare agencies are called dual jurisdiction youth. They pose special problems and challenges for both agencies and have special needs. Challenges for child welfare and juvenile justice agencies include the unintended duplication of cases management efforts; draining of scarce resources from child welfare agencies, probation departments, behavioral health systems, and the courts; addition of substantial costs; and detraction from effective and timely action.

Child welfare and juvenile justice agencies can strengthen their efforts in handling and assisting these youth in two ways. First, they can deliver programmatic responses. Such responses include the early identification of at-risk youth as well as family- and community-focused interventions that have a multisystem approach. Second, child welfare and juvenile justice agencies can pursue systemic reforms that make more effective use of resources across agencies and alter the way services are administered. Both approaches require increased collaboration and coordination on the part of the child welfare and juvenile justice agencies.

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The literature identifies some effective programmatic responses. The factors that predict a youth's risk of delinquency are well documented and inform the processes that screen for risk, such as the Risk Factor Profile. The literature emphasizes the need for early identification of children at risk for future delinquency and, concurrently, the need for early and effective intervention programs. Additionally, the literature identifies some of the obstacles to enhanced collaboration and coordination between child welfare and juvenile justice agencies. These obstacles mainly can be attributed to failures of communication or a lack of established protocols. Systemic reforms can be implemented to overcome these obstacles and bring about the effective use of resources and delivery of services to dual jurisdiction youth. Certain models of collaboration may be used to enhance the ability of the child welfare and juvenile justice agencies to communicate and collaborate effectively: library, solicitation, team, community, and process support.

The literature identifies few courts, probation departments, and child welfare agencies that have instituted special practices or programs or have collaborated with other agencies to better serve dual jurisdiction youth. Still fewer practices or programs have been the subject of rigorous research. That does not mean these agencies are doing nothing to better serve dual jurisdiction youth, only that these efforts have not been evaluated for their effectiveness. Many of the ways in which these agencies collaborate possibly are informal processes. What is needed now are rigorous evaluation and research of programs or policies of child welfare and juvenile justice agencies across the United States. They may be evaluated either for their ability to enhance collaboration and coordination between agencies or their effect on the outcomes of dual jurisdiction youth.

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