

SCHOOL OUTCOMES IN YOUTH INVOLVED IN THE JUVENILE  
JUSTICE SYSTEM: A JUSTIFICATION FOR SCHOOL-BASED  
TRANSITIONAL SUPPORT

by

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This thesis aims to provide a justification for the necessity of transitional support in schools for youth involved in the juvenile justice system. Through a literature review, it shows a disparity in the school outcomes and achievements of juvenile justice-involved youth and their peers, as well as possible reasons for this disparity. It also outlines the importance of school experiences and completion for these youth. Lastly, it aims to ground these findings in a local context, comparing the criminal referrals and graduation rates for the cities of Eugene and Springfield to a county, state, and national context, as well as assessing the criminal referrals at the seven comprehensive public high schools in Eugene and Springfield as compared to their respective graduation rates.

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## Introduction

The sun shines so brightly the first day after Spring break, that even at 8:00 in the morning, a time when high school students are usually half asleep, crawling into school as though they have been awakened from the dead. The lobby at Gateways High School is bright, energetic, and bustling with activity. Armed with the wide smile that I feel creeping onto my face every morning when I walk through the high school's glass front door and my signature pink thermos full of coffee, I step into the organized chaos. At once, I hear voices around me call greetings, laugh, catch up after the break, or at least mumble complaints about the earliness of the hour. My mind semi-consciously checks off kids as I see them walk in and I offer cheerful "good mornings" and "I'm glad you're here today's". Once the bustle dies down, students finding their way into classrooms, I retreat to the back room, where my supervisor and I busy ourselves replying to emails, checking grades and attendance, ensuring that everyone is on track for the end of the quarter next week, checking in with probation officers, and tracking down kids that haven't shown up this morning. Our progress is stalled regularly to talk to a student, answer a question, attend a meeting, or put out a metaphorical fire. A student stops in the doorway. He smiles at me. Months ago, he never smiled. I remember the first day that I met him, guarded and defensive, his glare shifting from me, to my supervisor, to his probation officer, declaring to anyone that would listen that he would never talk to me. Now he talks candidly, asking me to check his grades to see how many classes he passed last quarter. He knows, he just wants me to see that he passed all of them. The first time ever. Here, at the Springfield School District Adjudicated Youth Program, a transition program for youth who are involved in the

juvenile justice system and attending Springfield Public Schools, the outcomes aren't always this striking, but in small ways, I can see the differences it makes every day. The adjudicated youth program isn't flashy, large, or glamorous. It isn't the subject of newspaper articles or university studies. After all, the youth that it serves are not the picture of model students as they often come bearing extensive criminal records and chronically poor attendance. However, the absence of the Adjudicated Youth Transition Program would leave a gaping hole in the lives of many of these youth. And, in a different, but very real way, leave a gaping hole in mine.

Inspired by a year-long internship at the Springfield School District Adjudicated Youth Transition Program, this thesis explores the under-researched area of transitional support in schools for youth involved in the juvenile justice system. It aims to answer the questions, *(1) How are experiences and outcomes in school different for youth involved in the juvenile justice system? (2) Why are positive school experiences and outcomes important? What can be done to improve school experiences and outcomes for these youth?* and *(3) How does this apply in Eugene and Springfield?* To answer these questions, this thesis presents school-based transition programs as an effective and worthwhile intervention aimed at improving the experiences and outcomes of youth involved in the juvenile justice system in school. With limited data available, it is not possible to show that transition programs are, in themselves, the best solution. Instead, to argue this point, this thesis refers to the general culture and structures which differentiate the juvenile justice system from the adult criminal justice system, which supports the value of restorative, supportive interventions such as transition programs. Using a literature review, it asks why transition programs are specifically necessary for

youth involved in the juvenile justice system, and analyzes the differences in school outcomes between these youth and their peers, as well as possible reasons for this disparity. It also identifies reasons why remaining engaged in school is so important for youth involved in the juvenile system and how outcomes can be improved through school attendance. Lastly, this thesis seeks to ground the issue in a local context, specifically addressing the transition programs that exist in the Eugene and Springfield school districts. Using data provided by the Lane County Division of Youth Services, this thesis compares the juvenile department's rate of criminal referrals with graduation rates for the eight high schools in the Eugene and Springfield area, and places Eugene and Springfield in a state and national context. While transitional support cannot be specifically evaluated within the scope of this thesis, the supposition that it is necessary and relevant is supported by the general values and structure of the juvenile justice system, the disparity in school outcomes for juvenile justice involved youth, the benefits of school completion, and the reflection of these findings in local contexts.

### *Rationale and Relevance*

There are a multitude of reasons why continued inquiry into all aspects of juvenile crime and the juvenile justice system are warranted. The humanitarian aspects and effects on individuals are difficult to quantitatively represent, but compelling all the same. As a society, we owe it to both victims of crime and to juvenile offenders themselves to strive to do better. In a more practical sense, the societal cost of crime is well documented. One study estimated that the monetary value of preventing a youth from becoming a career criminal is between one and two million dollars (Cohen, 1998). The cost of crime is compounded by the high correlation between youth who go on to

commit crimes as adults, those who use drugs and alcohol in adolescence and adulthood, and who do not graduate from high school (Cohen, 1998). Similarly, the individual benefit of high school completion has been well documented. It has been widely shown that higher high school graduation rates hold a significant benefit to society, largely because of greater tax revenue and economic contribution, as well as lower crime rates and lower health care and welfare usage (Levin, Belfield, Muennig, & Rouse, 2006). In the simplest terms, if crime can truly be prevented by greater school involvement and graduation, it is far less costly to send a child to school than to hold an adult in jail. It is estimated that the average cost of holding an adult offender in jail in Lane County is \$234.71 per day (Lane County, 2016). In contrast, it costs approximately \$58 to send a child to school for a day in Oregon (United States Census Bureau, 2014).

These particular questions around the relationships between school and the juvenile justice system, as well as practical solutions for improvement, are warranted because of a lack of existing research to date. A significant body of research has contributed to the understanding of both juvenile justice and school completion separately, however far less has been done on the connection between the two. Within existing research, most of the studies relating the school system and juvenile justice system focus on the “school-to-prison pipeline,” the idea that punitive and harsh disciplinary practices in schools contribute to greater involvement in the juvenile justice system, creating a metaphorical pipeline into the criminal justice system. While this research is important and valid, the primary limitation of a metaphorical “pipeline,” is that it presumably only flows one way. Far less research has been done around youth

moving in the other direction, that is, youth who are already involved in the juvenile justice system who are transitioning back to neighborhood schools. Perhaps this is due, in part, to the fact that this research goes beyond a traditional prevention framework and necessitates addressing a population that comes with challenges and limitations, both in terms of the conduction of research with a highly protected and complicated demographic and the implications for actual change with a population that has presumably already slipped through the cracks of prevention.

## Literature Review

### Framing the Issue

#### *The Difference in Juvenile Justice*

To begin to examine the idea of restorative programs, services, and supports for youth involved in the juvenile justice system, it is necessary to distance oneself from the widespread social construct that crime inherently necessitates a particular kind of punitive response. Fortunately, the juvenile justice system was built on ideal that there are more constructive and restorative ways of addressing juvenile crime and constantly evolves, gradually incorporating values and interventions that recognize the need for responses specific to youth (Office of Juvenile Justice and Delinquency Prevention, 2017). For more than a century, it has been recognized that youth who commit crimes should be treated fundamentally differently than their adult counterparts because they differ in their developmental stage, the influences of outside forces on their lives and decisions, their capacity for rehabilitation and change. Due to these established differences between youth and their adult counterparts, criminal justice system's approach to meeting youth's unique needs within this system is crucial. The juvenile justice system emerged to meet the particular needs of youth who commit crimes, and the needs of the community in responding to such youth. When considering the relevance of programs and services designed to serve youth involved in the juvenile justice system, and particularly the allocation of valuable resources to such programs, it is important to understand the vision and values of the juvenile justice system itself. Attention to prevention, intervention, and transition are important in the juvenile

system, not only for economic and community safety reasons, but for ideological ones, to uphold a vision of youth as malleable, hopeful, and worthy of change. The juvenile justice system works with the belief that youth are inherently different from adults simply by virtue of being youth, and that crime and deviance should be approached in a way that is restorative, preventative, and therapeutic (Office of Juvenile Justice and Delinquency Prevention, 2017). The juvenile system aims to provide a balance of correctional and rehabilitation services which are focused on each individual's needs, restoration with victims and the community, and the goal of positive growth for youth and their families (Lane County Division of Youth Services, 2016).

Juveniles began to be separated from adults in the eyes of the criminal justice system in the early 1800's (Binder, Geis, & Bruce, 1997). The first separate juvenile court was established in 1899 in Illinois in response to changing understandings of the developmental stages of children and adolescents. The concept quickly spread across the country, leading to the creation of a completely separate juvenile justice system designed to provide rehabilitation and protective supervision (CJCJ, 2017). Throughout the history of the juvenile system, the views and perceptions of juvenile crime have fluctuated, and with them, the policies and structure of the system itself. In the 1980's and 1990's the nation-wide panic over crime rates and subsequent push for "tough on crime" legislation led to increasingly punitive action and high rates of detainment in juvenile detention and closed custody facilities (CJCJ, 2017). However, during the 21<sup>st</sup> century, the tide has begun to turn back and increasing emphasis is being placed on preventative, restorative, and therapeutic services for juvenile offenders (CJCJ, 2017). This shift is driven by advances in research and understanding of child and adolescent

development, the increasing need to use tax dollars efficiently and effectively, and the negative outcomes and lack of effectiveness of the punitive legislation and responses of the last decades (Weiss, 2013).

### *The Structure of the Juvenile Justice System*

As societal trends around criminal and juvenile justice shift, so does the structure of the juvenile justice system itself. However, in recent history, the basic framework of the system has been fairly constant. Juvenile justice proceedings, and the laws surrounding them, vary by state and sometimes even by county within state regulations (OJJDP, 2014). In Oregon, all juvenile cases are tried and adjudicated by the juvenile court unless they meet the criteria for a diversion program, most of which deal with low-risk, misdemeanor offenders outside of the formal court system, or for Oregon Measure 11, which allows juveniles to be tried and sentenced as adults in certain circumstances (Department of Corrections, 2017). In Oregon, to be eligible for juvenile court proceedings the offender must be between the ages of 12 and 17 at the time of the arrest. They can then be held in a juvenile facility until the age of 24 (OJJDP, 2014). With such broad requirements, the juvenile justice system encompasses virtually all youth who commit crimes. Paths through the system can be as diverse as the youth that it serves, however the general outline of the trajectory is fairly standardized.

Youth who are arrested enter the juvenile justice system at a county level, where they are either released without being cited, issued a citation and released, or detained for court. All cases in which the youth is cited for a criminal offense are assigned to a juvenile probation counselor for intake. Following intake, cases are either closed, filed as a formal petition and taken to court, or placed on a formal accountability agreement.

A formal accountability agreement, or FAA, is a contract between a youth and their juvenile counselor, in which a youth agrees to certain sanctions, which handles a case outside of the formal jurisdiction of the court. The case is closed when the FAA is complete or, if the youth fails to comply with the FAA, the case can be made formal. All cases that will go through the formal county juvenile court process are reviewed by a district attorney specifically assigned to juvenile court. Often, youth either admit to all of the crimes with which they have been charged, or admit to certain crimes under a plea deal agreed upon by the youth, the district attorney, and the youth's attorney. If the youth does not admit, a trial hearing is held, referred to in the juvenile system as a "fact finding" hearing. If a judge finds that the juvenile court has jurisdiction in the case, the youth is considered "adjudicated," and placed on formal probation to be supervised by a juvenile probation counselor. Youth on formal probation for a detainable offense, offenses that have been deemed to reach a certain level of criminality and therefore community safety risk, can be detained in county juvenile detention for up to 28 days on a new charge or 8 days on a probation violation. However, unless they are actively in detention, youth on county probation are mandated to attend school. School attendance in such cases is typically mandated, not only through the regular channels of the school district truancy policies, but in the case plan as outlined by the juvenile counselor (Lane County Division of Youth Services, 2016).

Youth who reach a certain level of criminality are sometimes deemed inappropriate to be served by county supervision. Typically these youth are high-risk offenders who have committed either person-to-person crimes, large property crimes, or youth who are considered a community safety risk based on their likelihood to reoffend

(Lane County Division of Youth Services, 2016). In these cases, youth are surrendered to state custody to be supervised by a state agency, in Oregon called the Oregon Youth Authority, or OYA. Youth surrendered to OYA typically live in treatment facilities, or substitute care, for some amount of time before being released back into the community to be supervised by an OYA probation officer. Some youth reach a level of criminality for which it is deemed appropriate that they graduate to closed custody facilities, the highest level of supervision that exists in the juvenile justice system. Even youth at the highest level of supervision in closed custody facilities typically return, eventually, to their own communities and their neighborhood schools (Oregon Youth Authority, 2016).

### *Diversion Programs*

Not all youth who are arrested follow a traditional path through the juvenile justice system. These alternative routes can change both a youth's path back to school and their relationship with the school system. Some cases, particularly those involving first time misdemeanor offenses, are handled through diversion, or informally outside of the jurisdiction of the court (Shelden, 1999). Because of increasing evidence that court involvement has negative effects on outcomes for youth and can lead to further criminality (Shelden, 1999), attempts are being made to handle more and more cases through channels other than the court system. Diversion programs vary widely in their organization, components, and the point at which they are implemented. Examples include teen court programs, restorative justice programs, drug court, drug and alcohol intervention and treatment, parent trainings, mentoring programs, and others (Development Service Group, 2010). Youth who interact with the juvenile system

through these channels typically experience no interruption in their school experience and, unless the initial arrest was made at school, their home school may have no knowledge that the youth was involved in the juvenile system. Therefore, it is unclear whether or not youth who are involved with diversion programs experience any of the same effects in their school experiences and outcomes as their peers who become involved in the formal juvenile justice system; however, it is important to acknowledge the possibility of the benefit of the same supports. Additionally, diversion programs can be looked to as an example of a widely implemented, widely varied type of program aimed at serving youth who are arrested in a different, restorative, treatment-focused way.

### *Oregon Measure 11*

Youth who are involved in diversion programs are not the only ones who interact differently with the juvenile justice system. On the opposite end of the spectrum, youth who commit very serious felony crimes can also have a very different interaction with the juvenile system. States have different avenues for dealing with serious, violent, felony offenders, most of which involve diverting youth into the adult system in some way (Griffin, Addie, Adams, & Firestine, 2011). In Oregon, youth who commit certain felony crimes are tried as adults under Oregon Measure 11. Measure 11 was an initiative passed in 1994 which created mandatory minimum sentences for violent, person-to-person felony crimes such as murder, assault I and II, rape, sex abuse I, burglary, and others. Measure 11 allows juveniles over the age of 15 to be tried and sentenced as adults for such crimes. Youth arrested for Measure 11 crimes are sentenced by a district attorney in a regular criminal court. The court has three options,

to charge the youth with the initial Measure 11 crime and take them to court as an adult to serve a mandatory minimum sentence, charge them with a lesser crime and take them to adult court with no mandatory minimum, or send the case back to the juvenile department where they will be charged by a juvenile district attorney with a lesser crime. Youth charged with Measure 11 crimes are committed to juvenile closed custody facilities, where they either finish their mandatory minimum sentences or are transferred to the adult prison system before the age of 24. Youth charged with Measure 11 crimes typically attend school in closed custody facilities and never return to the public school system. However, youth charged with lesser crimes in an adult court or those whose cases are sent back to juvenile court typically return to school (Davies, 2016).

Nationally, about 9 in every 1,000 cases referred to juvenile court were waived to the adult system (Griffin, Addie, Adams, & Firestine, 2011). In Oregon, as of October, 2016, 1,125 youth have been tried and convicted under Measure 11 since it was adopted in 1994 (Department of Corrections, 2017). Youth whose cases are waived to the adult court system represent the very small minority of juvenile offenders. However, these youth remain relevant due to the fact that these serious and highly criminal offenders rarely return to school, changing the demographic characteristics of juvenile offenders in the school system all together. These youth also represent an exception in the culture of rehabilitation and restoration surrounding juvenile justice and, in some cases, represent a glaring reminder of where the system has failed in its preventative efforts.

### *The School-to-Prison Pipeline*

As in all fields, the focus of the research literature pertaining to juvenile justice has shifted over time. In recent years, much of the emphasis in juvenile justice has been

on the “School-to-Prison Pipeline.” The school-to-prison pipeline refers to the idea that extreme disciplinary practices in schools, often beginning with minor infractions, lead students into greater disciplinary issues and eventually into the juvenile justice system and formal court proceedings, which, in turn, increases their likelihood of being incarcerated as adults (McCarter, 2016; Owens, 2016; ACLU, 2017). Theories of how this occurs refer to the early involvement of law enforcement in school-based infractions, exclusionary forms of discipline, such as suspension and expulsion, and a lack of reentry support for students involved in disciplinary proceedings (McCarter, 2016). The concept of the school-to-prison pipeline emerged from a peak in juvenile crime rates in the 1990’s and the subsequent response in schools of increased disciplinary procedures, school resource officers, surveillance, and zero tolerance policies (McCarter, 2016). Part of the concern around the current disciplinary practices in schools are the biases in the system which cause disproportionate numbers of minority students to receive disciplinary intervention. Students of racial and ethnic minorities, particularly Black and Latino students, students who identify as LGBTQ, students from low socioeconomic backgrounds, and male students are all overrepresented in school disciplinary proceedings as well as youth referred into the juvenile system by schools (McCarter, 2016). The concept of the school-to-prison pipeline is different, but very related to the concept of this thesis. Research pertaining to the school-to-prison pipeline typically focuses on the entry of youth into the juvenile system and the school policies and disciplinary proceedings which can lead them there, not on those who are already adjudicated and their school experiences. The argument for a focus on transition and reentry to school is not a solution to the school-to-prison

pipeline or a prevention of the issues that it cites, but an argument that the pipeline does not need to flow one way and that the school-to-prison pipeline can perhaps be interrupted through school-based intervention.

### *Transition and Reentry*

The proposed implementation of services that support youth upon transition back to neighborhood schools requires an understanding of the points in the process, or in a youth's path through the juvenile justice system, that reentry to schools actually occurs. Because the juvenile justice system itself is complicated and varied, there is no one point in the process that can be referred to as the one time that reentry or transition services are applicable. Therefore, definitions of reentry and transition in this context are specific to the purposes of this thesis, and are not necessarily universal. For the purposes of this thesis, reentry is the process by which a youth who is involved in the juvenile justice system integrates back into a community and a school, typically, but not always, the community and school that they were a part of before being adjudicated. Any return of a youth to school after becoming involved in the juvenile justice system, or after being adjudicated for a new crime, is considered reentry, whether or not they were detained for any length of time. It is assumed that a youth's involvement with the juvenile system, whether or not that involvement includes being detained, in some way changes their interaction with school and their overall experiences; therefore, any time a youth's involvement in the system changes, transitional support is necessary. Typically, specific reentry points occur after a youth is adjudicated (whether or not they are detained) upon release from county detention, or upon release from any OYA facility (whether a substitute care program or a closed custody facility). It is important to note

that, while it doesn't technically constitute reentry, the point at which a youth has completed their case plan and transitions off of supervision or probation is also an important transition period in which the support of transition programs is vital.

Transition programs are widely varied, and refer broadly to services designed specifically to support youth transitioning back to their communities, in particular, to school. Programs vary by juvenile department, school district, county, and state. No standard exists for what a transition program should look like, what it should include, or even whether or not one should exist. However, there are generally accepted trends for what a transition program should do, including facilitating communication between the school system and juvenile justice system, advocating for the youth in the school system, and case management to ensure that the youth is successful within both systems. Transition programs, as referenced by this thesis, exist to assist in all of the aforementioned points of reentry, anytime a youth is transitioning back to school, and any time a youth is attending school while on probation. Arrest, probation, and court proceedings may not always involve a disruption in school attendance, but because of the interruption in a youth's life associated with becoming involved in the juvenile justice system, transition programs are still applicable in a school setting.

### **School Experiences and Outcomes in Youth Involved in the Juvenile Justice System**

The argument for providing valuable resources for transition programs for juvenile justice-involved youth in schools hinges on the assumption that youth who become involved in the juvenile justice system experience more problems in school and poorer school outcomes than their peers. School outcomes can be measured in a variety

of ways, however the most straightforward is to measure school completion as expressed by graduation rates or, conversely, by dropout rates. Though it is difficult to create enough separation between juvenile justice involvement and other correlated factors in a youth's life to determine that there is a causal effect between juvenile justice involvement and high school dropout, a number of studies have found a strong correlation.

Randi Hjalmarsson's 2007 study used data from the National Longitudinal Survey of Youth 1997 to measure the effects of a youth being arrested, charged, convicted, and incarcerated before the age of 16 on the individual's likelihood of dropping out of high school by the age of 19. For the purposes of this study, GED completion was considered a form of high school dropout. The study included measures of delinquency or risky behavior (e.g., school suspension, sexual activity, criminal activity without arrest, and substance abuse), academic ability, and demographic information, ensuring that school outcomes could be attributed, as closely as possible, to a youth's history with the juvenile justice system by controlling for the before mentioned possible confounding variables. The study results suggested that being arrested at least once before the age of 16 decreased the likelihood of graduation by 11% when controlling for the indicated variables. Incarceration, whether in a detention, closed custody, or adult facility, decreased the likelihood of graduation by 26%. Individual measures of whether a youth was charged and convicted of a crime did not appear to change the likelihood of graduation over a youth who was only arrested and not charged and convicted in court (Hjalmarsson, 2007).

Gary Sweeten's 2006 study showed similar trends. Also using the National Longitudinal Survey of Youth 1997, the study measured the effect of first time arrest for high school students. The study controlled for measures of poverty and aptitude testing and included variables for grade retention, math achievement scores, being held back in grade advancement, and school suspension to ensure that results could be attributed to arrest and court involvement. It was found that first time arrest nearly doubled the likelihood of high school dropout. Additionally, court appearance nearly quadrupled the likelihood of high school dropout. Measures of suspension and grade retention were found to be significant in predicting dropout; however when controlling for both the variables of suspension and grade retention, court appearance was still significant. Sweeten also found that the effects of court involvement on school outcomes were more pronounced in youth who did not have a history of delinquency prior to their first arrest than in those who did (Sweeten, 2006). It is unclear exactly why youth involved in the juvenile justice system are less likely to be successful in school; however, certain barriers are apparent.

### *Obstacles in Reenrollment*

A variety of factors have been put forth to explain the disparity in high school achievement for youth involved in the juvenile justice system. The first obstacle facing youth reentering school is the ability to reenroll in the first place. Of course, all students have a legal right to attend public schools (Feierman, Levick, & Mody, 2009). However, schools may be reluctant to remove barriers and reenroll students who have been involved in the juvenile justice system or who have had significant disruptions in schooling out of fear of disciplinary or behavior issues. Schools may also be hesitant to

reenroll students out of fear of low standardized test scores or the inability to graduate with their cohort, both of which reflect poorly on the school (Feierman, Levick, & Mody, 2009). This barrier has been especially relevant since the No Child Left Behind Act was passed in 2001, making schools accountable for students receiving proficient scores on standardized tests, something that youth with significant school disruption are less likely to do (Feierman, Levick, & Mody, 2009). Qualitative studies found that youth returning to school are greatly influenced by individual school's perceptions, as well as the effectiveness of communication between public schools, detention schools, and the justice system as a whole. Some schools would not enroll youth without records that the youth may not have coming out of a detention facility or when returning to school after a gap in attendance (Cole & Cohen, 2013). Difficulty transferring credits from detention schools, or the ability to earn partial credit can also be a factor (Feierman, Levick, & Mody, 2009).

Students receiving special education services may be especially prone to academic difficulties upon reentry. Studies show that up to 36% of youth who are adjudicated have specific learning disabilities. Not only can transition and disruption be especially difficult for these youth academically, their individualized education programs, or IEP's, may or may not have been served adequately in detention schools (Mears & Travis, 2004). A study surveying the perspectives of professionals working closely with juvenile justice-involved youth found that there was a general agreement that transition programs and specialists significantly mitigated these barriers, and schools where such programs and personnel were in place had significantly better outcomes in reenrolling and retaining juvenile offenders (Cole & Cohen, 2013).

### *Zero Tolerance Policies*

Zero tolerance policies in schools are also thought to have a significant effect on the outcomes of juvenile justice involved youth (Sweeten, 2006). Zero tolerance policies are defined by the United States Department of Education as “school or district policy that mandates specific punishments for certain offenses” (Kaufman, et. al., 1999, 117). Most schools have zero tolerance policies for the possession of firearms and other extremely serious offenses, and many extend them to incidents involving drugs, alcohol, tobacco, and violence of any kind (Kaufman, 1999). Zero tolerance policies were widely adopted in the 1990’s as a way to respond to what was perceived as increasing violence in schools (Curtis, 2013). However, research shows that violence in schools has not increased, and may, in fact, be decreasing as a result of other factors. No correlation has been found between the implementation of zero tolerance policies and decreasing violence in schools (Curtis, 2013). These policies fail to account for the context and circumstances of a student and an incident, and they often fail to take into account the severity of the issue (McCarter, 2016). For example, a zero tolerance policy could mandate that a student’s behavior be addressed through disciplinary action when a particular student may be better served through therapeutic or counseling services, or other interventions. Furthermore, zero tolerance policies have been criticized as pushing students out of school, both because they create an unwelcoming environment in which students do not want to continue attending school and because they forcibly remove students from school through suspension and expulsion (Curtis, 2013). Some evidence shows that zero tolerance policies have actually increased school dropout and disciplinary issues at school (McCarter, 2016). This is especially relevant for youth

involved in the juvenile justice system who may be prone to disciplinary issues upon reentry.

### *Labeling Theory*

One specific theory that has been put forth to explain the disparity in outcomes of juvenile justice involved youth is labeling theory. Labeling theory was widely discredited in the 1970's and 1980's, but recent research has begun to support aspects of it (Bernburg & Krohn, 2003). Labeling theory states that official intervention in adolescence and the resulting labeling of youth as deviant impacts their course of later life (Bernburg & Krohn, 2003). Within labeling theory, two perspectives have emerged. The first argues that deviant labeling changes and shapes a youth's self-concept, causing them to alter their actions to fit the stereotypes of others and their resulting beliefs about themselves (Bernburg & Krohn, 2003). Youth who return to school after becoming involved in the juvenile justice system are likely to be viewed and treated at school as they were the last time that they attended, particularly when their crime or other disciplinary problems occurred at school, leaving little room for personal growth and opportunity (Cole & Cohen, 2013). The second asserts that deviant labeling changes the structure of the systems around a youth and the opportunities available to them (Bernburg & Krohn, 2003). This can be manifested as harsher disciplinary actions and greater exclusion in the form of suspension and expulsion in schools (Bernburg & Krohn, 2003). Youth who are labeled as deviant are sometimes subject to closer monitoring, making them more likely to become re-involved in disciplinary proceedings (Cole & Cohen, 2013). Deviant labeling of youth in adolescence has been shown to negatively affect outcomes later in life, both in employment and economic prosperity,

as well as the probability of arrest and involvement with the adult criminal justice system. This relationship has been shown to be mediated by the reduced probability of school success and graduation (Bernburg & Krohn, 2003). However, that is not to say that official intervention is inherently bad or that if there is no official intervention, outcomes will be improved. It does provide evidence, however, for the assertion that improvements in school outcomes could help to mitigate negative outcomes later in life, and therefore that school-based interventions and support are particularly important when paired with official intervention.

It is important to note that juvenile justice involvement cannot always be cited as a causal reason for lower success and achievement in school. Factors such as abuse, neglect, and maltreatment have been shown to both increase the risk of arrest and involvement with the juvenile justice system and learning difficulties as well as to lower success and graduation rates in school. This has been shown to be especially true for girls. Prior maltreatment has been shown to be a significant barrier to successful transition for youth from the juvenile system back to the community, including school (Leve & Chamberlain, 2007). This does not undermine the importance of extra support for school success. On the contrary, it is especially critical that these youth remain engaged in school, allowing them access to school-based social services and support.

### **The Importance of Positive School Experiences and Outcomes**

While it is important to consider the disparities in school completion for youth involved in the juvenile justice system, it means very little unless there is a significant benefit to youth remaining engaged in school. A strong research base has shown that youth who are not engaged in school are at greater risk of becoming involved in the

juvenile justice system and that youth who are incarcerated in closed custody facilities have relatively lower grades and achievement levels than their peers (Bloomberg, et. al., 2011). However, less research has been devoted to the educational achievement of youth who return to the school system from detention and closed custody and their subsequent re-involvement in the juvenile system. Bloomberg, et. al.'s 2011 study examined the relationship between education after release from closed custody facilities and recidivism. The study assessed 4,147 youth released from 115 detention facilities and found that youth who returned to and attended school upon release were significantly less likely to commit another crime. Additionally, youth who returned to school and did commit another crime typically committed crimes that were less serious in nature than their peers who did not return to, dropped out of, or did not reliably attend school (Bloomberg, et. al., 2011).

Studies have also found a significant relationship between education and incarceration later in life (Arum & Beattie, 1999). Individuals who dropped out of high school make up less than 20% of the general population, but constitute more than 50% of the population incarcerated in state prisons (Levin, Belfield, Muennig, & Rouse, 2006). Arum and Beattie, 1999, analyzed the effects of high school educational experiences for a population of young men ages 19 to 36 and found that the greater involvement and attachment that a youth had at school, the less likely they were to be incarcerated as an adult. Arum and Beattie cite not only the impact of academic and vocational education in high schools for improved life outcomes, but the value of school in social and psychological learning as well. They assert that schooling in adolescence

can serve as an intervention in itself for high risk youth, which has the possibility of mitigating negative early life experiences (Arum & Beattie, 1999).

Further, a 21-year longitudinal study found that youth who left school without “formal qualifications,” in other words, youth who did not graduate, were at higher risk of adverse life outcomes including crime (both juvenile and adult), substance use, and welfare dependence. One theory put forth to explain this correlation is that youth who become disengaged and drop out of school become less engaged in their communities as a whole, both reducing their connection to and willingness to access community resources, and reducing inherent, empathy-based, reasons to avoid crime (Fergusson, Swain-Campbell, & Horwood, 2002). Another theory asserts that there is no causal relationship between school outcomes and crime, but that common factors, for example, trauma, parent incarceration, and early risk factors, place an individual at higher risk for both (Fergusson, Swain-Campbell, & Horwood, 2002). In either case, enough research suggests that greater attachment and more successful outcomes at school can help to mitigate risk factors in adolescence, such as involvement in the juvenile justice system, and promote more positive life outcomes, that it remains a relevant path of inquiry.

### *School as a Social Agency*

The benefits of high school graduation are well documented, but academics and a high school diploma are only some of the important aspects of school attendance and participation for youth. Public schools hold a unique place in United States society as an institution which has the capacity to interact with the vast majority of children and youth in the country for prolonged periods of time. Public schools, therefore, can act as a sort of safety net, creating a place where youth, regardless of background, resources,

and life circumstances, can be identified as having particular needs, receive services and interventions to address those needs, and be monitored in their progress, deficits, and overall wellbeing. Schools provide education and services far beyond mere academics. Schools can provide a point of access to vital social services such as mental health and academic counseling, as well as important education around skills necessary for adulthood and independent living, including career and technical education, education focused on mental health and wellbeing, and basic life skills (Mears & Travis, 2004). Access to these types of social services is especially important for high-risk youth, largely represented in those involved in the juvenile justice system, who may gain very little of this education at home. Schools employ a wide variety of professionals who are often much more accessible for a youth than they would be outside of school, including social workers and mental health counselors, nurses and other health-focused staff, drug and alcohol counselors, specialists in teen parenting, and school psychologists, among others (Farrar & Hampel, 1987).

## **Transition Programs**

There is no standard for what a program focused on transitioning youth from the juvenile justice system to school should look like or whether one should exist at all. School districts and juvenile departments across the country have designed and implemented their own, and assertions have been made by professionals and experts in the field of what a transition program should include, how it should function, and what it should seek to accomplish. While there is fairly significant variation, common themes arise. Transition programs and transition specialists can act as advocates for youth, ensuring that their educational rights and needs are met, and representing a fairly neutral party, unhindered by the motives or interests of the school, juvenile department, or court (Feierman, Levick, & Mody, 2009).

Some states have created laws specifically designed to address the need for transitional support for youth reentering school from the juvenile justice system. For example, a Florida law holds the student's home school district responsible for maintaining student records, recognizing both full and partial credits from juvenile justice placements, creating a coordinator position to address reentry related issues, and ensuring that all parties communicate appropriately for successful reentry to school. Additionally, a West Virginia law requires that a comprehensive "aftercare plan" be established and shared with the school prior to the release of a youth from a detention facility. Furthermore, a Virginia law creates a transitional planning team for each youth reentering school, and requires that both the youth and the parent be consulted about individual plans. Finally, Maine law also mandates the creation of a team assigned to each youth, created by the district superintendent that includes a school administrator,

teacher, parent, and guidance counselor, who oversee the process of reentry (Feierman, Levick, & Mody, 2009).

The Office of Juvenile Justice and Delinquency Prevention has spearheaded a reentry program called the Intensive Aftercare Program, or IAP. IAP is not a school-based program, however it identifies a number of components that are important to any transitional programming, including individualized case planning, identification and selective targeting of high risk youth, a mixture of surveillance and services, a balance of incentives and graduated sanctions, and connections to community services (Sears & Travis, 2004).

School social workers have been suggested as ideal candidates to act as transitional support and to oversee the process of reentry. School social workers, when present in and utilized by a school district, are already engrained in school communities. They are well positioned to facilitate interactions between the juvenile system, the school, the family, and the youth themselves, as well as to coordinate access to services and resources. School social workers can act as effective advocates for youth and families, facilitate open communication between the juvenile justice system and the school system, and, in some cases, provide mental health services and counseling to youth reentering schools (Goldkind, 2011).

Alternative schools have become a controversial approach to transitioning youth involved in the juvenile justice system back to school. Alternative schools vary widely in their structure, approaches, and demographics and no particular standard exists. It is extremely difficult, therefore, to evaluate or analyze the effectiveness, costs, and benefits of alternative education in general and for youth involved in the juvenile justice

system (Goldkind, 2011). Some argue that comprehensive public high schools push youth toward alternative education upon reentry for fear of behavior and disciplinary problems, low standardized test scores, truancy, and dropout (Feierman, Levick, & Mody, 2009). However, alternative public schools can sometimes better serve the particular needs of youth involved in the juvenile justice system, offering them smaller class sizes, one-on-one interactions with teachers and staff, more supportive and nurturing environments, alternative opportunities for success, and more flexibility (Goldkind, 2011).

#### *Eugene and Springfield Transition Programs*

The Eugene and Springfield school districts each employ a full-time transition specialist who case manages all of the youth on probation and parole in their respective school district. These transition specialists, who constitute a program in themselves, serve youth attending all schools in the district, including the comprehensive high schools, alternative schools, and charter schools. The school district transition specialists manage all cases of youth in the district on probation and parole, helping with the reenrollment process, monitoring grades and attendance once youth are engaged in school, conducting individual check-ins with youth, helping to resolve school related problems, and generally ensuring that youth transition successfully and stay on track in school. Transition specialists work closely with both the schools and the county juvenile department to ensure that the juvenile department and schools share information and communicate effectively. Bethel School District, a separate school district within the city of Eugene, does not currently have any formal transition program or transition specialist in place (Tim Canter, 2016).

Eugene and Springfield also have a variety of public alternative schools which can serve all district youth, but often serve youth involved in the juvenile justice system. Gateways High School, in the Springfield School District, provides an alternative education setting for students in 10<sup>th</sup> to 13<sup>th</sup> grade who have been unsuccessful in the comprehensive high schools. Gateways provides smaller class sizes, more one-on-one attention, credit recovery, and specifically targeted interventions. Gateways also provides a separate GED program for students who are not seeking a high school diploma (Gateways High School, 2017). Kalapuya High School, in the Bethel School District, provides similar services to those found at Gateways and serves students in 10<sup>th</sup> through 12<sup>th</sup> grade (Kalapuya High School, 2016). The Eugene School District provides a number of alternative high school options through the Eugene Education Options program, including the Early College and Career Options High School, Advanced Career Technical Sponsorship, and the 4J Street Academy, which provide various routes of alternative education for students who are unsuccessful in comprehensive high schools within the Eugene School District (Eugene Education Options, 2017).

## **Local Context**

### *Lane County Youth Services*

In Lane County, juvenile criminal offenders are adjudicated, detained, and supervised by the Lane County Division of Youth Services, or DYS. All youth who reside in the county and are arrested are referred to DYS where cases can be closed at intake, addressed through a diversion program, or supervised by DYS juvenile counselors (Health and Human Services, 2016). The only exceptions are cases in which Measure 11 is invoked, which go straight to the Lane County Circuit Court. Lane County DYS supervises approximately 900 juvenile offenders per year (Juvenile Justice Information System, 2017). The following data set includes youth who have been referred by a law enforcement agency for criminal offenses. This indicates that it includes all youth regardless of the status of their case, with the exception of those held in adult court for Measure 11 offenses. Cases could have been closed, supervised on a formal accountability agreement, formally supervised through the court, or surrendered to the Oregon Youth Authority after initial referral to the county juvenile department.

### *School Districts in Lane County*

Presumably, almost all, if not all, of the juvenile offenders referred to the Lane County Division of Youth Services attend school in Lane County. This thesis focuses on youth specifically residing in the cities of Eugene and Springfield Oregon, which encompass three school districts, Eugene 4J, Springfield 19, and Bethel 52. While there are exceptions (e.g. youth attending middle schools, youth attending private, charter, and alternative high schools, and youth who are not enrolled in school) the majority of

youth in Eugene and Springfield who are referred to the juvenile department attend one of seven public high schools: North Eugene High School, Churchill High School, Sheldon High School, and South Eugene High School in the Eugene district, Willamette High School in the Bethel District, and Springfield High School and Thurston High School in the Springfield District. Within each district, high schools have specific boundary lines which determine student enrollment according to home address. A home high school refers to the school boundary in which a student currently lives.

### *Criminal Referrals*

Each time a youth is arrested, a referral is made to the county juvenile department. Cases can be closed, sent through alternative disposition such as diversion programs, handled informally, or formally adjudicated. For the purposes of this thesis, all criminal referrals to the juvenile department were counted, regardless of the outcome of the case. Criminal referrals account for all criminal offenses including person crimes, property crimes, and public order crimes. Criminal referrals do not include arrests for non-criminal offenses including minor in possession of alcohol, curfew violations, possession of less than an ounce of marijuana, possession of tobacco, or local ordinance violations. It also does not include dependency status offenses, such as running away (Lane County Division of Youth Services, 2017).

### *Graduation Rates*

Graduation rates account for students who complete either a traditional high school diploma or a modified high school diploma. In the state of Oregon, students must complete a minimum number of high school credits, demonstrate proficiency on essential skills tests, and complete personalized learning requirements that include

career learning and a community service project. Graduation rates are determined based on the percentage of students from a given cohort who earn a high school diploma within a certain time frame, in this case four years. The total number of students in a cohort is adjusted over the course of four years to account for students who transfer into or out of the school or district. This is calculated by dividing the number of students in a given cohort who earn a high school diploma by the total number of students who enrolled with the cohort, adjusted for transfers, given by:

$$\frac{\text{Number of students in an adjusted cohort who earn a traditional or modified high school diploma}}{\text{Number of students who were first enrolled in high school with the cohort} + \text{Students who transferred into the cohort} - \text{Students who transferred out of the cohort}}$$

This method of calculating graduation rates is the most standardized and therefore the most reliable way to compare high school outcomes across schools, districts, and states. However, this method only accounts for students who complete either a traditional high school diploma, or students on an individualized education plan who complete a modified high school diploma, within exactly four years, and therefore fundamentally excludes a wide range of students. It does not include students who complete a high school diploma after their four year cohort, whether it be over the summer or in a fifth or sixth year. It also does not include students who complete a GED. These students are included in a separate high school completer rate, but completer rates are not used for accountability purposes, and are therefore not always published and are not as widely accessible as graduation rates (Oregon Department of Education, 2016).

For youth involved in the juvenile justice system, the exclusion of students who do not complete a traditional diploma within four years is especially relevant. Youth who are involved in the juvenile justice system often experience school disruption and other barriers to their attendance and completion of high school within four years. Most of the evidence surrounding the importance of school completion focuses specifically on graduation with a traditional diploma within four years, however no specific evidence has been found over the course of this thesis that invalidates the importance of school for youth who complete a diploma in more than four years or who complete a GED.

The inherent value of school appears to depend on the possession of a high school diploma later in life and on involvement, connection, and attendance at school. Because graduation rates are widely available and standardized, four year graduation rates are used for the purposes of this thesis with the understanding that they cannot give a complete picture of the engagement of juvenile justice-involved youth in school.

#### *Regularly Attending Students*

Enrollment in a given school does not necessarily imply the frequency with which a student attends, and their subsequent engagement in school. In Oregon, a student who does not attend more than 10 consecutive school days must be withdrawn from the school pending reenrollment. Therefore, any student who is counted as enrolled theoretically has not missed more than 10 consecutive school days; however, a student could miss any number of school days less than 10 and still be enrolled.

Because this thesis discusses the importance of students being engaged in school and attending regularly in addition to the importance of simply being enrolled, the

following data includes the number of regularly attending students at each school.

Regularly attending students are those who attended at least 90% of the school days in a given year (Oregon Department of Education, 2015).

## Results

The following data is gathered from multiple, existing sources. It aims to represent the population of youth involved in the juvenile justice system in Eugene and Springfield in relation to trends on a state and national level, as well as to show the necessity of school-based transitional support and programs for youth involved in the juvenile justice system locally. These data are correlational and not conclusive or statistically significant.

### Local, County, State, and National Comparisons of Criminal Referrals and Graduation Rates

Table 1: 2016

Demographic Area	Total number of youth enrolled in high school	Total number of juvenile department criminal referrals	Percentage of criminal referrals	Total graduation rate
Eugene	5,453	256	4.69%	71.9%
Springfield	3,363	174	5.17%	64.4%
Lane County	13,587	901	--	--
Oregon	594,600	10,146	1.71%	74.8%
United States	14,983,400	--	--	--

Table 2: 2015

Demographic Area	Total number of youth enrolled in high school	Total number of juvenile department criminal referrals	Percentage of criminal referrals	Total graduation rate
Eugene	5,338	267	5.00%	64%
Springfield	3,299	187	5.67%	61.0%
Lane County	--	856	--	72.8%
Oregon	597,800	10,377	1.74%	73.82%
United States	14,970,400	--	--	82%

Table 3: 2014

Demographic Area	Total number of youth enrolled in high school	Total number of juvenile department criminal referrals	Percentage of criminal referrals	Total graduation rate
Eugene	5,360	281	5.24%	66.1%
Springfield	3,341	218	6.52%	64.3%
Lane County	--	939	--	
Oregon	600,300	10,945	1.82%	71.98%
United States	14,882,600	--	--	83%

Table 4: Averages

Demographic Area	Average number of youth enrolled in high school	Average number of juvenile department criminal referrals	Average percentage of criminal referrals	Average graduation rate
Eugene	5,384	268	4.98%	67.33%
Springfield	3,334	193	5.79%	63.23%
Lane County	13,587	899	6.54%	72.8%
Oregon	597,567	10,489	1.76%	73.53%
United States	14,945,470	1,058,500 (in 2013)	7.08%	82.5%

Data sources for the tables above include: Eugene and Springfield criminal referrals collected from Lane County Division of Youth Services zip code reports; Lane County enrollment information and graduation rates collected from the Oregon Department of Education; Lane County and Oregon criminal referral information collected from the Juvenile Justice Information System of the Oregon Youth Authority; United States enrollment information collected from the National Center for Education Statistics; United States criminal referral information collected from the Office of Juvenile Justice and Delinquency Prevention; United States graduation rates collected from the National Center for Education Statistics and NPR.

Criminal Referrals and Graduation Rates in Eugene, Springfield, and  
Bethel Public High Schools

Table 5: 2016

Zip Code	Division of Youth Services Criminal Referrals	Home High School	School District	Total number of enrolled students	Percentage of students regularly attending	Percentage of criminal referrals	Graduation Rate
97401	35	Sheldon High School	Eugene 4J	1,334	78%	2.6%	88%
97402	96	Willamette High School	Bethel	1,313	84.7%	7.3%	78%
97403	5	South Eugene High School	Eugene 4J	1,398	78.4%	0.3%	89.4%
97404	57	North Eugene High School	Eugene 4J	854	68.5%	6.7%	77.9%
97405	60	South Eugene High School	Eugene 4J	1,398	78.4%	4.3%	89.4%
97405	60	Churchill High School	Eugene 4J	1,112	69%	5.4%	81.4%
97477	76	Springfield High School	Springfield	1,257	67.1%	6.0%	63.9%
97478	96	Thurston High School	Springfield	1,287	72.9%	7.5%	74.5%

Table 6: 2015

Zip Code	Division of Youth Services Criminal Referrals	Home High School	School District	Total number of enrolled students	Percentage of students regularly attending	Percentage of criminal referrals	Graduation Rate
97401	36	Sheldon High School	Eugene 4J	1,372	80.2%	2.6%	87.6%
97402	103	Willamette High School	Bethel	1,396	86.6%	7.4%	81%
97403	9	South Eugene High School	Eugene 4J	1,366	77.2%	0.6%	90.8%
97404	66	North Eugene High School	Eugene 4J	882	70.9%	7.5%	78.3%
97405	51	South Eugene High School	Eugene 4J	1,366	77.2%	3.7%	90.8%
97405	51	Churchill High School	Eugene 4J	1,078	70.5%	4.7%	87.7%
97477	108	Springfield High School	Springfield	1,212	72%	8.9%	64.9%
97478	77	Thurston High School	Springfield	1,265	73.2%	6.1%	74.9%

Table 7: 2014

Zip Code	Division of Youth Services Criminal Referrals	Home High School	School District	Total number of enrolled students	Percentage of students regularly attending	Percentage of criminal referrals	Graduation Rate
97401	53	Sheldon High School	Eugene 4J	1,394	>95%	3.8%	85.4%
97402	105	Willamette High School	Bethel	1,482	86.6%	7.1%	78.2%
97403	10	South Eugene High School	Eugene 4J	1,368	76.1%	0.7%	87%
97404	48	North Eugene High School	Eugene 4J	939	93.3%	5.1%	71.4%
97405	64	South Eugene High School	Eugene 4J	1,368	76.1%	4.7%	87%
97405	64	Churchill High School	Eugene 4J	1,022	93.3%	6.3%	82.7%
97477	103	Springfield High School	Springfield	1,251	84.3%	8.2%	68.7%
97478	115	Thurston High School	Springfield	1,315	70.6%	8.7%	79.8%

Table 8: Averages

Zip Code	Average Division of Youth Services Criminal Referrals	Home High School	School District	Average total number of enrolled students	Average percentage of students regularly attending	Average percentage of criminal referrals	Average Graduation Rate
97401	41	Sheldon High School	Eugene 4J	1,367	84.4%	3.0%	87.0%
97402	171	Willamette High School	Bethel	1,397	86.0%	7.3%	79.1%
97403	8	South Eugene High School	Eugene 4J	1,377	77.2%	0.5%	89.1%
97404	57	North Eugene High School	Eugene 4J	892	77.6%	6.4%	75.9%
97405	58	South Eugene High School	Eugene 4J	1,377	77.2%	4.2%	89.1%
97405	58	Churchill High School	Eugene 4J	1,071	77.6%	5.5%	83.9%
97477	96	Springfield High School	Springfield	1,240	74.4%	7.7%	65.8%
97478	96	Thurston High School	Springfield	1,289	72.2%	7.4%	76.4%

Data sources for the tables above include: Criminal referral information collected from Lane County Division of Youth Services zip code reports; enrolled student, regularly attending student, and graduation rate information collected from the Oregon Department of Education.

*Juvenile Justice Involved Youth in Eugene and Springfield Schools*

Consistently across three years, Willamette High School, Springfield High School, and Thurston High School had the highest proportion of criminal referrals to total student enrollment with an average of 7.3%, 7.7%, and 7.4% of youth enrolled in the high schools with criminal referrals respectively. Springfield and Thurston also

consistently had the lowest graduation rates of the eight schools with an average graduation rate of 65.8% and 76.4% respectively. Willamette High School had a slightly higher graduation rate, with an average of 79.1%, but was still lower than most of the other high schools in the Eugene area.

Because South Eugene High School and Churchill High School did not provide reliable data, Sheldon High School had the lowest proportion of criminal referrals to total student enrollment that could be reliably calculated, with an average of 3%. Sheldon High School had the second highest graduation rate of the seven schools with an average of 87%. The only school with a higher graduation rate was South Eugene High School with an average graduation rate of 89.1%. South Eugene also had a fairly low estimated percentage of students with criminal referrals at around 4.2%, however because the South Eugene High School boundary includes both the zip code 97403 and half of the zip code 97405, with the other half attending Churchill High School, it is impossible to make a determination about how many of the youth with referrals to the juvenile department attend South Eugene High School. Churchill High School, which was also unreliable in its percentage of youth with criminal referrals because it only claims half of the zip code 97405, represented slightly higher referral rates than Sheldon or South Eugene at around 5.5%, as well as slightly lower graduation rates with an average of 83.9%. Calculations for the tables above were done as though the total number of criminal referrals from the zip code 97405 could be attributed to each of the high schools.

North Eugene High School represented the middle of the distribution of schools with an average proportion of criminal referrals to total student enrollment of 6.4%.

However, North Eugene had a fairly low graduation rate in relation to other Eugene schools, with an average of 75.9%.

The average percentage of students regularly attending school was fairly consistent among the seven schools, with the highest being Willamette High School at 86%. Sheldon High School had the second highest percentage of students regularly attending with 84.4%. Springfield High School and Thurston High School were slightly lower than the Eugene schools at 74.4% and 72.2% respectively. The percentage of regularly attending students did not appear to be correlated with the percentage of youth with criminal referrals nor to the school's graduation rate.

#### *Juvenile Justice Involved Youth on a Local, State, and National Level*

Eugene and Springfield both had lower percentages of youth with criminal referrals than Lane County as a whole, which encompasses 20 public high schools spanning 16 school districts. Eugene had an average percentage of youth with criminal referrals of 3.98%. Springfield had an average percentage of youth with criminal referrals 5.76%. Lane County had an average percentage of youth with criminal referrals of 6.54%. However, Lane County's average graduation rate was higher than either Eugene or Springfield at 72.8%. Eugene and Springfield had average graduation rates of 67.33% and 63.23% respectively.

Eugene and Springfield had both significantly higher percentages of youth with criminal referrals and significantly lower graduation rates than the state of Oregon. Eugene had an average percentage of youth with criminal referrals of 4.98% and a graduation rate of 67.33%. Springfield had an average percentage of youth with criminal referrals of 5.76% and a graduation rate of 63.23%. This is a stark contrast to

Oregon's average percentage of youth with criminal referrals at 1.23% and graduation rate of 73.53%.

Eugene and Springfield had a lower percentage of youth with criminal referrals than the United States as a whole. Data was not available for U.S. juvenile criminal referrals after the year 2013, so comparisons are not necessarily reliable. In 2013, there were approximately 7.08% of youth with criminal referrals. Eugene and Springfield had significantly lower graduation rates than the average in the United States at 82.5%.

### **Limitations and Sources of Error**

Inherently, when assessing a population as complex and varied as youth involved in the juvenile justice system, there are significant sources of error. The use of data that is specific to zip codes is the primary limitation in this thesis. First, the use of zip code based data instead of school based data assumes that each youth in a zip code is enrolled in their neighborhood public high school. This assumption has significant potential for error. Youth who become involved in the juvenile justice system tend to represent a population that is more often transient, truant, or less supervised than the general population, suggesting that significant numbers of youth who become involved in the juvenile system may not be enrolled in or are not attending school at the time of arrest. Youth can also be enrolled in alternative high schools, private high schools, or charter high schools, could be homeschooled, or could be enrolled in a different school outside of their home boundary or district. A small percentage of youth with criminal referrals are 8<sup>th</sup> or even 7<sup>th</sup> graders and are enrolled in middle schools. This means that a percentage of youth enrolled in high school who have criminal referrals is a rough estimate that is not conclusive. Additionally, while zip codes in Eugene and Springfield

generally align to school boundaries, the lines are not the same. Therefore, there is significant error in assessing the number of youth referred to the juvenile department from each school. The South Eugene and Churchill boundaries, encompassing the zip codes 97403 and 97405 are especially problematic. South Eugene High School encompasses the zip code 97403 and approximately half of the zip code 97405. Churchill High School encompasses approximately the other half of the zip code 97405. Because there is no way to determine which youth recorded as having criminal referrals in the 97405 zip code attend each school, it is impossible to make a reliable determination for either of them.

Another limitation of this data, and with much of the literature on this topic, is the focus on graduation rates, which only account for students who complete a high school diploma. Completer rates, which include youth who complete their GED or who complete a high school diploma in more than four years, may be a more accurate measure of school engagement, particularly for juvenile justice-involved youth. However, completer rates are far less widely published and therefore less available than graduation rates. Thus, a mere focus on graduation rates may involuntarily skew data to fail to account for positive outcomes for an unknown percentage of students.

Another significant source of error is that the data utilized represent the total referrals to the county juvenile department, not the number of youth with criminal referrals. A single youth could represent more than one criminal referral. This makes it difficult, therefore, to ascertain the percentage of youth with criminal referrals from any given school, and means that the percentages of youth with criminal referrals that are represented in the data set are inflated. While these percentages are high, it is possible

to reliably compare them between schools in the Eugene, Springfield, and Bethel districts because all data concerning criminal referrals is pulled from the same data set and is therefore proportionally high across schools. Data on the county, state, and national level also reflects total referrals instead of total youth and is therefore, although proportionally high, comparable to Eugene and Springfield data.

## **Discussion**

### *Juvenile Justice Involved Youth in Eugene and Springfield Schools*

Despite variations in the reliability of data, data in the local context of Eugene and Springfield schools clearly reflects the overall trend that higher rates of criminal referrals, and therefore more involvement with the juvenile justice system, is correlated with lower graduation rates. The seven schools in the Eugene and Springfield area illustrated a clear pattern, reflecting a fairly direct correlation between youth involved in the juvenile justice system and more negative school outcomes. The external structures affecting the youth attending these seven schools should be fairly consistent as they are all referred to the same juvenile department, adhere to the same standards for graduation, and follow roughly similar curriculum standards in school. This shows that the trend illustrated earlier in this thesis, that involvement in the juvenile justice system can lead to adverse outcomes in school, is true in a local context. It also demonstrates that, if school-based transition programs are an effective and viable solution to the problem on a larger level, then transition programs focusing on local public schools can be an important part of the solution to closing the gap in school achievement and outcomes for youth involved in the juvenile justice system at a local level.

This trend is not necessarily causal. Many factors can affect both the number of criminal referrals and the graduation rate at a given school. For example, socioeconomic trends in an area, levels of parent education, overall crime rates, and the presence of significant trauma and violence in a community could have a significant impact on both juvenile crime and high school graduation. There is no way to know in the context of this research that criminal referrals and high school graduation are directly related in any way. However, this does not detract from the overall assertion that school-based transitional support for youth involved in the juvenile justice system is important and relevant. Whether or not the two are directly related, the co-existing presence of high criminal referral rates and low high school graduation rates, and the possibility that transition programs could help to mitigate both recidivism and high school dropout, show that transitional support is needed to support youth involved in the juvenile justice system in both the areas of juvenile justice involvement and school outcomes.

Willamette High School, located in the Bethel School District, provides an important data point as it is the only high school included which is not served by a transition specialist and therefore an official transition program. Willamette High School has the highest number of criminal referrals of any school in the three districts. It has a fairly high percentage of criminal referrals and a graduation rate that is higher than either Springfield school, but lower than most Eugene schools. Willamette High School and the Bethel School District provide little evidence as to whether the transition programs currently in place in Eugene and Springfield are effective. It is possible that Willamette High School actually suggests an ineffectiveness of Eugene and Springfield transition programs as, though it has relatively high rates of criminal referrals,

Willamette has a relatively high graduation rate. However, because Willamette High School belongs to both a completely different demographic area and a completely different school district than any of the other schools, there are a multitude of other factors that may influence both Willamette's rates of criminal referrals and graduation rates.

*Juvenile Justice Involved Youth on a Local, State, and National Level*

Eugene and Springfield have a lower, but fairly comparable, rate of youth with criminal referrals than Lane County as a whole. Eugene and Springfield appear to have a significantly lower graduation rate than the county; however, Lane County's graduation rate is reported as an average of the sixteen school districts in the county. Certain rural school districts report much higher graduation rates than more densely populated districts, but are counted equally, despite having significantly fewer enrolled students.

Eugene and Springfield have a significantly higher rate of youth with criminal referrals, as well as a significantly lower graduation rate than the state as a whole. Any number of phenomena could explain this. For example, in the broader context of the state, Eugene and especially Springfield, represent some of the most low income relatively densely populated areas, which may partially explain the high rates of criminal referrals and low graduation rates. It is also theoretically possible that other areas of the state have more extensive transition programs or greater support in public schools, although there is no concrete evidence to support either that this could be true nor that it would make a difference.

Though less exact than state data, national data provides an interesting comparison. In the U.S. as a whole, the percentage of youth with criminal referrals is higher than Eugene, Springfield, or any of the comparison data. National averages for graduation rates are also significantly higher. National data is not particularly reliable because it is not current, with the latest information on juvenile department referrals being from 2013 and the last graduation rate data being from 2015. This could contribute to the disparities in the data between national and Eugene and Springfield rates. Other factors could include differences in legislation in the juvenile justice system, difference in the structure of the public schools, differences in funding, and the presence of more extensive transitional support in other parts of the country.

Whatever the explanation, these disparities illustrate the importance in this particular community of support for youth involved in the juvenile justice system, particularly around school. While both Eugene and Springfield employ transition specialists who serve as the district's transition programs for youth involved in the juvenile system, for districts with so many high schools and such high percentages of youth involved in the juvenile system, perhaps allocating only one person as a transition program is insufficient to serve the needs of the population. It is, however, important to note that though Eugene and Springfield's overall graduation rates are lower than state and national averages, individual schools report graduation rates that are much more on par, and in some cases higher, than state averages. This is probably partially due to the inclusion of students attending alternative schools and others not enrolled in comprehensive public high schools in overall average graduation rates. This is significant because it means that the percentage of youth involved in the juvenile justice

system could be proportionally higher than state averages when compared to graduation rates. In other words, if the data for Eugene and Springfield were to reflect only comprehensive public high schools, graduation rates would be closer to state averages, while the numbers of youth with criminal referrals would still be higher. Though there is no way to conclusively determine why this might be, it is possible that it is representative of the effectiveness of the transition programs already in place in Eugene and Springfield and the difference that those supports are making for juvenile justice involved youth attending public high schools in the districts.

### **Transition Programs as a Solution**

It is difficult to determine, based on a lack of research in the area, as well as a lack of standardization and policy surrounding school reentry, that transition programs themselves are an effective solution to the challenges faced by youth reentering school and the disparities in high school graduation that result. It is difficult, in the context of this thesis, to determine anything about the effectiveness of existing transition programs, with nothing to reliably compare to the outcomes for youth involved in local programs. Perhaps comparison of the relative proportion of the percentage of youth involved in the juvenile justice system and graduation rates between Eugene and Springfield and state averages suggests that there is some efficacy to the transition programs that are in place; however, no concrete evidence exists to support that claim. Similarly, the research literature is severely lacking in actual evaluation of individual transition programs themselves or the concept of transition programs in general. However, based on the demonstrated disparity in graduation rates, both represented in the research literature and on a local level, and on the benefits of remaining engaged in

and finishing school, it is clear that further research and subsequent policy is needed to support reentry in youth involved in the juvenile justice system.

### **Future Directions for Research**

While this thesis does not provide definitive answers, it does identify and illuminate many crucial and important directions for research. While this thesis provides a rationale for why a solution involving transitional support in schools is necessary and important, research on the actual efficacy and effectiveness of transition programs as a solution is the next step. Once transition programs in general have been established as a viable solution, the individual characteristics that are important and effective must be evaluated and established as efficacious.

Another important avenue for future research is to evaluate the difference between the importance of school completion and school experience. It is unclear how much of the established benefit of school engagement can be attributed to graduation from high school and how much can be attributed to the type and quality of experiences that a youth has in school. Presumably, both are important, however further inquiry could help guide the goals of schools, juvenile departments, and transition programs.

It is important to note that, while quantitative research is valuable and important in some aspects of this field, qualitative research is equally as important. In this case understanding the actual experiences of individual youth in school is incredibly important both in determining how school experiences can help or hinder success and in creating and shaping aspects of transition programs around those experiences. Each individual youth is different, not only because they are unique people, but because contexts, backgrounds, and paths through the juvenile justice system are as widely

varied as the individuals that they affect. Methods such as qualitative interviews, both with youth currently involved in the juvenile justice system and with adults who were formerly those youth, can help to identify some of those individual experiences and direct research and policy toward needs that the youth have identified themselves. The data provided by quantitative research can be incredibly useful for guiding directions for research and policy, representing trends, and demonstrating the differences between districts, counties, states, and demographic groups, but it can never fully represent the human beings behind those numbers, the ones actually affected by the implications of research.

### **Implications for Policy**

While it is undetermined exactly what needs to be in place to support transition and reentry for youth involved in the juvenile justice system, it is clear that some kind of transitional support is desperately needed. Currently, no standard exists either for what a transition program should look like or whether one should exist at all.

Presumably, exact standards for what a transition program should entail would be impossible to create in a way that was responsive to the needs of individual communities. As evidenced by the vast difference in both the rates of youth involved in the juvenile justice system and graduation rates between local communities, the state, and the country as a whole, issues specific to youth involved in the juvenile justice system vary widely between states and communities. Communities with very high rates of criminal referrals would likely require a higher level of care and services than communities where criminal referrals among youth were relatively uncommon.

Similarly, economically-privileged communities would likely have very different needs

than communities with many low-income residents, rural areas would be different than urban areas, and so on. To create an effective transition program in any given area, it would be vital to understand the population of youth that it would serve and to create a program that was specifically responsive. That being said, ideally, there would be an expectation that some sort of transitional support would exist in every school district in the country, even if exact standards could not dictate what this support would look like.

Of course, the expectation that transitional support would exist in every school district could not stand alone. Transitional programs are a relatively cost-effective solution, the models exemplified in Eugene and Springfield employing one person each with little other allotted resources, but they certainly require some amount funding, mostly in the form of human labor, or FTE. This brings a far more complicated aspect into play of the value that society places on education, as well as the value placed on supportive and restorative services for youth involved in the juvenile justice system. To truly address the issue at hand, more than simple policy would need to be enacted. A political and cultural shift would need to occur to place more value, and therefore resources, with the future of this country's high risk youth, identifying the connection between the success of these youth and the health and betterment of individual communities and society as a whole.

## Conclusion

In the end, this thesis may have raised more questions than it has found answers. Clearly, a gap exists. A gap in research, in literature, in interventions, perhaps in the very fabric of our society. It is clear that youth who become involved in the juvenile justice system have less positive school experiences and are less likely to graduate from high school than their peers. This could be attributed to a variety of factors including legislation which forces schools into a competitive, achievement-based mindset, punitive disciplinary practices, and negative views toward youth involved in the juvenile justice system. Whatever the reason, these disparities are incredibly important because whether negative outcomes result directly from high school dropout or whether school involvement can actually be a mediating factor in life outcomes, school completion has been shown to lead youth to more positive lives. School completion can lead to lower rates of recidivism, less involvement in the criminal justice system, and more opportunities for economic and social success. The question then becomes, why interventions in school are so underutilized and under-researched. As a society, we tend to neglect to examine the possibilities for intervention in the lives of youth. We look to the adult criminal justice system. We ask ourselves what makes a criminal and how we can lower crime rates, increase community safety, and spend less money on incarceration and court systems. We also look to early intervention and prevention efforts and ask ourselves how we keep youth from these paths in the first place. We even look to schools to answer these questions. We question whether schools themselves can push youth into the juvenile justice system. But surely, if schools can be the impetus to a path that leads kids, seemingly without chance of return, into the

system, it can also be the intervention that can pull them back out. School based transitional support may not be the only possible answer, but it certainly seems to be a promising one. Between the wide range of youth that can be caught by the safety net that can exist within the school system, and the potential for the mediating effects and the positive influences that school can have as an intervention, school-based transitional support seems like a worthy path to be explored, both through research and policy.

In truth, even after the completion of this thesis, I don't know whether or not transition programs are the best answer. I don't know what a study evaluating the efficacy of school-based transitional programs would find. I don't know if it would determine that transition programs were an effective place to put the few, extremely valuable resources allotted to education and juvenile justice. I don't know if broad, sweeping change could be made possible. What I do know from working in a transition program for the last year and a half is that I have seen the positive effects that it can have. I have seen the potential for adolescents to change and the ability of the public school system to bring that change about. It doesn't occur in broad, sweeping ways. Adolescents have this charming way of not giving you that satisfaction. Instead, I see it in very small ways every day. I see it in the girl who has found refuge at school and a community that appreciates her. I see it in the satisfaction of the boy who passed all of his classes for the first time. I see it in the chorus of noises that come from a lunchtime basketball game full of youth who could be anywhere, but are at school playing basketball with peers that they would never have gotten along with on the streets. I see it in the giddy laughter at a prom full of kids who have so much seriousness in their lives that such a normal, juvenile thing as prom seemed almost impossible. And I see it

in a young person who never thought that they would have a high school diploma and yet stands on a stage with one in their hand. This thesis perhaps cannot stand on its own as a source of definitive truth, but these moments and these youth are reason enough to keep searching.

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