

Thus, even the adult offenders who John Augustus might have supervised were probably juveniles by today's standards. John Augustus' work was instrumental in legislation that established probation for juveniles in 1878. During this same time period, the Society for the Prevention of Cruelty to Children was also established in 1875. Later, in 1899, this group would be instrumental in forming the first juvenile court in Cook County, Illinois.

The Cook County juvenile court emerged from the concerns of a group of compassionate and wealthy women in Chicago who advocated for the rights of disadvantaged children who were found errant of the law. These women, commonly referred to as the child savers, fought for these needy children to have the same care, custody, and treatment as their natural family would have presumably provided. The creation of the juvenile court was one project that was thought to help toward this objective, integrating individualized treatment approaches, serving needs of the youth, and providing guidance to avoid engaging in further deviant behavior. It was at this time that the concern with stigmatization of youth emerged within the treatment of juveniles, a concept that is still alive and well today. In order to avoid the negative effects of labeling, informal court proceedings were utilized where the full gamut of constitutional safeguards would not be necessary—the point to the court being one of reintegration rather than punishment.

Thus, juvenile court proceedings were informal and conducted without any of the typical constitutional protections secured by adults, with the goal to protect and serve the best interests of the child. Interestingly, juvenile court records were sealed as a means of ensuring that youth were not negatively labeled as a result of their contact with the court. The whole idea revolved around the notion that youth, unlike adults, were not yet lost and that reintegrative efforts would tend to have optimal likelihoods of success. This line of thought also considered youth to be more impressionable and open to positive change, if only given the appropriate guidance. The use of constitutional safeguards were thought to be impediments to the informal helping approach that was desired since these safeguards were rooted in an adversarial mentality that juvenile advocates sought to avoid.

After the first juvenile court was established, these courts spread throughout the nation until in 1927 all but two states had enacted legislation for both juvenile courts and juvenile probation. It is important to point out that probation is largely an extension of the courts in many respects, even though it is presented in this text (and in others) as a branch of corrections. Thus, any developments in the juvenile court also transferred to eventual changes in the nature of juvenile probation. Thus, juvenile probation quite naturally implemented the helping approach with youth, just as did those courts that processed juveniles. According to Latessa and Allen (1999), “the theoretical assumption of juvenile probation was that providing guidance, counseling, resources, and supervision would assist low-risk juveniles to adapt to constructive living,” and in the process, these youth could avoid the detrimental effects of institutionalization.

■ The Nature of Juvenile Probation

Juvenile probation is a judicial disposition under which youthful offenders are subject to certain conditions imposed by the juvenile court while being allowed to remain in the community during the duration of their sentence. Probation is the most widely used judicial disposition used in juvenile courts around the country. The three primary functions of juvenile probation are intake, investigation, and supervision. During the intake stage of the court proceedings, the probation officer will typically decide whether or not to file a petition on a child referred to the court. Investigation consists of the compilation of a social history of the juvenile to assist the judge in making decisions. Lastly, supervision focuses mainly on crime control elements to ensure that juveniles do not reoffend.

During the intake stage of the juvenile process, the probation officer screens youth who are referred to the court and conducts a preliminary investigation, which includes an interview where the probation officer will advise the youthful offender of their rights. If the parents or legal guardians have not yet been notified of the juvenile's status, the probation agency will inform them and will ensure that they are advised of their legal options and their right to secure an attorney. In addition, the probation officer conducting the intake may find it useful to interview the family, witnesses, victims, and other personnel to determine if detention or other considerations may be necessary for the youthful offender. Naturally, the juvenile's school will likely be contacted to gain information and to also make appropriate educational arrangements for the youth while they are being processed. Lastly, if the youth has been in court before or is already on probation, the intake officer will find it necessary to update himself or herself with the previous reports that are on file.

The investigation stage is roughly 60 days in length, but if the courthouse combines the adjudicatory and disposition stages, it may be required that the officer finish the investigation prior to the youth's appearance in court. This investigation is often referred to as the **social study**, which details the youth's personal background, family, educational progress, previous violations, employment, and so forth. This social study will end with the probation officer's diagnosis and treatment plan, as well as the probation officer's ultimate recommendation to the court. With this report, the probation officer provides final determination of whether the youth should be returned to the community as well as the specific conditions for the recommended probation sentence.

The **supervision stage** includes the casework, surveillance, and various aspects of security management to track the behavior of the juvenile. This stage is, at least in the most basic terms, a key function of the probation department. In the process of performing this function, it is common for juveniles to actually develop a strong connection with their juvenile probation officer. Despite the fact that juvenile probation officers may be responsible for supervising the security elements of the youth's sentence, the other functions of juvenile probation tend to mitigate the relationship and provide for a blend between mentor and rule monitor. The strong focus on rehabilitation tends to weigh out in most cases and reflects the general operational focus of the juvenile probation officer.

Probation supervision is used in the majority of cases where juveniles are adjudicated. This form of sentence is considered appropriate for youth who are not violent and are not seen as being in serious need of intensive services, such as might be encountered with drug addicted youth or those with serious mental health concerns. In such cases, these youth would be sent to residential community treatment centers, most of which will be designed for youthful offenders. Even though the youth may have emotional and/or behavioral problems, they can still end up on probation due to a lack of effective inpatient services being available in a given area. This might be true in some rural communities where residential facilities may not exist. In such cases, youth are typically required to participate in a number of activities and/or treatment-related functions as a means of accommodating their corollary (but important) issues. Further, during the supervision of the youth, there are often added requirements that the youthful offender obey their parents/guardians, that they attend school, that they return home at a specified time during the day, and that they avoid other known youthful offenders. During this process, the probation officer will often work with the youth, attempting to dialogue about problems facing the young offender, including the pushes toward crime and the potential lack of pulls to keep them from returning to crime.

There are many theories that speculate on the causal factors associated with delinquency, but nearly all agree that the presence of adult supervision is important and that the existence of family influences are perhaps the most instrumental forms of socializing elements available. Thus, probation officers who oversee juveniles will likely be engaged in a number of functions that also involve the families of the juvenile

offender. Addressing these factors can become quite complicated since it may be that the parents themselves are not high functioning and/or may be ill-equipped to handle the youth's behavior, both at home and in their school or community. Indeed, some parents may be in need of parenting classes and may be misguided in effective parenting techniques to aid their child. In these cases, it may seem that to some extent the entire family is on probation, particularly if family therapy is warranted and/or it is determined that the parents have been neglectful or abusive of the youth. It is common for many juvenile offenders to report disproportionate levels of abuse in their past histories, leading researchers to conclude that abusive experiences aggravate the likelihood of offending and compound the likelihood of recidivism. Thus, returning youth to these homes may not be the best option. However, many youth are returned to homes that are not the best option due to a lack of resources. Though juvenile probation officers will tend to monitor the family system's progress, this can still have negative effects on the youth and their overall ability to break out of criminal behavior. This is particularly true when the juvenile does not wish to be separated from their family, regardless of how toxic that family might be.

On the other hand, it may be that the parental system is actually quite well functioning and that the youthful offender engages in delinquent actions due to other factors. One primary factor can be peers who are selected. The impact of a teen's friends is great, and if the youth befriends other youngsters who are delinquent, a certain pull toward criminogenic behavior is likely. The impact of delinquent peers is actually a commonly studied phenomenon (Cox, Allen, Hanser, & Conrad, 2008; Hanser, 2007a). In fact, as youth progress from early childhood to adolescence, they tend to place more importance on the judgment from their peers than that which they receive from their parents; that is a natural process of autonomy seeking, a process common to youth who are maturing into adults. This then means that some may go through periods of storm and stress where parents seem to have lost much of the influence and impact that they once had in guiding their child's life. Add to this the various physiological changes that occur during the teenage years and it becomes clear that these individuals can be inherently challenging for even the best of parents. Thus, it cannot be said that youthful delinquency is simply a product of poor parenting.

Further, others may see problems with juveniles on probation stemming from an inability and/or unwillingness to relate in a constructive manner with authority figures (Abadinsky, 2003). Abadinsky (2003) claims that "parents, school officials, and others who have represented authority to the young person have caused him or her to develop a negative, even hostile, attitude toward authority in general" (p. 143). While it is true that many youth on juvenile probation may have a natural distrust of authority (particularly adult authority), the general claim that school officials and parents serve as the cause of these problems is something that should be refuted. Indeed, some youth will have a variety of behavioral disorders, such as oppositional defiant disorder, hyperactivity disorder, or the even more serious conduct disorder (Hanser, 2007a). These disorders tend to appear with disproportional frequency among those youth processed through the juvenile justice system than is the case among youth not processed. Often, when youth have these types of diagnosable disorders, the fault does not lie with parents or school officials. In such cases, the causal factors are complicated and are often due to personal characteristics of the young person that are psychosocial in nature.

Even in such cases where treatment-resistant diagnoses are involved, probation officers can have an overall positive impact by role modeling healthy reactions to the youth's aberrant behavior while also enforcing consequences for illegal behavior. Further, the use of other role models who are important to the young person should be utilized, when feasible. In some cases, juvenile probation officers may incorporate such persons into the overall supervision plan, and this helps to provide a meaningful bond for the young person and, it turns out, provides an additional source of human supervision that is based in well-intended purposes.

for the youth. Throughout the course of the helping process, the probation officer will often involve the family and will meet the juvenile probationer at different times and places. The juvenile probation officer is to network with school officials (counselors, teachers, and administrators) and may even serve as an advocate for the child to secure public school placements (Abadinsky, 2003). In fact, many youth proceed through the juvenile justice system may have learning disabilities and other challenges, and this can add to the list of problems that they face. In most cases, the worse these youth do at school, the more likely they are to engage in problematic behaviors. In frustration and perhaps due to diagnosable problems, these youth exhibit disruptive behavior, making school administrators hesitant to accommodate the young person. For the juvenile probation officer may find that they are indeed the youth's most passionate advocate when recognizing problems that face the individual. In some cases, probation officers may have to arrange for placement of juveniles into a foster home and/or adoption. This is particularly true if the family conditions are depleted. Thus, juvenile probation officers find themselves often working in tandem with other social service agencies. The partnerships between these agencies and the probation officer are often critical to ensuring that the young person receives the appropriate help that they need.

The Juvenile Court System

Neubauer (2002) noted that while all states today have juvenile courts their organizational relationships with other judicial bodies varies greatly. Indeed, it would seem that only a few states have created juvenile courts that are completely separate from other judicial bodies in their jurisdiction (Neubauer, 2002). In fact, juvenile courts have a great deal of difference from state to state, falling within one of three general categories: (1) that of a separate court, (2) a part of the family court, or (3) a component of the local court system.

When a juvenile court operates as its own separate statewide entity, this means that it will have its own administrators, judges, probation officers, clerks of the court, and other personnel. This type of system is actually rare, falling within the states of Connecticut, Rhode Island, and Utah. However, in a few large metropolitan areas, the juvenile court is kept completely separate from other court systems. Most jurisdictions do not separate juvenile courts because the operation of juvenile courts is thought to be more expensive when administered separately. Because of this, it is more common for such courts to be connected to other court systems and/or functions.

A second and more common form of juvenile court organization is to include juvenile courts within the broader scope of the family court system. Family courts have jurisdiction over almost all family matters which are often civil in nature. Further, since family issues obviously tend to include issues pertaining to children, the integration of juvenile court proceedings into these services is even more pragmatic in nature. In many cases, family courts oversee matters concerning delinquency, status offenses, and child-victim cases (a topic that follows this subsection).

The most common means for juvenile courts to operate is as part of the broader trial court system. Though the most common means of administration, this is also a very interesting means of handling juvenile justice. Indeed, when going beyond the legal considerations of the jurisdiction, the question of where juvenile cases are heard tends to be more a function of the courthouse caseload within a given jurisdiction. Neubauer (2002) stated that "in rural areas with few cases, they most often are a type of case on the judicial calendar much like tort and contract cases" (p. 506). This demonstrates that juvenile cases may be woven in with the common court caseload in a rather informal and potentially haphazard manner. The quality of such proceedings is perhaps speculative, at best. In most other areas, there do tend to be sufficient cases

warrant one or more specific judges who devote themselves fully to the juvenile caseload. While this separation of the juvenile court is grounded in the need to more effectively process the volume of juvenile cases in these jurisdictions, it is also rooted in the fact that juvenile cases are shielded from the public eye. In other words, it is easier to keep juvenile proceedings from public view or scrutiny when they are conducted in separate sections of the court or (even better) in an entirely separate courthouse.

Juvenile Records

Juvenile records tend to include various types of information. Among these records there is likely to be a composite of the criminal history, family and personal information, abuse history, truancy records, as well as other identification information such as fingerprints and/or photographs. Other information, such as driving records, HIV/AIDS testing, status offense records, substance abuse history, and so forth may also be included. In addition, if the juvenile has committed a violent crime, there is likely to be information regarding the victim and witness notification process as a means of protecting those persons from the juvenile offender.

Importantly, some states such as Texas may have a central repository for juvenile records whereas other states may have local jurisdictions that maintain the records of juveniles who are processed within their jurisdiction. Obviously, the more centralized the records, the more likely they are to be useful for public safety purposes. However, juvenile records do tend to be confidential in nature, and only the juvenile offender, the juvenile's parents/legal guardian(s), or the attorney of record is typically given access. State social service and/or various law enforcement agencies also tend to have the right to access these records, given appropriate justification. The general public, however, is not given access to these records. It is clear that centralized record systems are superior to those maintained by far-flung jurisdictions, particularly when agencies must share information in the interest of public safety. Given the recent concern with violent juvenile offenders, in general, and juvenile sex offenders, in particular, issues related to interagency information sharing have become an increasing area of concern. Effective information systems on juvenile offenders tend to be fingerprint-based systems. This tends to address issues related to the reliability and accuracy of juvenile records. Since fingerprints are the biometric standard for identification of persons who are classified in criminal justice computerized systems, this basis makes good simple sense.

Adjudication Processes and Difference From Adult Courts

The juvenile court system consists of unique legal characteristics that are reflected in the very terms that are used. Where adults are arrested, tried, and sentenced to prison, juveniles are summoned, have a hearing, and are committed to residential placement (Neubauer, 2002). According to Neubauer (2002), juvenile courts differ from adult courts in four important means: (1) These courts are informal in nature, (2) their legal basis is in civil law, (3) they tend to have closed proceedings, and (4) they do not usually have jury trials. These differences provide for more fluid options, both in terms of processing and sentencing, reflecting the desire of the juvenile courts to reform the juvenile, when practical.

In helping the child, the juvenile courts emphasize informality, which, as noted earlier in this section, contrasts with the formal and adversarial nature of the adult court. Although some elements of due process have been added to juvenile proceedings in recent years, juvenile proceedings continue to rely on less formal proceedings. As a result, the rules of evidence and procedural laws have little relevance in many juvenile proceedings (Neubauer, 2002). As an extension from the premise that juvenile

courts are designed to help the child, the early shapers of the juvenile court system viewed procedural safeguards as unnecessary and, even more important, they viewed these safeguards as harmful to the outcome for most juveniles. The concern was that a legal technicality might keep a child from receiving the appropriate help and/or assistance that they might need (Neubauer, 2002). "In essence, the substance of the decision (helping the child) was more important than the procedures used to reach that decision" (Neubauer, 2002, p. 504).

Further highlighting the differences between adult and juvenile courts is that while adult prosecutions are conducted in criminal courts, juvenile court proceedings are based on civil law. This is the primary reason for the differences in terminology that exist between the two types of proceedings. A primary premise behind the use of civil law is that in using civil law rather than criminal law, the notions of rehabilitation would be emphasized instead of those associated with punishment. As Neubauer (2002) pointed out, it is for this reason that a child's juvenile court record is not admissible in adult court. "Regardless of the frequency or severity of the offenses committed by a juvenile, once he or she becomes an adult in the eyes of the criminal law, the person starts over with no prior record" (Neubauer, 2002, p. 504). This demonstrates how earnest the intent is within the juvenile court system to ensure that youth are not permanently stigmatized by the effects of their actions that are committed during an early phase of their life. This also is thought to aid in reducing the likelihood of recidivism since these youth will be able to avoid the negative impact of public recording of their crimes.

In what seems to be a recent trend, the U.S. Supreme Court and various state courts and legislatures have modified various procedural due process aspects of the juvenile court, resulting in a blend between both courts. The intent in these cases has been benevolent, providing safeguards to juveniles while still attempting to maintain the informal nature of much of the court process. Given the fact that juveniles are being tried in adult courts with more frequency, this latest development is perhaps expected. The hope is that juveniles can be afforded more safeguards in juvenile court while simultaneously ensuring that the pro-treatment aspect of juvenile courts is maintained.

This pro-treatment characteristic of juvenile courts is further reflected in the fact that juvenile court proceedings are typically closed from public view. Essentially, this means that crime victims and/or ordinary citizens wishing to view these proceedings are restricted from doing so. Thus, public audiences within the juvenile court are not a usual occurrence as is found within adult courts. Further still, most jurisdictions prohibit law enforcement and juvenile court personnel from releasing the identity of juvenile offenders to the media (Neubauer, 2002). Further reinforcing this is the fact that even when media personnel are able to find out the identities of juvenile offenders, the ethics governing bodies within the journalism industry prohibit the revealing information from being printed, broadcast, or otherwise disseminated (Neubauer, 2002). There are both advocates and critics of these closed proceedings. Advocates tend to view the closed nature of these proceedings as being necessary for effective interventions while critics contend that such secrecy prevents public scrutiny—something that most critics believe would work to perhaps deter juveniles from future crime while also providing victims with rights to information regarding the juvenile perpetrator who has victimized them.

On another front, juvenile courts also differ in the manner by which the offender is tried. While offenders in adult court have the right to trial by a jury of their peers, juveniles have no such constitutional right. The reason for this is to ensure that juvenile proceedings remain informal in nature. The absence of jury trials also strengthens the control and flexibility that juvenile court personnel have when maintaining supervision of the offender. This greatly aids both judges and probation officers in juvenile courts who are entrusted to act in the best interests of the child.

▼ The Role of Child Protection

In many cases, juvenile youth are victims of various forms of neglect or abuse. This is a very important aspect of juvenile offending, particularly in community corrections. In many cases, community supervision officers (CSOs) will find themselves networking with child protection agencies, and they will likewise tend to have offenders on their caseloads who are in need of parenting assistance, whether the offender realizes or not. Further, one must consider that over 70% of female offenders on community supervision are also the primary caretakers of their children. This is an important observation, especially when one considers that the proportion of female offenders on community supervision is much higher than those who are incarcerated. This means that CSOs are likely to come across issues related to the welfare of children on a fairly frequent basis. Further still, among a high number of delinquent youth, disproportionate rates of abuse and neglect occur. This then further demonstrates that CSOs who supervise juvenile offenders are likely to contend with neglect and abuse issues with young offenders on their caseload. **Child neglect and abuse** can then be relevant to CSOs who supervise either adult or juvenile offenders.

In discussing these issues, we first turn our focus to child neglect since such maltreatment is often a precursor to later forms of abuse and since neglect also often occurs in conjunction with abusive treatment. Child neglect occurs when a parent or caretaker of the child does not provide the proper or necessary support, education, medical or other remedial care that is required by a given state's law, including food, shelter, and clothing. Child neglect also occurs when adult caretakers abandon a child they are legally obligated to support (Cox et al., 2008). Neglect is typically divided into three types: (1) physical, (2) emotional, and (3) educational (Cox et al., 2008). **Physical neglect** includes abandonment, the expulsion of the child from the home (being kicked out of the house); a failure to seek or excessive delay in seeking medical care for the child; inadequate supervision; and inadequate food, clothing, and shelter (Cox et al., 2008). **Emotional neglect** includes inadequate nurturing or affection, allowing the child to engage in inappropriate or illegal behavior such as drug or alcohol use, as well as ignoring a child's basic emotional needs (Cox et al., 2008). **Educational neglect** occurs when a parent or even a teacher permits chronic truancy or simply ignores the educational and/or special needs of a child (Cox et al., 2008).

The impact of neglect is not as readily observable as is abuse. Over time, however, the long-term effects on the child can be just as damaging as they are when a child is overtly abused. Among the offender population, child neglect is not at all uncommon. In cases where either the male or female parent is a serious drug abuser, it may be common for the child to be neglected. In fact, there are some circumstances where the oldest child may be *parentified* and delegated responsibility of caring for younger siblings while also taking care of the parent as well. The **child parentification** occurs when he or she is placed in a position within the family system whereby they must assume the primary caretaker role for that family, often taking care of other children and adults within that family system. This is common in single head-of-household families where the adult caretaker is an alcoholic or drug abuser and even in some dual adult household families, particularly those that are criminogenic in nature.

Interestingly, children who are neglected, including those who are parentified, often do not realize that they are necessarily being mistreated. Even if they do, many have no recourse, and when coupled with the emotional bonds that they may have with their siblings, they are unlikely to leave or report such maltreatment on their own. These inappropriate family circumstances lead to very poor socialization in many cases, with children observing negative behaviors and developing criminogenic mind-sets. Thus, these toxic family systems help to breed a new generation of persons who are susceptible to further perpetuation of the criminal lifestyle. It is because of this that CSOs overseeing juvenile offenders must take into account the

family situation, encouraging family involvement when the family is functional and recommending family interventions when the family is not functional.

Beyond child neglect, acts of abuse are even more serious forms of maltreatment and include both physical or psychological forms. Child abuse occurs when a child (defined as a youth under the age of 18 in most states) is maltreated by a parent, an immediate family member, or any person responsible for the child's welfare (Cox et al., 2008). Child maltreatment can include physical, sexual, and emotional abuse as well as physical, emotional, and even educational neglect from the caretaker (Cox et al., 2008). There are varying degrees of abuse and, in many cases, multiple forms of abuse may have been inflicted against the child. Further, these youth may also come from homes where there is domestic abuse between spouses or significant others. Research has shown that among juvenile sex offenders, the existence of child abuse is a common characteristic among such offenders in the United States as well as other countries (Hanser & Mire, 2008). The existence of abuse in a youth's background is an important observation to attend to, since aberrant behaviors are likely to have been learned from other dysfunctional family members. In some cases, the youth's behavior may be a form or acting out against the stress and frustration of their toxic family environment.

According to Cox et al. (2008), **physical abuse** "can be defined as any physical acts that cause or can cause physical injury to a child" (p. 266). These authors go on to describe child abuse as a vicious cycle that involves parents who have unrealistic expectations of their children, thereby getting easily frustrated with the shortcomings that they perceive their children to have. It is not uncommon for such parents to have themselves been abused as children, resulting in an intergenerational transmission of violence through their abusive behavior. The extent of the harsh discipline tends to depend on the level of frustration that the parent feels, their ability to regulate their own emotions, and their views on appropriate parenting and discipline practices. The level of parenting skills and the age of the child often affect the type of abuse and frequency of abuse that is inflicted since younger children are less able to defend themselves and/or perhaps run away.

Further, this type of treatment can greatly exacerbate any potential diagnoses that the young person might have (such as those just discussed in prior subsections), and this further complicates potential treatment approaches for that child. In fact, it may well be that the adult family members themselves have a number of mental health issues, and this adds further difficulty to the family situation. Within such family environments, it is unlikely that the youth will be able to ever achieve any sense of normalcy or positive support. The parent's own challenges will tend to aggravate those problems facing the youth, and the youth's behavior will in turn serve as a further aggravating factor for their own maladaptive parenting. The two then will tend to continually fuel the dysfunction within the family system, thereby ensuring that the maladaptive system continues. In such cases, it is not likely that the juvenile should remain within the family system, and it should be considered that the youth's behavior is perhaps a symptom of what is an unhealthy family grouping.

Psychological abuse is the third most frequently reported form of child abuse, with physical abuse and child neglect being the first and second most common types of abuse. Psychological abuse is somewhat vague and hard to define. Definitions that are too narrow are not likely to capture the various aspects of psychological abuse that might exist within an adult-child relationship that is abusive. On the other hand, definitions that are too broad may be nearly impossible to clearly identify in quantitative terms for research and/or in a legally substantive manner that could aid law enforcement and prosecutors. Because of these difficulties, this is the most difficult form of abuse to prosecute, being somewhat elusive when put to rigorous examination. Further, the difficulty in proving this abuse makes it likely that much of it goes unreported since it is so difficult to detect, prove, and document.

Psychological abuse is also sometimes referred to as emotional abuse and includes actions or the omission of actions by parents and other caregivers that could cause the child to have serious behavioral, emotional, or mental impairments. In some instances of psychological abuse, there is no clear or evident behavior of the adult caregiver that provides indication of the abuse. Rather, the child displays behavior that is impaired and/or has emotional disturbances that result from profound forms of emotional abuse, trauma, distance, or neglect. This is an issue that should be seriously considered when children have diagnosable disorders, particularly those that are obsessive/compulsive, dissociative, anxiety-based, and/or oppositional/defiant in nature.

When considering children with disorders such as those just previously indicated, it should be taken to mean that the caregiver is not necessarily the cause of the disorder, though that likelihood can certainly exist as well. Rather, it may well be that the child has these disorders and, due to frustration, the parent resorts to punishments that are bizarre or unorthodox in nature. For example, parents of a strongly oppositional child may resort to locking the child in a dark closet as a means of containing the child and also depriving them of stimuli that may heighten the child's emotionality. While this may have a basis of logic to it, this type of punishment is not appropriate yet may occur for long periods of time. In the process, the child's short-term behavior may be adjusted, but their sense of long-term maladjustment is further aggravated; in short, the parents contribute to the emotional disturbances that the child exhibits. On the other hand, parents who are psychologically abusive may also actually be a causal factor in a child developing any variety of emotional or adjustment disorders. Children who are psychologically abused may have depression, anxiety, dissociative, and so forth. In such cases, the treatment from the caregiver negatively impacts that child's ability to thrive, resulting in an emotionally impaired child.

When neglect or abuse is detected within the home of a juvenile on a CSO's caseload and/or when an adult offender is thought to be neglecting or abusing his or her children, the officer is under a legal obligation to report these actions to child protection services within that state. In reality, most all citizens are required to report this activity anytime they observe it occurring, but CSOs are especially liable and required to make such reports when they encounter child maltreatment. In essence, the CSO is required to intervene. Intervention officially begins when the officer reports the neglect or abuse and the child protection agency proceeds to the investigatory stage. This stage usually involves a home visit and interviews with all parties involved in the behavior and who know about the circumstances. Child protection officials typically then generate a risk assessment and make a decision regarding the best type of action to take that meets the best interests of the child.

If it is determined that abuse has indeed occurred, the police and the investigator for the child protection agency will take the case to the local prosecutor so that it can be charged. Even with the official determination of neglect or abuse, these proceedings can be difficult and challenging. First, the juvenile may be quite ashamed, unable, or even afraid to leak information regarding their abuse. Cox et al. (2008) noted that

in many cases, even though they are being regularly and severely abused, children will not tell others because of the fear (sometimes instilled by their abusers) that their parents will be taken away from them if they do seek help. (p. 274)

This is a very important observation since these children often know no other way to live, their current abusive situation being normalized as part of their life. In addition, among some cases that do go to court, the child may be unable to effectively testify due to fear, trauma, and anxiety that impedes their ability to

provide information effectively to the court. Lastly, even in those cases where the child is able to provide effective testimony, judges and/or family protection agencies may still be hesitant to remove the youth from a home due to objections from the family members, often including objections from the very juvenile who has been abused. Lastly, when youth are enmeshed in such toxic systems and when their socialization is such that they are not even personally aware that they should, in fact, seek refuge from their abusive family system, it is important that states exercise that right that was mentioned earlier in this section—the right of *parens patriae*. The state should protect the welfare of the juvenile, both as a moral obligation and even as a public safety obligation. Indeed, it is in this manner that the state protects the welfare of the child while aiding future crime prevention within the community, since a reduction in maltreatment of these youth will translate to a reduction in future delinquency. In such cases, intervention simply makes good sense.

When maintenance of the family is not a viable option and it is not in the juvenile's best interest, it may be that the juvenile probation officer will place the juvenile in a foster home. Typically, foster homes are used for children who have been victims of abuse or neglect. Among those youth who are persistently delinquent, the use of residential treatment facilities are generally more appropriate (Cox et al., 2008). Foster homes are intended to provide the appropriate supervision and care that, in the case of juvenile offenders, is likely to have been missing from their own family life. The care and attention provided by foster homes naturally go beyond that which the probation officer can provide and therefore are critical resources for youth that truly have no where else to turn.

Though juvenile courts are careful when selecting foster home placements, it is inevitable that some juveniles will simply be too difficult to control. This places difficulty on the foster parents who attend to such youth, and this also can negatively impact other youth staying at the foster home. In some cases, difficult juveniles may victimize the other children staying at the home, and this then creates a risk that makes further placement unlikely, resulting in the youth's placement in residential treatment. It is clear that the complexities with raising these needy youth can be quite challenging and stressful for foster parents, so careful screening is typically conducted of those persons that apply to be foster parents. As Cox et al. (2008) noted,

assuming responsibility for a delinquent, abused, or neglected juvenile placed in one's home requires a great deal of commitment, and many juveniles who might benefit from this type of setting cannot be placed due to the lack of available families. (pp. 246–247)

Family Services and Family Interventions

In many communities, there tends to exist a number of programs that provide for family services; CSOs who have juvenile offenders on their caseloads will likely become familiar with these agencies over time. Such services can be important in reducing delinquency and in providing the juvenile probationer with some degree of grounding since these agencies tend to have a variety of healthy and prosocial programs for youth. This range of services can include recreational activities, after-school programs, access to therapeutic services for families, services for domestic violence victims (adult and juvenile), Planned Parenthood and/or teenage pregnancy services, as well as a number of other important functions and activities.

Risk Factors and Protective Factors for Juveniles

When implementing any program for preventing or treating juvenile offenders, the risk factors that lead to juvenile delinquency must be understood. Risk factors may be found in the individual, the environment, or the individual's ability to respond to the demands or requirements of the environment. Research has

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4. Understand the concept of co-occurring disorders.
5. Identify and discuss different types of treatment programs for substance abusers.
6. Understand and discuss the mentally ill offender.
7. Identify different types of **mental illness** common to the offender population.
8. Understand various classifications of mental retardation.

Specialized and problematic offenders often suffer from symptoms, disorders, and illness not commonly or fully understood by most employees of community corrections agencies. As a result, it is critical that employees of community corrections agencies identify resources within their communities that have the expertise and capabilities of providing needed services to certain offenders. In order for community corrections agencies to maximize their ability to effectively supervise specialized offenders, supervision efforts should coincide with appropriate psychological and emotional counseling provided by licensed professionals within the community. This section will review four of the most frequently supervised specialized and problematic offender: the sex offender, the substance abuser, the mentally ill offender, and the mentally retarded offender. Each of these offender groups will be discussed along with possible alternatives to referral and supervision.

Adult Sex Offenders

This section addresses the issue of **sexual assault** against adult (not child) victims. Before proceeding, however, it is necessary to define sexual assault. First, the reader should understand that the term *sexual assault* is used as a blanket term that refers to a number of sexually related forms of offending. Sexual assault includes all types of sexual offenses that involve touching or penetration of an intimate part of a person's body without consent (LeBeau & Mozayani, 2001). Thus, sexual assault includes forced sodomy, forced oral copulation, child molestation, and any form of undesired sexually related touching (LeBeau & Mozayani, 2001). For purposes of this chapter, sexual assault is the act of forced penetration of any bodily orifice (vaginally, anally, or orally), or forced cunnilingus or felatio, involving violation of the survivor's body and psychological well-being. The assault is accomplished by the use of force, the threat of force, or without force when the survivor is unable to physically or mentally give their consent.

Sex Offender Typologies: Victim Chosen Is Adult

Throughout North America, sex offenders make up an increasing proportion of persons who are convicted and later incarcerated. In some states, it has been found that the largest group of offenders is that of sex offenders (Morris & Tonry, 1990). The most common demographic feature is that rapists tend to be young.

When examining the Uniform Crime Reports (UCR) data, over half of rapists arrested are under 25 years of age, and a full 80% are under the age of 30. Further, the National Crime Victimization Survey estimates that roughly one fourth of all combined rapes and attempted rapes that occur at any point in the year are committed by offenders who are between the ages of 12 and 20. Additionally, it has been shown that a high number of rapes of adult victims have been committed by juvenile offenders. This underscores the finding that roughly half of all adult sex offenders report that their first sexual offense occurred during their teens (Bartol, 2002).

Bartol (2002) noted that roughly half of all men arrested for rape tend to be employed in working-class occupations, with another approximate third being unemployed. Of the convicted rapists, only 20% had a high school education and the overwhelming majority came from labor-oriented occupations (Bartol, 2002). Thus, few white-collar or professional workers are convicted of rape. There is, however, substantial evidence that most charges for rape are dropped or pleaded out of court to a lesser charge for those men who are more affluent. Likewise, the majority of these offenders are not under correctional supervision before their initial arrest for their sex offense and most have some establishment within the community. Further, it has been found that sex offenders do not share the same tendency to "age out" of their crimes as do offenders who are fond of committing other types of offenses (Abel & Rouleau, 1990). Thus, one can deduce that sex offenders start their offending at a young age, and they are likely to continue offending throughout their life span if some form of intervention is not successful.

It should also be noted that most sex offenders do not have a serious mental illness. Although a diagnosis of **antisocial personality disorder (ASPD)** is very common among sex offenders, it is generally not considered sufficient to justify classifying the offender as mentally disordered (Rice, Harris, & Quinsey, 2002). Moreover, despite sensationalism from the media, most sex offenders do not have a major mental disorder such as schizophrenia or some other psychoses (Sturgeon & Taylor, 1980).

Many researchers have attempted to classify various kinds of rapists (Holmes & Holmes, 2002). However, the chosen typology that will be used for this text and for this section was originally devised by Knight and Prentky (1990). This typology divides rapists into four categories: (1) power reassurance, (2) power assertive, (3) anger retaliation, and (4) sadistic. In addition, two more categories have been provided to more adequately discuss the various types of adult-on-adult sex offenders and their motives for committing their crimes. These two additional categories are the sexual gratification rapist and the opportunistic rapist.

Power Reassurance Rapist

The **power reassurance rapist** is probably the least violent of the types that will be considered. Typically, these offenders are socially incompetent and may be quite introverted in thought and



▲ **Photo 11.1** This community supervision officer (CSO) is assigned solely to a sex offender caseload. He holds a miniature tracking device, typically referred to as an MTD in the field. This piece of equipment works in conjunction with global positioning system (GPS) surveillance technology.