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COMMUNITY REENTRY AND JUVENILE JUSTICE: THE ROLE OF DEVELOPMENTAL SCIENCE IN LEGISLATIVE  
DECISION-MAKING

A dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy  
at Virginia Commonwealth University.

by

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### Definitions

*Adjudication:* The process by which youth formally receive a ‘conviction’ by a juvenile court judge.

*CBO Report:* Reports provided courtesy of the Congressional Budget Office.

*CRS Report:* Reports provided courtesy of the Congressional Research Service.

*Developmental Language:* Language that acknowledges the differences between youth and adult offenders regarding facets relating to development (i.e., social, biological, cognitive, or emotional development). For example, four landmark Supreme Court cases specifically discuss developmental differences, such as “lack of maturity,” between children and adults as the reason for their decision. Specifically, in *Roper v. Simmons* 543 U.S. 551 (2005) the Supreme Court abolished the death penalty for youth. *Graham v. Florida* 560 U.S. 48 (2010) prohibits life without the possibility of parole for youth with non-homicide offences. *Miller v. Alabama* 567 U.S. 460 (2012) holds that life without the possibility of parole for youth is unconstitutional. *J.D.B. v. North Carolina* 564 U.S. 261 (2011) determined that age is a relevant factor for determining whether or not to issue Miranda warnings for a police interrogation.

*Evidence-Based Practices:* Programs implemented within the juvenile justice system that have been proven effective through research and evaluation.

*Juvenile Justice Reentry:* The process of youth returning to their home community after having been incarcerated.

*Status Offender:* A person guilty of a status offense.

*Status Offense:* An offense that is only illegal for a person under a certain age (e.g., alcohol offenses, truancy, etc.)

**List of Acronyms**

AERA: American Education Research Association

APA: American Psychological Association

ART: Aggression Replacement Training

BLS: U.S. Bureau of Labor Statistics

CJJR: Center for Juvenile Justice Reform

COVID-19: Coronavirus Disease 2019

CRS: Congressional Research Service

CSC: Community School Coordinator

CSG: The Council of State Governments

D.A.R.E.: Drug Abuse Resistance Education

DHHS: Department of Health and Human Services

DOJ: Department of Justice

DOJIM: Department of Justice Justice Manual

DOLETA: Department of Labor Employment and Training Administration

ESSA: Every Student Succeeds Act

FAFSA: Free Application for Federal Student Aid

FFT: Functional Family Therapy

FY: Fiscal Year

IACHR: Inter-American Commission on Human Rights

JJDPA: Juvenile Justice and Delinquency Prevention Act

LGBT: Lesbian, Gay, Bisexual, Transgender

NCJRS: National Criminal Justice Reference Service

NFL: National Football League

NIJ: National Institute of Justice

NJDC: National Juvenile Defender Center

NYSAP: National Youth Screening & Assessment Partners

NRRC: National Reentry Resource Center

OJJDP: Office of Juvenile Justice and Delinquency Prevention

RPS: Richmond (VA) Public Schools

SAMHSA: Substance Abuse and Mental Health Services Administration

SRCD: Society for Research on Child Development

UN: United Nations

WHO: World Health Organization

## Abstract

## COMMUNITY REENTRY AND JUVENILE JUSTICE: THE ROLE OF DEVELOPMENTAL SCIENCE IN LEGISLATIVE DECISION-MAKING

By: Kristina McGuire, M.S.

A dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy at Virginia Commonwealth University

Virginia Commonwealth University, 2020

Major Director: Wendy Kliewer, Ph.D.  
Professor of Psychology  
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The goals of the present study were to examine federal and selected state legislation for reentry initiatives within the juvenile justice system using content analysis, including determining if bill language utilized terminology reflecting research or developmental science. Thematic analysis was used to examine publicly available federal documents focused on juvenile justice reentry to understand how policymakers were promoting reentry initiatives. Federal bills and documents from April 1, 2008 to December 31, 2019 and state bills from January 1, 2015 to December 31, 2019 for Virginia, North Carolina, Iowa, Missouri, Maryland, New Jersey, Kansas, and Georgia that referenced juvenile justice and reentry were reviewed. Federal documents revealed four main foci, centering on financial support, providing resources, the person, and a need for systemic change. Findings showed that enacted legislation has not employed the use of developmental terminology in bill language but did utilize research language. Additionally, enacted legislation was broadly reentry focused, addressing system efficiencies and educational improvements, but largely did not remove individual barriers justice-involved youth face. There was a dearth of legislation at the state level and a very small percentage of enacted legislation at the federal level, with only 4.7% of reentry bills moving through the legislative

process. Policy and research implications are discussed in relation to future research being more person-centered as well as using more concise, precise language when providing policymakers with research outcomes for legislative initiatives.

## Community Reentry and Juvenile Justice: The Role of Developmental Science in Legislative Decision-Making

On any given day, the juvenile justice system has over 60,000 youth in its care (American Civil Liberties Union, 2020). Over the previous decade, both the adult corrections and juvenile justice systems have been working to overhaul outdated punishment imperatives and work to facilitate an atmosphere of rehabilitation for offenders (Clear & Frost, 2014). Specifically, the purpose of the juvenile justice system is two-fold: (1) to hold youth accountable for their actions and (2) to rehabilitate youth back into the community upon reentry in order to be productive citizens (Inter-American Commission on Human Rights; IACHR, 2018). Reentry can be defined as the transition from a secure juvenile facility back into the community (Mears & Travis, 2004). Reentry services are critical in the juvenile justice system because youth often enter the system with limited education and work experience, and frequently encounter significant employment barriers prior to and post incarceration (The Council of State Governments; CSG, 2018; Taliaferro et al., 2016). In order for reentry to best serve the juvenile justice population, reentry programs need to be targeted to the developmental needs of this population; this includes building or augmenting social, emotional, and vocational skills (CSG, 2018).

The term 'reentry' as it is used currently in the justice system means a process or continuum of services for both adult and juvenile offenders; however, prior to 2008 reentry was not conceptualized as such. The Second Chance Act, signed by President George W. Bush in 2008, represented a paradigm shift in how services for offenders were conceptualized (Clear & Frost, 2014). The Second Chance Act was introduced in 2007 in the House of Representatives with overwhelming bipartisan support and became public law in April 2008. The overarching goal of the Second Chance Act is to reduce recidivism (CSG, n.d.). The Act does this by authorizing grant funding for reentry initiatives that provide a continuum of services for both adult and juvenile offenders to help returning citizens successfully transition back into the community.

During his tenure in the 1990s as governor of Texas, President George W. Bush attributed delinquent acts by youth to their individual characteristics and increased punishment for offenders; specifically, the youth incarceration rate more than tripled (Duggan, 1999). When talking about laws regarding delinquent youth, President Bush is quoted as saying “We love you, but you are responsible for your actions” (Duggan, 1999). While in the White House, President Bush recognized high rates of reoffending and that there must be a better way to reduce recidivism. This ideology led to the Second Chance Act, an effort to provide reentry programming for incarcerated youth and adults (CSG, 2013; 2018). Juvenile reentry was conceptualized by the Second Chance Act as a process. Ideally, reentry is practiced as a continuum consisting of three phases: (1) while youth are incarcerated within a juvenile justice facility, (2) during the transition from a juvenile justice facility back into the community, and (3) once the youth is living back in the community (Altschuler & Bilchik, 2014). However, in reality, this process and continuum of care rarely occur. The juvenile justice system and community partners do not consistently or effectively work together during the transition from incarceration back into the community (Mathur & Clark, 2014). For example, maintaining contact with youth after reentering the community often is lacking (Abrams et al., 2008).

Recidivism, or rather the lack thereof, is a key indicator of the success of reentry programs. Although tracking recidivism in juvenile justice is not standard or common practice, it is estimated that up to 80% of youth are rearrested within three years of release (CSG, 2013). There is no federal mandate on reporting recidivism and states vary in how they report, conceptualize, and measure recidivism (Office of Juvenile Justice and Delinquency Prevention; OJJDP, 2017a) and thus it is unclear what reentry services are most successful; although punitive programs (e.g., boot camp, scared straight; CSG, 2013; Cullen, 2005; Layton Mackenzie et al., 2001) and poorly implemented programs (e.g., Functional Family Therapy (FFT) or Aggression Replacement Training (ART); Washington State Institute for Public Policy, 2004) show increases in juvenile recidivism. When implemented properly, FFT and ART may reduce

recidivism, although the results, particularly for ART, are inconclusive (see Cahill, 2015; Erickson, 2013; McCoy, 2013; Prieto, 2012). Boot camp programs were first implemented in 1985 (National Institute of Justice (NIJ), n.d.) just after President Reagan introduced the “Just Say No” to drugs campaign, possibly doubling down on his commitment to eradicating drugs through punishment initiatives (History, 2019). Others attributed punitive programs to the crack epidemic and increasing gun violence of the 1980s and 1990s (Lipsey et al., 2010).

Reentry became more of a legislative priority in response to the economic downturn of 2008 when correctional budgets were severely cut (Sparks, 2018), prompting departments to look at alternatives to incarceration and considering a variety of measures that could reduce recidivism rates. Reentry requires a successful transition back into the community through employment opportunities (U.S. Department of Education, 2016a). Employment opportunity initiatives are being implemented nation-wide, though there is no uniform or consistent process; evidence-based practices for improving employment opportunity are slowly in development (Lattimore et al., 2005; Rhine et al., 2006; Visher & Travis, 2011) and have had modest success at reducing recidivism (Abrams et al., 2008; Bouffard & Bergseth, 2008).

In addition to the challenges noted above to enacting reentry programs for juvenile justice populations, policymakers’ limited knowledge of public programs and the value they provide within individual communities presents additional barriers to effective legislation (Mintrom & Luetjens, 2015). The Supreme Court has noted that some information regarding programs may not require more than “common sense” to account for developmental differences between youth and adults (*J.D.B. v North Carolina, 2011*, p. 17). Although policymakers may lack substantial knowledge about programs, they do have prescribed personal attributions and biases regarding juvenile justice, including if programming should be rehabilitative or punitive (Arceneaux, 2012). For a number of reasons, including those cited here, support of programming in the juvenile justice system is on the decline. Persons with knowledge

of the system report that funding reductions reduce available services, perpetuating the cycle of delinquency (Act4JJ, 2019). As noted by several scholars, reentry, as a policy priority, cannot be understated in its importance for improving budgets, increasing community safety, and producing productive citizens (Caporizzo, 2011; Engel et al., 2009; White House, 2018).

The purpose of the current study is to better understand the federal legislative initiatives pertaining to juvenile justice reentry and to begin to see how policymakers define and use developmental language in their decision-making process. Specifically, this work takes into consideration how public policies pertaining to juvenile justice are used in reentry practices, both by explicit verbiage (i.e., specific mentions) and implicitly through the use of research evidence. This will help clarify if and how policymakers are using developmental research in their decision-making and may provide researchers with information on how to better disseminate research findings. Currently there is a large gap between academic research and public policy. Legislative staff often work faster than academics in applying research; legislative staff rely on both party priorities and real-world stories from the media to make policy decisions (Brownson & Jones, 2009). Martin et al. (2019) note that both academics and government officials will have to change the way they do business in order to work together and improve policies using research findings. Understanding the role of the federal government in juvenile justice reentry initiatives is important because it is the federal government who sets funding priorities, not states (Finklea, 2016). Funding priorities at the federal level shape the type of initiatives states are able to propose and enact. The current study seeks to better understand the role of the federal government in juvenile justice reentry initiatives.

### **Positionality Statement**

Positionality, defined as the researcher's identity within a research topic, is salient to qualitative research (Medzani, 2020), and needs to be considered in evaluating the trustworthiness of findings. For this research topic, it is first important to think about my position within the juvenile justice system. I

have never been incarcerated, either as a child or an adult. I am a white female, which statistically is not an overrepresented population within the juvenile justice system. My experience with juvenile justice stems from research that started as an undergraduate interviewing youth in the juvenile justice system on various aspects of their experience and behavior, including delinquency. In graduate school, my focus shifted to resilience and behaviors that could foster a shift in trajectories away from delinquent behavior. I was offered a teaching position in local (adult) prisons during graduate school where I gained insight into reentry barriers through the nature of conversations had with persons incarcerated and developed an interest in policy through this work. I work part-time as a Policy and Research Analyst with the Virginia Department of Juvenile Justice, so I know much more about both the legislative process and the reentry process in Virginia than I do in the other states reviewed. My experience in federal policy is limited to interning with the Research to Policy Collaboration and meeting with legislative staffers on Capitol Hill to better understand broad research needs, although this has provided me with a perspective on both research needs and capacity for new research information. With regard to reentry, I believe that youth have the ability to grow and learn and become successful citizens with access to quality programming and a growth mindset.

### **Literature Review**

#### **How Legislators Have Used Developmental Science: A Broad Overview**

“Developmental science is the systematic scientific study of the conditions and processes producing continuity and change over time in the biopsychological characteristics of human beings” (Bronfenbrenner & Evans, 2000, p. 117). Science did not begin to impact developmental theories until the nineteenth century (Lerner, 2001); this is particularly important to note when considering the history of the United States. Our laws and foundations were not built on developmental knowledge or scientific principles. This may explain the slow progress that has been made generally in integrating developmental principles into policy. Education, for example, struggles to integrate developmental

knowledge into policy as it relates to topics such as social and emotional learning because of the demand for progress on high stakes testing standards, forcing many schools to adopt reactionary discipline procedures (Bailey et al., 2019) leading to less adaptive long-term outcomes for youth.

Substance use is another area of research that struggles to incorporate developmental science into policy. As can be said about many disciplines, substance use specialists work in a narrow field and often are not at the forefront of public policy change (Polcin, 2014), possibly explaining the limited action taken to update and improve substance use programs. As an example, the popular D.A.R.E. (Drug Abuse Resistance Education) program has been consistently funded since its inception in the 1980s, despite the fact it has been found repeatedly to be ineffective at reducing drug use among adolescents (see Lohman, 2010; West & O'Neal, 2004). Funding has decreased over the years (Cima, 2016), and the program did receive an update in 2011, reportedly more in line with research on reducing drug use with youth (Cima, 2016), although certain elements of the program have not been tested for efficacy (Caputi & McLellan, 2016).

Although there is limited evidence of how developmental science has informed public policy, change is happening. For example, the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law No: 115-435), which became law on January 14, 2019 requires federal agencies to develop plans for supporting policymaking using statistical, data-informed evidence. During the first two years of the Act there is time for agencies to determine needs and capacity for implementing guidance listed in the bill, making it unclear about the extent to which agencies already have implemented the use of statistical evidence when considering bills. Additionally, organizations such as the American Psychological Association (APA), Society for Research on Child Development (SRCD), and American Education Research Association (AERA) are diligently working to bridge the research to policy gap that currently exists. Researchers are able to disseminate their research findings and use the influence of these (and other advocacy organizations) to produce reports with overt policy implications (Maton & Bishop-Josef, 2006).

Each of these organizations offer policy fellowship programs, providing opportunities for researchers to immerse themselves in federal or state policy. Lastly, APA, SRCD, and AERA offer ample resources for researchers to advocate and generally be more involved with policy (see <https://www.srkd.org/policy-engagement>, <http://advocacy.apascience.org/>, or <https://www.aera.net/Research-Policy-Advocacy> for additional information).

Even if a policymaker has a specific stance on a topic, whether for punitive or rehabilitative reform, change may not be imminent based on the way the political winds are blowing or how the issue is being framed in the media. Some bills are introduced in a political climate where the bill will never pass (Downing, 2018), but by bringing awareness to an issue, developmental scientists have a chance to provide research and knowledge about the topic so that change can happen when the political climate shifts. At the end of the day, policymakers are committed to “survival” in their jobs (Latessa, 2004), which means balancing public support and political agendas. Given the breadth of psychology as a discipline, the current study specifically focuses on how developmental science is or is not used with regard to reentry initiatives within the juvenile justice system.

### **A Brief History of Juvenile Justice**

In 1899, a judge in Illinois issued a decree to separate legal proceedings involving youth from those involving adults, and mandated separation between youth and adults who were confined within the same institution thus establishing the first juvenile justice court (Schultz, 1973). Organizations advocating for youth separation from adults began as early as 1825 (National Criminal Justice Reference Service; NCJRS, 1999). This reflected a paradigm shift in thinking with regard to child and adolescent capacity for crime versus adult capacity for crime, establishing a mission to aid in youth rehabilitation. Within 25 years, all but two states had crafted similar juvenile justice courts (IACHR, 2018).

Although the development of the juvenile justice court was innovative for the time, the most recent Juvenile Justice Reform Act (2018) pushes for both sight and sound separation of youth from

adults. When youth are incarcerated in an adult facility, for a juvenile offense, the Juvenile Justice and Delinquency Prevention Act (JJDP) mandates that youth are separated from adult offenders by both sight and sound—however a loophole in statutory language can negate this mandate, continuing the cycle of developmental insensitivity toward youth (Knoke, 2019). Similarly, other laws are generally not aligned with developmental differences between youth and adults. For example, North Carolina recognizes youth as adults at the age of 15, while several other states set the upper age at 16 (e.g., Texas, Missouri, Wisconsin, Michigan, New York, South Carolina, Georgia, and Louisiana; OJJDP Statistical Briefing Book, 2019). In another example, several states have laws that make juvenile sex offender information public—which does not reduce sex offenses, but it does negatively impact the trajectory of development throughout their lifespan (MacArthur Foundation, 2014). It is clear that laws governing juveniles in the United States are not consistently sensitive to the developmental needs of youth and continue to work from a deficit perspective (U.S. Departments of Education and Justice, 2014). However, over the last 15 years some legal decisions have demonstrated developmental sensitivity. For example, *Roper v. Simmons* (2005) abolished the death penalty for youth and was the first of four Supreme Court cases considering developmental capacity in their justification for lessening culpability for children.

The juvenile justice system, though flawed, continued to push a rehabilitative agenda until the public started questioning the potential for rehabilitation through the 1950s and 1960s (Clear & Frost, 2014; NCJRS, 1999). Laws in the 1960s required the juvenile courts to become more formal with youth in response to both public outcry (NCJRS, 1999) and a noted rise in crime (Annis, 1982; Martinson, 1974), which led to the punishment era. The punishment era was rooted in a narrative that adult (Annis, 1982; Martinson, 1974) and juvenile offenders were not capable of rehabilitation (see Butts & Mears, 2001; Chung et al., 2014; Cullen, 2005; Gottfredson & Hirschi, 1990; Martinson, 1974), thus punishment became a priority over rehabilitation. The punishment era was prominent from the 1970s through

approximately 2010. This era was characterized by the lack of rehabilitative services offered to incarcerated individuals and was heavy on punishment (Butts & Mears, 2001), as the name implies. The punishment era was largely a political agenda set forth by the federal government—politicians were competitively seeking the “law and order” vote from constituents (Unnever et al., 2010); reform, equally, was in response to a political agenda, namely the fiscal crisis which permeated during the 2008 recession (Clear & Frost, 2014). As a result of the fiscal crisis, the justice systems were forced to look at drivers of cost and found that the incarcerated population was at an all-time high (Gramlich, 2018).

Policymakers have underestimated the degree to which the general public is willing to support the rehabilitation of juvenile offenders (Latessa, 2004; Piquero & Steinberg, 2010; Piquero et al., 2010); however, despite underestimation, the paradigm of juvenile justice has shifted and is once again rehabilitative. The current rehabilitative framework seeks to aid youth in accountability for their actions, fair treatment, and making a successful transition into adulthood (National Research Council, 2013). A dominant viewpoint of rehabilitation with juvenile offenders is that programming should foster positive social development, rather than focus on controlling or deterring delinquent behaviors (Arredondo, 2003).

### **Defining the Period of Adolescence and the Age of Accountability**

There is no concise definition for what ages constitute the period of adolescence. To succinctly understand adolescence as it will be used in this study, it is necessary to define adolescence and the age of accountability and then briefly describe the main changes existing during this developmental period. Most definitions of adolescence are arbitrarily defined but generally this time period is recognizable to most people as the transition period between childhood and adulthood (APA, 2002). The United Nations (UN Fact Sheet, 2013) and World Health Organization (WHO, 2019), for example, define ‘youth’ as being in the transition period between childhood and independent adulthood between the ages of 15 and 24. The WHO (2019) further defines an adolescent as a person aged 10 to 19. The U.S. federal government

typically sets the age of adult accountability as age 18, with individual states afforded the right to set a lower age of accountability (Youth, n.d.). Iowa, Missouri, and Virginia do not have a minimum age of accountability but set the maximum age for a juvenile at 18 years old (National Juvenile Defender Center (NJDC), 2019). North Carolina sets a minimum age of accountability at six years old and a maximum age for juveniles at 16 for violent felonies and offenses involving motor vehicles and age 17 for misdemeanors and non-violent felonies (North Carolina Judicial Branch, 2019). This means that a 16- or 17-year old, in North Carolina, (depending on the crime) can be tried and held as an adult without consideration for their juvenile status. On any given day nearly 5,000 incarcerated youth are held in an adult jail or prison facility (Sawyer, 2018).

Individuals who have committed a delinquent act prior to their 18<sup>th</sup> birthday are considered 'juveniles' by the Federal Juvenile Delinquency Code (Department of Justice, n.d.). In this paper, the term youth refers to a person under the age of 18 as defined by the delinquency code. Generally speaking, persons in charge of delinquent youth (e.g., policymakers, lawyers, judges) do not have formal training on adolescent development broadly (Arredondo, 2003) or the more nuanced developmental issues (e.g., traumatic experiences) that are specific to youth with justice-system involvement.

Before becoming involved with the justice system youth often are faced with a myriad of challenges and adversity individually, at home, at school, and in their communities (Chung et al., 2014; Connolly & Kavish, 2018), and once they become entangled with the justice system the challenges are multiplied. Youth are in a vulnerable period of wanting autonomy and needing structure and boundaries so as not to exceed their limitations (Arredondo, 2003), while broadly developing an overall sense of self and identity (Bonnie et al., 2013). The struggle to define identity is cited as a potential reason for youth reform in *Roper v Simmons* (2005). Increasingly, research is pointing toward a need to use an intersectionality framework to define individual identity. Intersectionality, a term coined by Crenshaw (1989) to identify the multiple dimensions of structural influence that are present across race, gender,

social class, and sexuality. Additionally, in the transition from childhood to adolescence, youth begin to experience social and cognitive changes that enable them to understand social and environmental nuances and become more pragmatic in their thinking (Piaget, 1963). These changes have implications for how adults should interact with youth. Specifically, adults should provide timely, predictable, and consistent responses to the needs and behaviors of youth (Arredondo, 2003)—a consideration when developing reentry programming for youth within the juvenile justice system.

Youth may commit delinquent acts as a coping mechanism to handle childhood adversity and traumatic experiences (Agnew, 2012; Connolly & Kavish, 2018). This type of maladaptive coping supports Arredondo's (2003) argument for including developmentally appropriate social skill building as part of reentry training for justice-involved youth. Youth need skill building based on their *individual* experience and background rather than a one-size-fits-all approach.

The current generation of youth, more than ever before, has been molded by technology, helicopter parents, and constant praise for little effort (Thompson & Brodie Gregory, 2012). This and the fact that employment opportunities for youth have changed significantly due to industrialization (Green, 2017) means that society needs to rethink how we train youth to become productive employees and possibly retrain older adults how to work with this current generation. The transition from adolescence into adulthood has slowed as a result of these changes as well (Arnett, 2017; Green, 2017). Youth are delaying career and family life in order to more fully understand and grasp their sense of self.

### **Reentry Challenges for Justice-Involved Youth**

There are many challenges facing reentry back into the community for youth who have been involved with the justice system. This is due, in part, to the lack of consistent or comprehensive reforms in the systems in which these youth have been confined. An example of inconsistent reform is that rehabilitation is seldom an option for youth who commit violent offenses (IACHR, 2018) or youth who are incarcerated with adult populations (Knoke, 2019)—missing the opportunity for reentry or

rehabilitation altogether. Two of the most prevalent challenges for reentry concern education and employment (Chung et al., 2014).

### **Education**

Collectively, juvenile offenders have poorer academic outcomes than their peers who are non-delinquent (Baltodano et al., 2005; Chung et al., 2011). Youth with poor academic achievement are more likely to drop out of school and are at higher risk for economic disadvantage throughout the lifespan (White et al., 1994). Specifically, the U.S. Department of Education (2016c) reports that more than 25% of youth who have had justice system involvement will drop out of school within six months of release. Other reports show justice-involved youth dropout rates as high as 75% (Every Student Succeeds Act (ESSA), 2016; Singer et al., 2019). The numbers are even more grim for released ninth graders—only 15% will graduate high school within four years (U.S. Department of Education, 2016c), distancing them from their peers and from critical opportunity to succeed (Steinberg et al., 2004). It is also well-documented that high school dropouts are more likely to be incarcerated as adults (U.S. Department of Education, 2019).

Archwamety and Katsiyannis (2000) studied justice-involved males and determined that youth in need of remedial education were more likely to violate parole or recidivate than their delinquent peers with no remedial needs. It is estimated that between 30 and 80 percent of justice-involved youth are eligible for special education, compared with approximately 13% of public-school students (Read, 2014). Results from a 2012 study by The Sentencing Project show that of persons serving life imprisonment who were sentenced as teenagers, 40% were enrolled in special education classes (Rovner, 2020). High quality education while incarcerated leads to lower recidivism (U.S. Department of Education, 2015a), regardless of education needs.

In the United States teacher shortages in K-12 schools are significant (García & Weiss, 2019), and this shortage is exacerbated with the juvenile justice education system (Houchins et al., 2004). Youth

often are behind their peers in educational attainment upon initial contact with the juvenile justice system (ESSA, 2016). Among justice-involved youth there are additional educational challenges unique to being institutionalized, such as less instruction time, higher teacher absenteeism, less access to critical math and science courses (U.S. Department of Education, 2016a), less access to certified teachers (Houchins et al., 2004), and difficulty with reenrolling in school upon community reentry. Reenrollment is challenging due in part to credits not transferring between the institutional school and their community school (ESSA, 2016). For example, in a data report by the U.S. Department of Education (2015b), 41% of teachers were reported absent from class for more than ten days of the school year at the Yvonne B. Miller High School at the juvenile correctional center in Virginia. Youth also expend a lot of energy trying to navigate the transfer between school systems leading to the high dropout rate among justice-involved youth (ESSA, 2016; Singer et al., 2019). Dropping out of high school puts youth on a trajectory that includes unemployment, poor health, and chance of again being incarcerated (Radcliffe & Bos, 2013), a cycle familiar to many justice-involved persons. Singer and colleagues (2019) report that administrative staff recognize that education quality is lacking in the justice system and recommend that youth need education advocates if real change is to happen. Education advocates have potential to be a key part of the reentry process.

The pecuniary value of a high school diploma has fallen, and consequently wages paid to persons without a college degree have declined drastically (Schneider & Stevenson, 1999), although high school graduates are more likely to have employment than their peers who have dropped out of school (Legters & Balfanz, 2010). For youth who drop out, the long-term labor market prospects are severely limited (Sum et al., 2009). Vocational education during high school has been on the decline (Schneider & Stevenson, 1999) although technical education is being reintroduced in some districts, for example Richmond, Virginia (Richmond, Public Schools; RPS, 2019) or Norcross, Georgia (Simmons, 2019). There is some indication that there is a shortage of high school educated workers and that educators are

moving away from pushing college to all students and realizing that youth are not “one size fits all” (Simmons, 2019).

A college degree is typically perceived as a minimum standard to be competitive on the job market (Farnworth & Lieber, 1989; Schneider & Stevenson, 1999) and more than ever, college is a path taken for career opportunity and attainment (Mayhew et al., 2016), rather than undertaking college for the joy of learning. Even among non-justice-involved adolescents, college readiness is lagging in the United States (Radcliffe & Bos, 2013). College degrees have skyrocketed in price (Schneider & Stevenson, 1999), putting a strain on many families trying to obtain a level of economic freedom that comes with having greater employment options due to having a degree. In addition, youth from a justice-involved background often lack enough competitiveness to be accepted into higher education institutions (Jäggi, 2016; Sharlein, 2018); this is partially due to the unstructured nature of data transfer between institutionalized schools and community schools (Singer et al., 2019; Stephens & Arnette, 2000).

Even if youth are competitive enough to seek higher education, there are many additional roadblocks justice-involved youth must face. There is a literal box that potential students have to check to indicate if they have a felony offense on record (U.S. Department of Education, 2016b). In a study of persons applying to the State University of New York, 67% of formerly delinquent applicants immediately stopped filling out their application after being asked to check this box (U.S. Department of Education, 2016b). The federal student loan process through Free Application for Federal Student Aid (FAFSA; 2019) has multiple restrictions on loan eligibility for youth who have been incarcerated. For example, it will not provide funding to youth who have been adjudicated of a sex offense. A ‘Dear Colleague’ letter was circulated in 2014 that youth in juvenile correctional institutions *are eligible* for Federal Pell Grants (GEN-14-21, 2014), however these youth, because they are incarcerated, are not eligible for federal student loans (GEN-14-21 FAQ, 2014). The maximum Federal Pell Grant is \$6,195 for

the 2019-2020 school year (Federal Student Aid, n.d.) and the number allotted is determined by expected family contribution, full- or part-time attendance, long-term plans for attending school, and cost of attendance at the school. The cost of tuition and fees may easily surpass the total Pell award. Youth trying to create a better life for themselves and their families are being continuously challenged by their community, particularly through education blocks, after being deemed eligible for reentry into society by the juvenile courts.

### **Employment**

Adolescence is a salient time to invest in one's potential future self (Destin & Oyserman, 2010), which includes being career-focused (Erickson, 1963). Youth are in an uncertain phase, taking with them the knowledge they have acquired in childhood, but not yet understanding the nuances of adult responsibility (Erickson, 1963). Adolescents are motivated to be successful in their career (Schneider & Stevenson, 1999), and youth with life skills, a concrete academic foundation, and professional attitudes and attributes attain long-term success, including productive citizenship and economic self-reliance (O'Sullivan et al., 2001) through meaningful employment. Youth today have more flexibility and options to choose from when thinking about their career path (Arnett, 2017; Schneider & Stevenson, 1999) than in previous generations due to increased urbanization. Justice-involved youth are drawn to the principles of the American Dream (Soyer, 2016), a promise that offers upward mobility to all Americans in exchange for hard work. Youth of low socioeconomic status are drawn to the notion of success but are unclear about the steps needed to get there and have low sense of efficacy that they can enact the steps they are clear about (Kirkpatrick Johnson & Hitlin, 2017). Unfortunately, some youth develop a sense of "unrealistic hopefulness" for the future which leads to frustration and ultimately disappointment when aspirations do not become reality (Martin, 2003; Merton, 1938). For example, after pleading guilty to burglary charges, Graham (*Graham v Florida*, 2010) penned a letter to the court saying, in part, that if he received a second chance, he would be going to the NFL (National Football

League); evidence suggests that this lofty and largely unrealistic goal is commonplace among adolescents (e.g., Baird et al., 2008; Halliday Hardie, 2014) and may lead to lower life satisfaction and higher deviance. For boys, youth deviance may translate into adult workplace deviance (Leeper et al., 2014), which provides an example of why reentry training in social and vocational skills is relevant for delinquent youth and may help improve long-term outcomes.

Youth are looking for work to be meaningful (Thompson & Bodie Gregory, 2012). For justice-involved youth this means that they need to be actively gaining new, useful skills that they can regularly utilize in the community (Pamment, 2016). Similarly, research suggests that comprehensive training programs connected with long-term career opportunities are successful for preparing youth to reenter the community (O’Sullivan et al., 2001). However, this is not necessarily true in practice, possibly due to the cost associated with providing training (National Reentry Resource Center; NRRRC, 2017) or the stigma in the workplace—employers are hesitant to employ or train youth that have a juvenile record (Pham et al., 2017). Another reason for the lack of developmentally appropriate training programs may be due to data showing that most youth mature out of delinquent behavior (Moffitt, 1993). Research indicates that a lack of marketable skills is associated with criminal behavior among incarcerated youth (Steele et al., 2016), so it seems evident that in order to reduce such behavior, providing opportunities for youth to obtain legal and meaningful employment is important. One study found that youth who had the desire for employment, but were unemployed, were more likely to be delinquent than peers with gainful employment (Staff et al., 2010). This may stem from an economic need for stability (Agnew, 1992; Merton, 1938) or something else entirely. Understanding reentry challenges presents an opportunity to more closely examine federal priorities to see if and how they map onto reentry needs.

#### **Federal Priorities for Juvenile Justice Initiatives**

Federal priorities for juvenile justice initiatives are affected by a myriad of factors including political priorities, values and beliefs about the causes of crime, the national economy, and other

pressing issues in U.S. society and around the world (Harvell et al., 2019; Light, 2001). Over time, the salience of juvenile justice initiatives has vacillated as these priorities, values, and other issues have shifted (Jones, 2019). During the turmoil of the shift toward the punishment era, the priority of the Democratic party was to bring to light perceived abuses of power by states, judges, wardens, and parole boards—essentially anyone with discretionary power over the justice system; the Republican party accepted this because of a general disapproval for providing human services to an “undeserving” population (Cullen, 2005). As Cullen (2005) notes, the punishment era created distrust amongst the federal government over the discretionary power of states. It is difficult to pin down blame for punishment on either the Republican or Democratic party because in actuality the blame cuts across politicians, researchers, media, and the general public. Agendas for both parties and even to some extent within parties, are varied. As of 2019, Bradley Jones of the Pew Research Center reports that top Republican priorities are targeted toward terrorism, immigration, military, social security, and the economy; top Democratic priorities target healthcare, education, the environment, Medicare, and the poor and needy. In 1999, crime was considered a top priority for both parties, while in 2019, crime is not currently in the top five priorities for either party (Jones, 2019).

### ***Political Agendas in the Media and in Research***

In addition to varied partisan agendas, it is easy to see political agendas in the media and in research. Researchers tend to have narrow agendas, based on their scope of subject expertise (Downing, 2018). The media impacts legislative agendas (Walgrave & Van Aelst, 2016) because it is able to bring attention to issues in a way that is easy to consume (for both the public and lawmakers). A key example is the research of Robert Martinson (1974) denouncing rehabilitation as a viable option for juvenile (and adult) offenders. His paper caught the attention of *60 Minutes* where Mike Wallace interviewed Martinson and concluded the interview with the rhetorical question “Is it conceivable that

nothing works?” but Martinson had made his point and following the interview many in the general public erroneously believed that offenders were incapable of rehabilitation (Demers, 2011).

It is not inconceivable to understand how values and beliefs are swayed by media and personal accounts of issues affecting legislation. How policymakers understand the world—just as others understand the world—is through a social construction of culturally and historically embedded knowledge gleaned through experience and interaction (Blustein et al., 2004). We infer causality by attributing interactions (Harvey et al., 2014) to motivation for action (Weiner, 2010). Specifically, when thinking of crime attribution, we can attribute delinquent acts to individual or structural factors. Individual attributions are internal to the person—a failure of the person; while structural attributions are linked to external or environmental causes for delinquency (Unnever et al., 2010).

### ***The Roles of Attributions and Religiosity in Legislative Priorities***

There is limited research on attributions for delinquency. However, in one study, aggressive delinquent youth reported personal culpability for their delinquent behaviors, an individualistic attribution (Guerra et al., 1990). Specific to attributing political ideology to juvenile justice, Grasmick and McGill (1994) found that persons having conservative religious views were more likely to prefer punitive outcomes for justice-involved youth. Religion, historically, has been a strong indicator of voting behavior (Gibbs, 2005); persons with conservative religious beliefs are more likely to vote Republican at the polls (Layman, 1997; Olson & Green, 2006), and have a general disposition toward punitive outcomes rather than rehabilitative outcomes (Leiber & Woodrick, 1997)—particularly on issues that are connected to biblical reference (i.e., abortion, crime, etc.; Gibbs, 2005; Leiber & Woodrick, 1997). Furthermore, religiosity has been utilized by presidents to “gain and consolidate power” and push partisan agendas (Bouchelaghem, 2017). In these instances, it is more likely voting constituents will vote for rehabilitation efforts if they attribute behavior to structural causes rather than individual causes because of a belief that there is an underlying motivator of crime that can be extinguished (Unnever et al., 2010).

### **The Process of State Funding for Juvenile Justice Initiatives**

As noted in the preceding section, federal priorities for juvenile justice initiatives are determined through a multitude of pathways and shift over time. Further complicating this picture, although funding overwhelmingly comes from federal sources, implementation of juvenile justice policy and procedure is largely a state issue. Congress adopted the JJDPA in 1974 (Department of Justice Justice Manual; DOJJM, 2018) and most recently reauthorized it in 2018 (Act4JJ, 2019). The JJDPA provides funding for states to run their juvenile justice systems. In order for states to receive funding they must comply with four core requirements which are to: (1) reduce disproportionate minority contact, (2) separate youth by both sight and sound from adult inmates, (3) remove youth from adult jails or lock-ups unless the youth is charged in adult criminal court, and (4) deinstitutionalize status offenders (OJJDP, 2019).

Disproportionate minority contact refers to the overrepresentation of minority youth in juvenile facilities. As of 2019, Black youth comprised 14% of the total U.S. population (Sawyer, 2019), while the most recent juvenile justice population estimates from the OJJDP have incarcerated Black males at 42% and Black females at 35% (OJJDP, 2017b). The overall minority population in juvenile justice facilities in 2017 was 68% male and 62% female (OJJDP, 2017b).

Title II Formula Grants are authorized through JJDPA and dispersed via OJJDP. Title II Formula Grants are non-competitive grants that provide states with funding to use largely at their own discretion so long as the money is distributed amongst one of 35 program areas—reentry programs being one of the options. Other program options include improving curricula geared toward issues such as substance abuse, sex offender rehabilitation, or gun programming (OJJDP, 2009). Table 1 breaks down Title II Formula Grant funding from the most recently available fiscal years (FYs). Much like other federal funding, the amount distributed varies by year and federal priorities. Generally, funding has been reduced every year since 2002, with short reprieves in 2010 (Finklea, 2016) and 2018 (Congressional Research Service; CRS, 2018). When and by how much these numbers will continue to increase or

decrease is not currently known. The Juvenile Accountability Block Grants which provided alternatives to confinement for youth have not been authorized since FY 2009 (Finklea, 2016) or funded since FY 2013 (Act4JJ, 2019), just one example of funding reductions states have to work around. Allocation of funds is determined by the population of youth under age 18 for each state.

**Table 1**

*Title II Formula Grants Awarded to States, FY 2015 to FY 2018*

State	FY 2015	FY 2016	FY 2017	FY 2018
United States <sup>a</sup>	\$38,113,697	\$38,943,372	\$34,388,607	\$42,873,907
Virginia	\$868,373	\$945,441	\$783,688	\$1,027,568
Iowa	\$400,548	\$402,161	\$400,281	\$438,876
North Carolina	\$1,047,252	\$895,961	\$921,428	\$1,213,214
Missouri	\$682,188	\$721,826	\$608,250	\$777,942
New Jersey	\$952,360	\$1,012,535	\$830,721	\$1,086,994
Kansas	\$393,667	\$407,423	\$400,277	\$423,881
Georgia	\$1,133,960	\$1,217,039	\$998,286	\$1,376,377
Maryland	\$647,460	\$690,147	\$582,356	\$745,742

FY = Fiscal Year. <sup>a</sup> Represents the total amount of funds appropriated to formula grants for the entire U.S. State totals represent the amount of funding received and are subtracted from the U.S. total (OJJDP Statistical Briefing Book, 2019).

#### **Justification for Selected State Data in the Current Study**

Due to the fact that funding for juvenile justice initiatives are funneled through the states, it is important to study states that have received particular funding for reentry initiatives. This will illuminate how funding is being used to make legislative change within states. Specifically, Virginia, Iowa, and North Carolina will be reviewed as they received grant funding in excess of \$700,000 each specifically for reentry through the *2015 Reentry Implementation Grant* provided by OJJDP (CSG Justice Center Staff,

2015). Of note, only six states were eligible for this implementation grant because of their award of the *FY 2014 Second Chance Act Comprehensive Statewide Juvenile Reentry Systems Reform Planning Program* grant. The purpose of the FY 2014 grant was to develop a plan to overhaul the reentry system and the 2015 grant was funding to put that plan into place. These states will provide an excellent source of information regarding the kinds of legislation introduced and enacted, in response to federal legislative initiatives. It is important to note that this study is not an evaluation of the *2015 Reentry Implementation Grant*.

In addition, data for Missouri will be reviewed because this state has implemented a model which many states are trying to replicate. Although it is unclear if Missouri applied for the reentry planning program in 2014, they are widely considered a model state for juvenile justice rehabilitation (Annie E. Casey Foundation, 2010) making it relevant to consider the work they are doing and how their work is impacted through legislation. This will be discussed further under the section titled *Missouri*.

From a developmental perspective, since the implementation and reentry grants were awarded in 2014 and 2015 there has been time to see progress on grant goals and introduced legislation. Generally, 2015 was a pivotal year in which states started moving toward reform through federal initiatives (i.e., Juvenile Justice and Delinquency Prevention Reauthorization Act of 2015). Because of the additional funding it is anticipated that there are significant steps being taken in both state and federal legislation to overhaul reentry initiatives.

Additionally, four states (New Jersey, Kansas, Georgia, and Maryland) were selected for inclusion in the study as exemplars who have not received funding specifically for reentry. There is benefit in understanding what states are doing to improve reentry processes in lieu of a funds surplus. The four states were matched as closely as possible based on total population to the aforementioned states. For example, North Carolina boasts a population of 10.4 million residents and Georgia claims 10.6 million residents. While the states are not being compared directly, Virginia (8.5 million) was

matched with New Jersey (8.8 million), Iowa (3.1 million) was matched with Kansas (2.9 million), and Missouri (6.1 million) was matched to Maryland (6.0 million). Each matched state also included similar rates of poverty and unemployment, as seen in Table 2.

State and federal population characteristics from the U.S. Census are available in Table 2. The most recent arrest, commitment, and detention rates for youth, available from OJJDP, are found in Table 3. Total juvenile arrests in all states and the District of Columbia for all offenses in 2018 was 728,280 (OJJDP Statistical Briefing Book).

**Table 2**

*Population Characteristics using U.S. Census Data Estimates for Calendar Year 2019*

	Total state population	Median income	% HS	% POV	UNEM (%)	Voting Record
United States	328,239,523	\$60,293	87.7	11.8	3.7	n/a
Virginia	8,535,519	\$71,564	89.3	10.7	2.8	D
Iowa	3,155,070	\$58,580	92.0	11.2	2.7	R
North Carolina	10,488,084	\$52,413	87.4	14.0	3.9	R
Missouri	6,137,428	\$53,560	89.6	13.2	3.3	R
New Jersey	8,882,190	\$81,740	89.5	9.5	3.6	D
Kansas	2,913,314	\$58,218	90.7	12.0	3.2	R
Georgia	10,617,423	\$58,756	86.7	14.3	3.4	R
Maryland	6,045,680	\$83,242	90.0	9.0	3.6	D

*Note.* % HS = Percent of persons 25+ completing high school (2014-2018); % POV = Percent living in poverty – calculated as total family income being less than the money income threshold for poverty, as set by the Census Bureau (see <https://www.census.gov/topics/income-poverty/poverty/guidance/poverty-measures.html> for more detailed information about how poverty rates are calculated); UNEM = Percent unemployment rate – expressed as a percent of unemployed persons as calculated by BLS ; Voting Record = Voting record for the most recent (2016) election; D = Democrat, R = Republican. Unemployment data is recorded for December 2019.

**Population characteristics**

Youth arrest population characteristics are provided for the states examined in this study in order to have a better understanding of the youth being served (Table 3). In order to distinguish the rates reported, arrest rates are the number of youth arrested by police. This is different from commitment or detention rates. Commitment is reserved for youth who have been adjudicated delinquent. Youth placed in detention are typically pending an adjudication hearing.

**Table 3***Youth Arrest Population Characteristics*

	Total youth population <sup>b</sup>	Percent reporting coverage <sup>c</sup>	Arrest rates <sup>d</sup>	Commitment rate <sup>e</sup>	Detention rate <sup>e</sup>
Iowa	730,767	85	1,432	115	59
North Carolina	2,300,645	52	943	30	16
Virginia	1,869,792	97	738	57	109
Missouri	1,376,830	88	1,067	109	32
New Jersey	1,953,643	95	908	38	26
Kansas	705,961	65	1,227	65	66
Georgia	2,505,751	79	967	51	54
Maryland	1,340,148	91	1,642	35	56

<sup>a</sup> Arrest rates for Iowa are in data year 2017. No counts are available for 2018. <sup>b</sup> Ages 0 to 17. Federal total population ages 0 to 17 is 73,399,342. Data is reported for 2018. <sup>c</sup> Percentage of state data available in 2018. For example, arrest, commitment, and detention rates for Iowa represent 85% of localities reporting data. <sup>d</sup> Per 100,000 youth ages 10 to 17 in 2018. Includes arrests for: aggravated assault, robbery, larceny, drug abuse, and weapons. Does not include youth in tribal facilities. <sup>e</sup> Per 100,000 youth ages 10 to upper age in each state for 2017. Does not include youth in tribal facilities. (OJJDP Statistical Briefing Book, 2018).

**Virginia**

Virginia's General Assembly has been continuously running since the year 1619 making it the oldest continuously running legislature in the United States (Virginia General Assembly, n.d.). Prior to

the 2008 election, Virginia was staunchly Republican in their voting history, but has consistently voted Democratic since 2008 (Electoral Ventures, 2020). Virginia boasts a thriving economy and low unemployment rate (2.6% in December 2019) in most of the state thanks, in large part, to the Washington, D.C. metropolitan area (U.S. Bureau of Labor Statistics; BLS, 2020). The Virginia Senate is comprised of 40 members with election terms of four years (Virginia General Assembly, n.d.). The House of Delegates in Virginia houses 100 members for two-year terms (Virginia General Assembly, n.d.). The General Assembly meets annually, beginning the second Wednesday each January; in even-years for 60 days, in odd-years for 30 days with the option to extend each year for an additional 30 days (Virginia General Assembly, n.d.).

The Virginia Department of Juvenile Justice, as a result of the implementation grant it received, is attempting to streamline the transition back into the community for incarcerated youth. This process includes involving other agencies to get youth access to services before they are released. For example, youth may take their learner's permit test and receive non-driving photo ID cards through the Department of Motor Vehicles (Transformation Report, 2019). Youth also receive assistance applying to Medicaid prior to release, and in some localities are partnered with the Virginia Local Workforce Development program where they are able to participate in career exploration. In FY 2014, the Virginia Department of Juvenile Justice spent 0% of their budget on reentry services; in contrast, during FY 2019, 3.8% of the budget was spent on Community Placement Programs and Detention Reentry programs, an indicator that reentry implementation is becoming a priority. As part of the grant, Virginia also seeks to improve family engagement and implement more evidence-based services to improve youth outcomes (CSG Justice Center Staff, 2015).

### ***Iowa***

A formerly Republican stronghold, Iowa has voted Democratic in the previous eight elections, with the exception of the 2004 and 2016 elections (Electoral Ventures, 2020). Iowa has a low 2.7%

unemployment rate, as of December 2019 (BLS, 2020). Iowa's General Assembly convenes annually beginning the second Monday in January and holds two legislative sessions; the first session begins in odd-years and lasts 110 days, the second session in even-years lasts 100 days (Iowa General Assembly, 2006). Iowa's General Assembly is composed of a maximum of 50 Senators (four-year-term) and 100 House Representatives (two-year-term; Iowa General Assembly, 2006).

In response to the reentry implementation grant, Iowa constructed a task force of stakeholders to identify and implement improvements to the juvenile justice system (Iowa Department of Human Rights, n.d.). Interestingly, the recommendations from the task force, national partners (CSG, NYSAP, and CJJR), juvenile court officers, and the Juvenile Justice Advisory Council did not provide suggestions directly targeting reentry—key recommendations from all partners centered on improving data collection efforts (Iowa Department of Human Rights, n.d.), which may be effective for making reentry recommendations in the long-term. Also, of note, Iowa has not ever had a formal reentry process prior to being awarded these back-to-back reentry grants (CSG Justice Center Staff, 2015). In the award notice, it was noted that Iowa is looking to improve job and vocational training for youth (CSG Justice Center Staff, 2015).

### ***North Carolina***

With the exception of the 2008 election, North Carolina has voted consistently Republican; although projections for the 2020 election are split (Electoral Ventures, 2020). In December 2019, North Carolina had an unemployment rate of 3.7% (U.S. Bureau of Labor Statistics; BLS, 2020). North Carolina's General Assembly is comprised of 120 members in the House of Representatives serving two-year terms and 50 members in the Senate serving two-year terms. The General Assembly meets each January with odd-year sessions convening longer than even-year sessions.

In the grant proposal North Carolina submitted requesting additional funding for reentry, they noted that one in three youth in their care were rearrested as adults as of FY 2009 (North Carolina

Department of Public Safety, 2014). In this report, North Carolina also identified objective outcomes to be measured (e.g., reduced substance use, obtaining job credentials or a job, improved mental health, and progress in attending school as well as progress generally in school performance). The goals that directly relate to reentry include improving programming, particularly community-based programming. North Carolina also identified key reentry barriers to be addressed including expanding opportunities for work and vocational training, strengthening family engagement, and timely reenrollment into school (CSG Justice Center Staff, 2015), issues well-known to be reentry challenges.

### ***Missouri***

Missouri has maintained a Republican vote for the previous five elections, 2000 to present; it is estimated that Missouri's electoral votes will remain Republican for the 2020 election cycle (Electoral Ventures, 2020). Missouri's unemployment rate was 3.3% in December 2019 (BLS, 2020). The Missouri legislature consists of a 163-member House of Representatives who serve two-year terms and 34 Senators serving four-year terms (Missouri, n.d.). The General Assembly in Missouri convenes on the first Wednesday after the first Monday each January and adjourns May 30<sup>th</sup>.

Missouri consistently is referred to as the leader in juvenile justice reform. Reported recidivism rates are among the lowest in the country (The Missouri Approach, 2018), although Missouri has not used evidence-based interventions in the implementation of its model (Huebner, 2013) with the caveat that state legislation may be considered an intervention—making Missouri a particularly important state to evaluate. The purpose of evaluating Missouri is to examine legislation to see if changing trends in reentry are observed after legislation has been adopted to try and better understand the phenomenon that is taking place in this state.

### ***New Jersey***

New Jersey has voted Democrat in every election since 1992 (Electoral Ventures, 2020). The unemployment rate in December 2019 for New Jersey was 3.5% (BLS, 2020). New Jersey's 40-person

Senate serves four-year terms and the 80-person House Assembly serves two-year terms. Each legislature consists of a two-year term, split across two annual sessions. All unfinished business expires at the end of the second-year term.

### ***Kansas***

Since 1968, Kansas has consistently voted Republican (Electoral Ventures, 2020). The unemployment rate in December 2019 for Kansas was 3.2% (BLS, 2020). Kansas holds an annual legislative session from the second Monday in January to early May with its 40-person Senate and 125-person House of Representatives (Kansas, n.d.). The Senate is elected for four-year terms and the House is elected for two-year terms (Kansas, n.d.).

### ***Georgia***

With the exception of votes in 1992, Georgia has voted Republican in every election since 1984 (Electoral Ventures, 2020). The unemployment rate in December 2019 for Georgia was 3.2% (BLS, 2020). Georgia holds elections for its legislature every two years (even-numbered years; Georgia General Assembly, n.d.). The House consists of 180 members, while the Senate boasts 56 members. The Georgia General Assembly meets between January and late March each year (Georgia General Assembly, n.d.).

### ***Maryland***

Maryland voted Democrat in the 2016 election as it has consistently done since 1992 (Electoral Ventures, 2020). The unemployment rate in December 2019 for Maryland was 3.5% (BLS, 2020). Maryland's bicameral legislature consists of 141 members in the House of Delegates and 47 Senate members (Maryland, n.d.). Maryland's General Assembly annually convenes on the second Wednesday in January for 90-day sessions (Maryland, n.d.).

### ***Summary of State Data***

To summarize, the current study utilizes state data from Virginia, Iowa, and North Carolina based on their award of the *2015 Reentry Implementation Grant*. Additionally, Missouri was selected

based on its reputation for juvenile justice reform. Four states were selected as comparison states to the exemplars and were matched on approximate population size comparisons, New Jersey, Kansas, Georgia, and Maryland.

### **Current Study**

The National Research Council (2013) describes adolescence as a distinct developmental period in which cognitive differences emerge between adolescents and adults. Developmental scientists have made recommendations for changes in juvenile justice policies based on this information, although few actual policy changes have been implemented to date based on current developmental knowledge. Some localities are responsive to developmental information; others are not adequately using developmental science to inform operations (Tuell et al., 2017). Based on previous research reviewed in this document, the following research questions are proposed:

1. Since the enactment of the Second Chance Act on April 9, 2008, and the simultaneous use of the term reentry, what legislation has the federal government introduced and/or enacted regarding juvenile justice youth and their reentry into the community?  
  
Do federal bills introduced since April 9, 2008
  - a. use terminology that reflect developmental science (i.e., make reference to youth development)?
  - b. make reference to the use of research evidence?
2. How are federal legislators talking about juvenile justice and reentry topics on social media and in documents to their constituents (in reference to bills introduced April 9, 2008 or later)? What attributions are legislators making when referencing delinquency?
3. Since the passage of the *2015 Reentry Implementation Grant*, what legislation has Virginia, North Carolina, and Iowa introduced and/or enacted regarding juvenile justice youth and their reentry into the community? Simultaneously, what legislation has been introduced and/or

enacted regarding juvenile justice youth and their reentry into the community in Missouri, Maryland, Georgia, Kansas, and New Jersey?

Do bills introduced in Virginia, North Carolina, Iowa, Missouri, Maryland, Georgia, Kansas, and New Jersey in 2015 or later

- a. use terminology that reflect developmental science (i.e., make reference to youth development)?
- b. make reference to the use of research evidence?

### Method

#### Database

Quorum is a comprehensive database that holds legislative information at both the state and federal levels. Federal bills date back to the 101<sup>st</sup> Congress held in 1989. Information on state bills varies, with most states having data back to 2011, and some states being available after 2013 (Quorum, n.d.). The longitudinal nature of this data allows for tracking change over time, although not as comprehensively as the federal record. Quorum is not intended as a research database, however researchers are using Quorum to examine bills related to poverty (Crowley et al., 2019) and human trafficking (Scott et al., 2019).

Quorum was designed to improve access to legislative data by having all information on one platform, rather than having to search piecemeal through many websites and distribution lists. Quorum is not publicly available without a fee. It is located at <https://www.quorum.us/>. Access to Quorum was granted to me via an internship I am completing with the Research to Policy Collaboration affiliated with Penn State University.

Quorum accesses publicly available data and uploads it to their site within a very short time. For example, new bills and votes are uploaded within two hours of being posted to congress.gov. Also uploaded within two hours are: press releases, floor statements, House Dear Colleague letters,

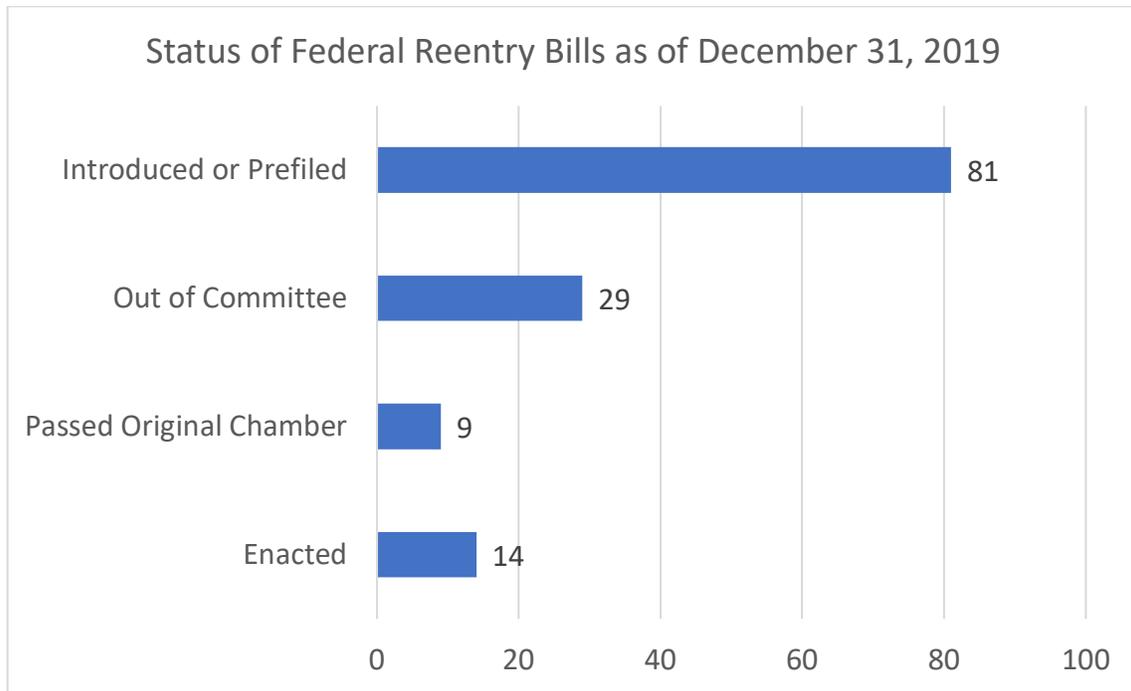
Government Accountability Office reports, Congressional Budget Office reports, Committee Reports, and White House documents. Emails to constituents are uploaded every hour and reports from the CRS are uploaded three times per day. State bills, Committee Documents, and State Supporting Bill Documents are uploaded at least daily. Letters to constituents are uploaded every hour (Quorum obtains state letters to constituents by subscription to approximately 2,500 constituent newsletters). Twitter posts are uploaded within ten minutes of the post and date back to 2015. Facebook, Instagram, and Medium posts are uploaded every two hours, while YouTube videos are uploaded every three hours and access is available for all historic posts.

### **Data Utilized**

Data utilized for this study included all federal bills and public documents related to juvenile justice and reentry dating from April 9, 2008 to December 31, 2019 that met specific research criteria, and state bills from Virginia, Iowa, North Carolina, Missouri, New Jersey, Kansas, Georgia, and Maryland dating from January 1, 2015 through December 31, 2019. Although federal data in Quorum dates back to 1989, the first bills relating to juvenile justice AND reentry appear in 1993. The current study examines federal bills after April 9, 2008 when the 2007 Second Chance Act became public law. Primary documents include federal bills introduced in Congress that specifically relate to the key terms “juvenile justice” AND “reentry.” Quorum uses Boolean search terms so using AND in the search box shows results that contain both expressions. Exclusion criteria was determined after initial review of the bills when bills did not relate to the overall goals of the study and will be discussed and noted in the results section. There were 562 federal bills mentioning juvenile justice between April 9, 2008 and December 31, 2019. Of those, 133 bills explicitly referenced both juvenile justice and reentry, as shown in Figure 1. In addition to the bills, Figure 2 shows there were 316 federal documents explicitly mentioning juvenile justice and reentry.

**Figure 1**

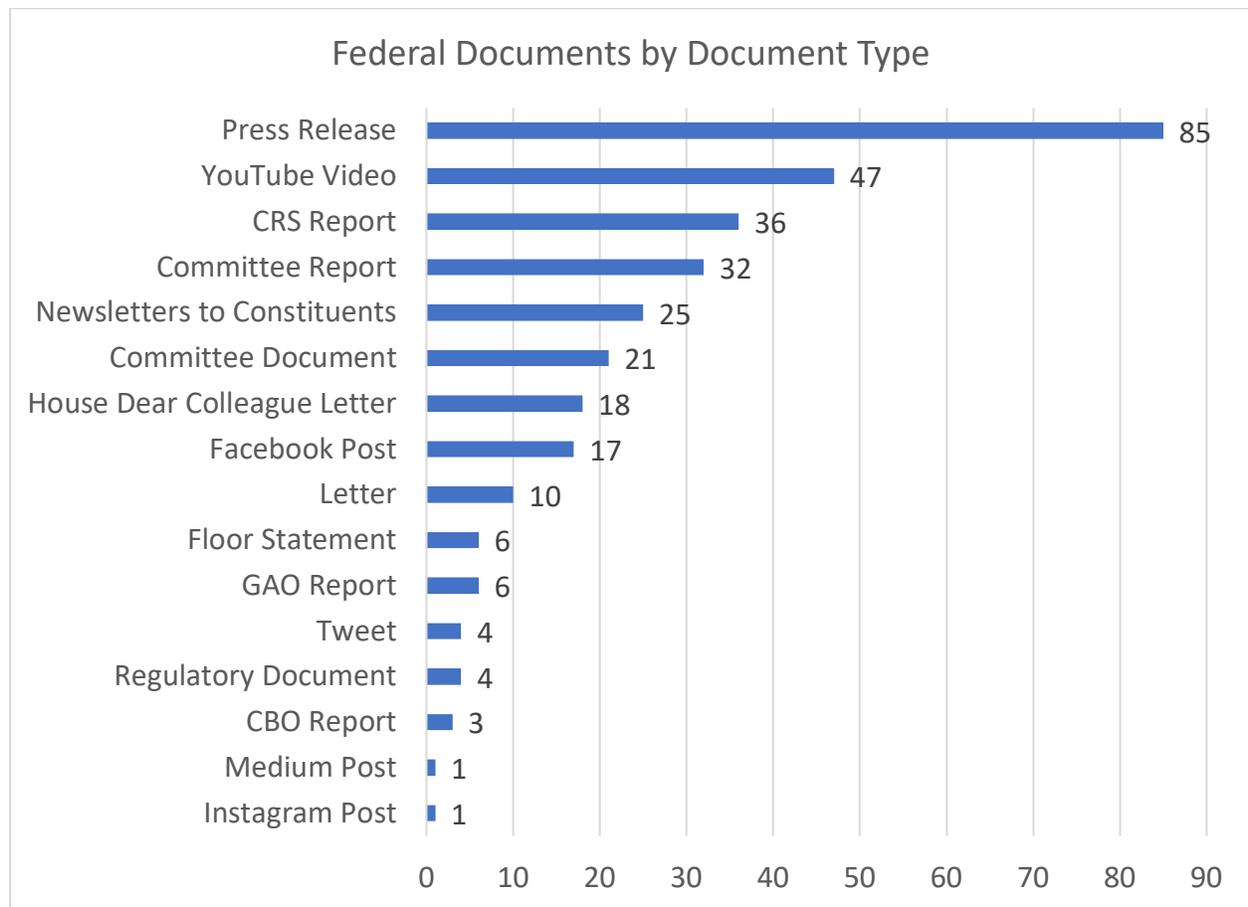
*Status of Federal Juvenile Justice Reentry Bills as of December 31, 2019*



*Note.* There were 133 federal bills referencing juvenile justice AND reentry between April 9, 2008 and December 31, 2019.

**Figure 2**

*Federal Documents Relating to Juvenile Justice Reentry by Document Type*



*Note.* There were 316 federal documents referencing juvenile justice and reentry between January 1, 2015 and December 31, 2019.

This study also analyzed bills from Virginia, Iowa, North Carolina, Missouri, New Jersey, Kansas, Georgia, and Maryland as previously outlined. All bills were reviewed from January 1, 2015 through December 31, 2019. State bills started January 1, 2015 as all states have data available in Quorum and the date coincided with the 2015 Reentry Implementation Grant. Documents were not reviewed for states due to limited count and heterogeneity of document type, as seen in Table 4.

**Table 4***State Documents Relating to Reentry by Document Type*

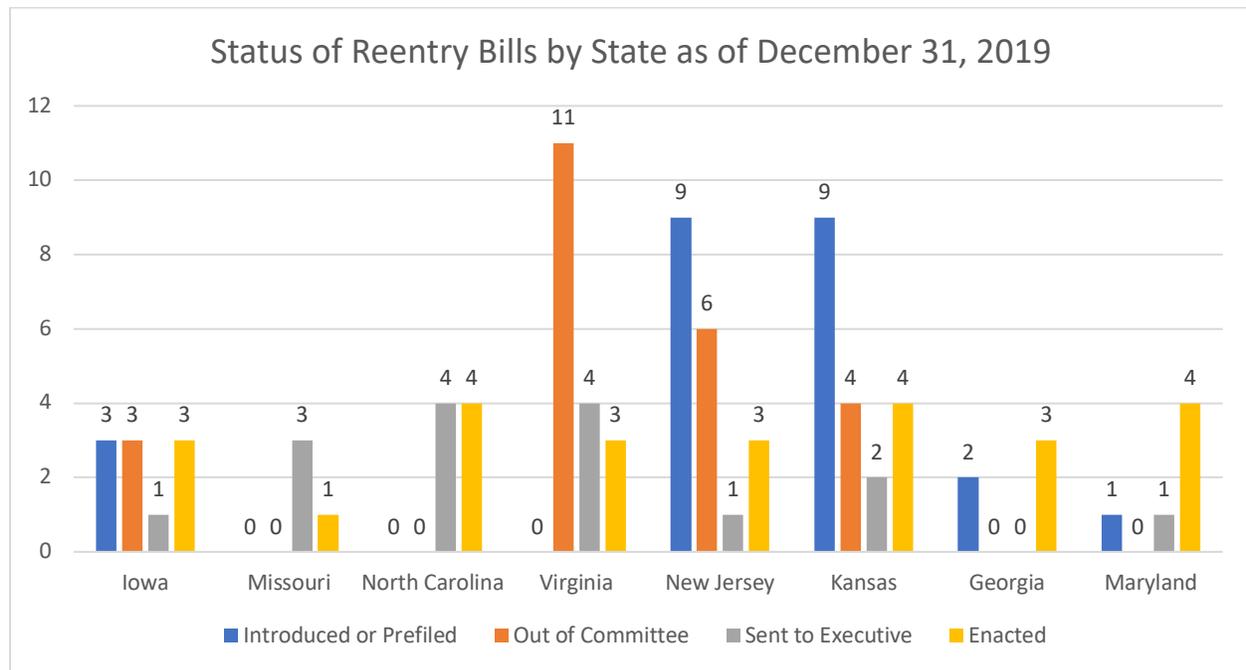
	Virginia	Iowa	North Carolina	Missouri	New Jersey	Kansas	Georgia	Maryland
Newsletters to constituents	5	1	0	1	0	0	0	0
State bill supporting document	1	18	19	4	8	7	0	10
Facebook post	4	0	2	0	0	0	1	1
Tweet	4	0	3	0	0	0	2	0
Press release	1	0	9	0	2	0	1	0
Executive order	1	0	0	0	0	0	0	0

***State Data***

Between January 1, 2015 and December 31, 2019, there were 18 Virginia bills that referenced both juvenile justice and reentry. Iowa had 10 bills that referenced both juvenile justice and reentry; North Carolina had eight bills referencing both juvenile justice and reentry; there were four Missouri bills that reference both juvenile justice and reentry; New Jersey had 19 bills referencing juvenile justice and reentry; Kansas had 19 bills referencing juvenile justice and reentry; Georgia had five bills making reference to juvenile justice and reentry; and Maryland had six bills referencing juvenile justice and reentry. Figure 3 reports the status of these bills at the end of 2019, the end point of data collection for this study. Of the 89 state bills reviewed, only 28% ( $n = 25$ ) have been enacted into law.

**Figure 3**

*Status of State Juvenile Justice Reentry Bills as of December 31, 2019*



*Note.* Status of bills introduced between January 1, 2015 and December 31, 2019. Kansas reports bills that Passed Original Chamber rather than Sent to Executive.

**Data Analytic Procedures**

Descriptive information analyzed for this study included qualitative content of relevant federal and state bills and qualitative thematic content on communications related to federal bills. With regard to coding, a minimum of two individuals read the bills and coded for content: myself and a second coder (a third coder coded subsamples for reliability and in instances of coder disagreement). This study utilized six secondary coders, each taking PSYC 494 Research Internship course as an elective subject at Virginia Commonwealth University with Drs. Marcia Winter, Geri Lotze, or Wendy Kliever. The coders specifically were looking for qualitative coding experience. Coders met remotely, due to the COVID-19 pandemic, and were in contact via email, text, and video calls. Per recommendation from Neuendorf (2019), the number of coders is irrelevant as long as training is consistent and output from coders is consistent. Coders initially were sent chapters introducing them to content analysis (Neuendorf, 2019)

and thematic analysis (Clarke & Braun, 2017). Additionally, coders were given access to an article utilizing legislative content analysis (Yanovitzky & Weber, 2020) to be able to visualize and better comprehend the direction of the project. Coders then met and were trained via Zoom sessions to establish rapport and answer questions regarding the coding process. Codes were compared and reviewed in the early stages of coding to ensure comprehension of the task and similarity of coding (Neuendorf, 2019; Ulin et al., 2005) and then all codes were compared after coding to check for signs of coder drift (Ulin et al., 2005), although checking all codes is more comprehensive than necessary to ensure inter-coder reliability (Neuendorf, 2019). Additional training for coding, particularly with regard to content analysis, is described below.

To reiterate the questions guiding the current study and the method used:

1. Since the enactment of the Second Chance Act on April 9, 2008, and the simultaneous use of the term reentry, what legislation has the federal government introduced and/or enacted regarding juvenile justice youth and their reentry into the community?

To answer this first question, all federal bills were downloaded that referenced juvenile justice and reentry ( $N = 133$ ) beginning April 9, 2008 through December 31, 2019, as previously noted. I accomplished this over a series of weeks. As federal bills in particular are quite lengthy, the next step was to extract information directly related to juvenile justice and reentry in order to read over the relevant portions of the bill and code for evidence of reentry legislation within the bills. This technique is particularly useful for discarding text within lengthy bills that is irrelevant to the research question (Grimmer & Stewart, 2013). Both the secondary coders and myself performed this step of the process. There was no *a priori* assumption of what these bills entailed. Content analysis is becoming increasingly common in its use for analyzing political documents and is particularly useful for this type of data as it provides a flexible structure to use for analyses when there are no theoretical assumptions about the data (Neuendorf, 2019). All content analyses were done by hand; the principal investigator using NVivo

12, and the secondary coders using data spreadsheets (i.e., Google Sheets) due to both budgetary constraints and the time involved to teach a new analytic program to multiple coders (Ulin et al., 2005).

The content analysis coding process involved: (1) reading all text that related to reentry within the juvenile justice system, specifically looking for *evidence* of reentry processes within juvenile justice legislation; (2) jotting memos and notes for the data; (3) labeling content; and (4) defining content.

Following the completion of this content coding, the next set of questions were addressed:

Do federal bills introduced since April 9, 2008

- a. use terminology that reflect developmental science (i.e., make reference to youth development)?
- b. make reference to the use of research evidence?

Based on the limited juvenile justice literature explicitly addressing developmental considerations, particularly relating to the Supreme Court cases which highlight the salience of developmental growth (e.g., Cauffman et al., 2018; Tuell et al., 2017) and the passage of H.R. 4174 – Foundations for Evidence-Based Policymaking Act of 2018, it was anticipated that there would be a linear trend in the proportion of bills introduced that used language of developmental science or research generally. To examine potential linear trends, I plotted the proportion of bills referencing developmental science and research by congressional session. More specifically, for questions 1a and 1b, I did a keyword search within the coded portion of the bills to determine if there were references to developmental science or research (Table 5) and had the secondary coders read for specific instances of research-evidence in the bills. The bills were then quantitatively coded as (0) (no reference to developmental science or research) or (1) (references developmental science or research). The number of bills referencing developmental science or research were divided by the number of bills analyzed in that session to create a proportion score. These scores were then plotted with the Congressional session along the X axis, and the proportion score represented on the Y axis and are displayed in the results section.

Table 5 displays a sample of terms utilized when looking at legislative references to human trafficking in policy (Scott et al., 2019). The terms in the first three columns of Table 5 reflect exact research terms Scott and colleagues utilized. Scott and colleagues conceptually grouped research keywords into five categories; the current study did the same in order to examine trends in legislation over time. For a full list of research terms used, broken down by category, see Appendix B. The five groups of research keywords were as follows:

1. *Analysis* keywords: these referenced statistical analyses such as “correlation” or “comparative analysis.”
2. *Method* keywords: these referred to storing, managing, or conducting data such as “statistical data” or “data system.”
3. *General Research* keywords: these keywords referenced research but may not have directly referenced findings, for example “academic research” or “latest research.”
4. *Findings* keywords: these referenced the findings in scientific literature such as “results of the study” or “peer-reviewed.”
5. *Direct* keywords: these explicitly referenced research terms that did not fit into the other categories such as “evidence-based.”

The keywords in the fourth column reflect categories created based on utilization in developmental science literature (e.g., Cauffman et al., 2018; Cauffman & Steinberg, 2000; Monahan et al., 2015; Lerner, 2001; Lerner et al., 2000; Scott & Grisso, 1997; Scott & Steinberg, 2019; Steinberg & Scott, 2003) and substantiated by their use in the four Supreme Court cases that reference developmental differences between youth and adults. The Supreme Court cases are *Roper v Simmons (2005)*; *Graham v Florida (2010)*; *J.D.B. v North Carolina (2011)*; *Miller v Alabama (2012)*. Table 6 breaks down the conceptual process followed to create and categorize developmental terminology. A list of

developmental terms used in the Supreme Court cases was compiled into Appendix A as is their categorization based on the developmental science literature.

Similar to Scott et al. (2019), keywords should provide evidence of implicit use of research in reentry legislation. Research keyword analysis examines how the use of keywords has changed over time. A discourse of the limitation of interpreting developmental terminology as a proxy for legislative understanding of science will be included in the discussion.

**Table 5**

*Selected Keywords for Identifying Research in Legislation*

Research evidence	Adjectives	Verbs	Developmental science
evidence	-informed	demonstrate(s)	cognitive
research	-based or based on	suggest(s)	social
studies or study	experimental	has/have found	emotional
scientific(ally)	peer-reviewed	found	maturation
data	rigorous	show or shows	psychological
empirical	randomized		

**Table 6***Conceptual Process for Determining Developmental Science Keywords*

Stages	Description of the process
1. Read research articles related to developmental science and the law and generate themes	Full text articles were read, specifically: Cauffman et al., 2018; Cauffman & Steinberg, 2000; Monahan et al., 2015; Lerner, 2001; Lerner et al., 2000; Scott & Grisso, 1997; Scott & Steinberg, 2019; Steinberg & Scott, 2003. Six recurring themes were identified: development, cognitive, social, emotional, maturation, psychological.
2. Identify and read Supreme Court cases	Supreme Court cases were identified in reading research articles relating to developmental science and the law (e.g., Cauffman et al., 2018). The full text of each Supreme Court case was downloaded from publicly available law websites. I read through the full text of each Supreme Court case.
3. Coding	Text was hand recorded at each instance of reference to developmental differences between youth and adults (e.g., "As individuals mature, the impetuosity and recklessness that may dominate in younger years can subside. For most teens, [risky or antisocial] behaviors are fleeting; they cease with maturity as individual identity becomes settled." ( <i>Roper v Simmons</i> , 2005)).
4. Theme mapping	Terms from the Supreme Court cases were mapped onto themes generated from developmental research articles. One theme (development) did not clearly map onto terms generated from the Supreme Court cases and was removed from consideration. Some terms could have mapped onto multiple themes. In those instances, I Googled the term for clarity. For example, impetuosity could have fit under any of the categories. The Google definition of impetuosity includes that it is an emotional response and was thus categorized under emotional.

2. How are federal legislators talking about juvenile justice and reentry topics on social media and in documents to their constituents? What attributions are legislators making when referencing delinquency?

To answer this research question, publicly available documents from federal lawmakers regarding juvenile justice legislation were pulled to assess the ways in which legislators were discussing reentry.

Using a thematic analysis approach (Nowell et al., 2017), the documents were examined for common elements in language, as well as any structural or individual attributions that were being made with

regard to reentry for youth involved with the juvenile justice system. Documents were pulled based on reference to juvenile justice and reentry ( $n = 316$ ). The coding process was similar to the content analysis of federal bills noted above, specifically: (1) reading all text within the documents that related to reentry within the juvenile justice system; (2) jotting memos and notes for themes and ideas that emerged from the data; (3) labeling themes; and (4) defining themes. As before, at least two coders, myself and a second coder read through each document looking for evidence of reentry in juvenile justice. Codes were created upon a first read of the data and were refined upon a second read, including noting additional codes not realized upon the first read and condensing redundant codes. A second reading of the data is important in thematic analysis to develop a clearer understanding of the data you are immersed in (Ulin et al., 2005). In some instances where codes were not able to be agreed upon, a third coder was relied on to enhance reliability of the final codes. Codes were then compiled both into a spreadsheet and on paper to visualize the data and see where the codes created themes. A larger discussion of themes, limitations, and implications for researchers and policymakers are included in the results and discussion sections.

The same process outlined for federal bills will follow for the questions regarding state legislation.

As a reminder, those questions are outlined here:

3. Since the passage of the *2015 Reentry Implementation Grant*, what legislation has Virginia, North Carolina, and Iowa introduced and/or enacted regarding juvenile justice youth and their reentry into the community? Simultaneously, what legislation has been introduced and/or enacted regarding juvenile justice youth and their reentry into the community in Missouri, New Jersey, Kansas, Georgia, and Maryland?

To answer this question, all state bills for Virginia ( $n = 18$ ), North Carolina ( $n = 8$ ), Iowa ( $n = 10$ ), Missouri ( $n = 4$ ), New Jersey ( $n = 19$ ), Kansas ( $n = 19$ ), Georgia ( $n = 5$ ), and Maryland ( $n = 6$ ) that

referenced juvenile justice and reentry after January 1, 2015 through December 31, 2019 were downloaded. The next step was to read the bills and conduct a content analysis on the bills.

The content analysis coding process involved: (1) isolating and reading all text that related to reentry within the juvenile justice system; (2) jotting memos and notes for content within the data; (3) labeling content; and (4) defining content. At least two individuals (myself and one of the additional coders) read each of the bills to determine content relating to juvenile justice and reentry. When coders did not agree on content, a third coder read through the bill to reach consensus and improve reliability (Ulin et al., 2005). Codes on all bills were compared for reliability, although again, it is more than necessary (Neuendorf, 2019). A larger discussion of themes, limitations, and implications for researchers and policymakers are included in the discussion.

Following the completion of this thematic coding, the next set of questions are addressed:

Do bills introduced in Virginia, North Carolina, Iowa, Missouri, New Jersey, Kansas, Georgia, and Maryland in 2015 or later

- a. use terminology that reflect developmental science (i.e., make reference to youth development)?
- b. make reference to the use of research evidence?

Similar to federal bills, a descriptive plot was utilized for bills that include references to developmental science. Specifically, for questions 4a and 4b, a keyword search of the bills determined if there are references to developmental science or research. The bills were quantitatively coded as (0) (no reference to developmental science or research) or (1) (references developmental science or research). The number of bills referencing developmental science or research were divided by the number of bills proposed in that session to create a proportion score. These scores are reported in the results section. Refer to Table 5 for a sample of keywords that were searched.

## Results

The results are presented with the thematic analysis of federal documents first, followed by content analysis of the federal bills and finally, content analysis of the state bills. Although the research questions presented the federal bills first, it logically makes sense to present all of the bills sequentially for reader ease.

Also, of note, several bills are mentioned in this section and are reported differently (i.e., H.B. # vs. A. #); these are both House bills but are reported as they are in the official state and federal ledgers, as shown in Table 7.

**Table 7**

*List of House and Senate Acronyms by Locality*

Locality	House Acronym	House Definition	Senate Acronym	Senate Definition
Federal	H.R.	House of Representatives	S.	Senate
Virginia	H.B.	House bill	S.B.	Senate bill
North Carolina	H.	House	S.	Senate
New Jersey	A.	(House) Assembly	S.	Senate
Kansas	H.B.	House bill	S.B.	Senate bill
Maryland	H.B.	House bill	S.B.	Senate bill

### Thematic Analysis of Federal Documents

#### ***Excluded Documents: Reasons***

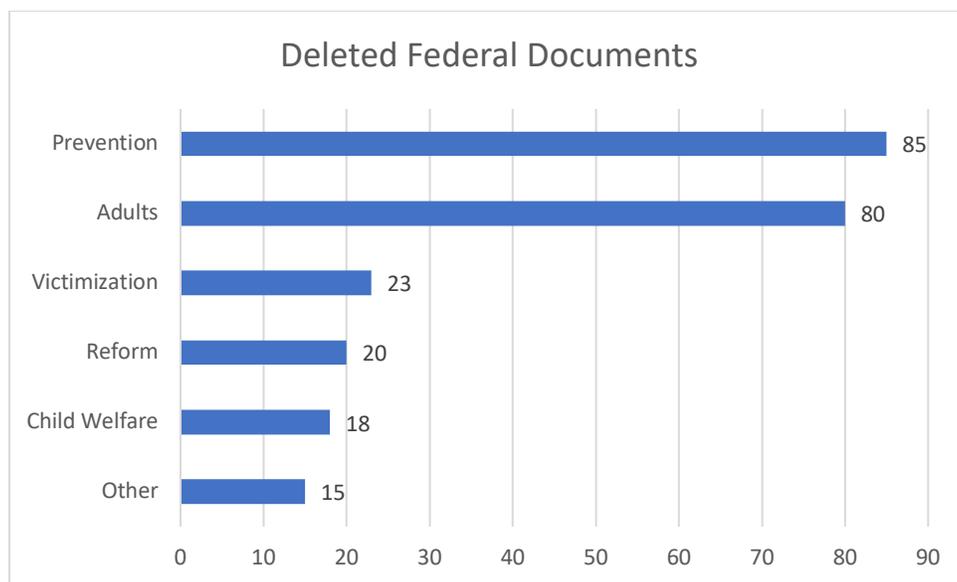
Of 316 documents that referenced both juvenile justice and reentry, 166 documents were excluded because they did not actually focus on reentry within the juvenile justice system (Figure 4).

Therefore, 150 documents were included in the final analysis. Documents could be coded for more than

one reason for exclusion. The most common reasons for excluding documents were that they related to adult reentry ( $n = 80$ ) or juvenile delinquency prevention ( $n = 85$ ). A variety of other reasons were noted in excluding documents. Twenty-three documents focused on victimization and included services for at-risk youth who had experienced child abuse, sex trafficking, and other types of traumatic experiences. Twenty focused on reform, including an overall need for juvenile justice reform ( $n = 8$ ), improving emergency preparedness within juvenile facilities ( $n = 4$ ), needing to audit OJJDP for effectiveness ( $n = 2$ ), ending solitary confinement for youth ( $n = 2$ ), creating work groups ( $n = 2$ ) including naming persons to subcommittees ( $n = 1$ ), and improving research ( $n = 1$ ). Fifteen documents were excluded that did not necessarily fit into the previous categories: Truth-in-Testimony Disclosure Forms ( $n = 4$ ), actual copies of bills ( $n = 2$ ), documents related to immigration ( $n = 5$ ), and others ( $n = 4$ ); See Table 8 for additional detail.

#### Figure 4

##### *List of Excluded Federal Documents with Reasons*



*Note:* Total equals more than 166 as a number of documents had more than one theme. Table 8 expands on the reasons for exclusion.

**Table 8***Expanded List of Reasons for Exclusion of Federal Documents*

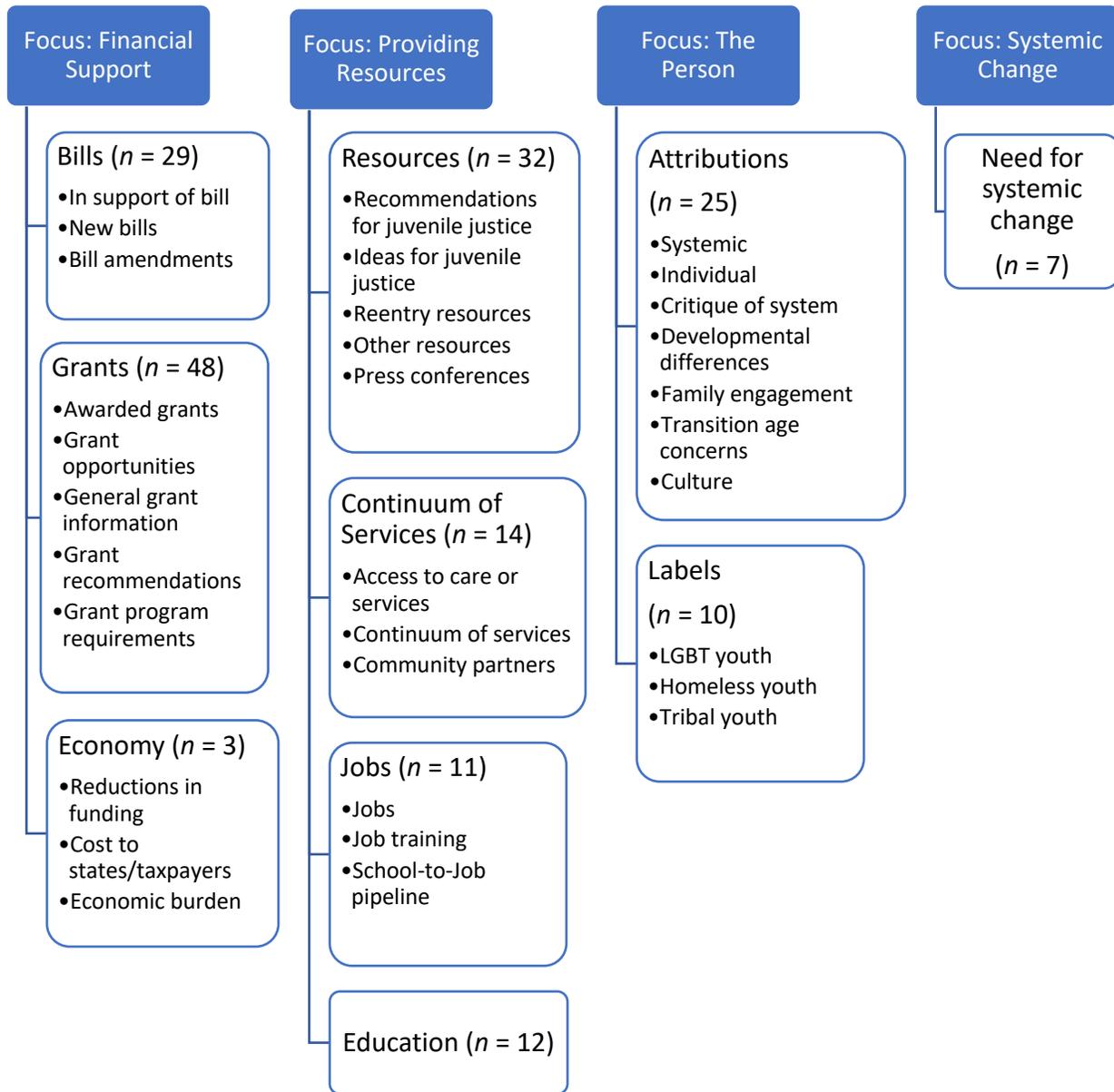
Theme	Number of documents	Theme	Number of documents
<b>Prevention</b>	<b>85</b>	<b>Reform</b>	<b>20</b>
Planning grants for diversion	2	Ending solitary confinement for youth	2
School-to-prison pipeline	3	Improve oversight and audit of OJJDP	2
School safety	3	Improving research	1
Diversion	7	Creating internet crimes task force	1
Prevention	63	Persons named to subcommittee on Crime and Terrorism	1
Substance use prevention	3	Proposed committees on Crime and Terrorism	1
Planning grants for substance use	2	Juvenile justice reform	8
Substance use treatment	1	Emergency preparedness	4
Establishing a drug court	1		
		<b>Child Welfare</b>	<b>18</b>
<b>Adults</b>	<b>80</b>	Mandatory minimums for youth	1
		Child welfare	4
<b>Victimization</b>	<b>23</b>	Homeless/Runaway youth	3
Victimization	1	Children of incarcerated parents	1
Violence exposure	1	Youth in foster care	9
Domestic violence	1		
Violence prevention	3	<b>Other</b>	<b>15</b>
Trauma	2	Other	2
Sex trafficking	3	Bill	2
Victims of child abuse	8	Tribal liaison duties	1
Missing and exploited children	4	Punitive treatment and accountability	1
		Immigration	5
		Truth-in-testimony disclosure form	4

***Analysis of Included Documents***

Documents largely were focused on funding and new legislation. Themes related to federal documents in this analysis primarily were content related. For example, of the 150 documents included in the final analysis, the most frequent mentions were letters emphasizing support of a bill ( $n = 20$ ) and notifying constituents of grants that had been awarded for reentry initiatives ( $n = 15$ ). Agreement between coders was realized in 90.0% of documents. Specifically, of the 150 federal documents included in the final analysis, agreement was not reached in only 15 cases. In each of these instances a third coder was utilized. The third coder was not given access to the first two coders' data to limit any subjective bias that may have occurred from knowing who had coded the data. In each of these instances, the codes created by the third coder aligned with one of the first two coders and was used as the final voice. To ensure further reliability, the principle coder reread each of these documents in their entirety to further confirm agreement. Four main themes emerged from the data and were focused on financial support, resources, attributes and labels of individuals and systems, and on the need for wide-scale change within the system. Figure 5 displays themes and subthemes within the legislative documents reviewed relating to juvenile justice and reentry initiatives.

**Figure 5**

*Themes and Subthemes for Federal Document Codes*



*Note.* Total number is greater than 150 as some documents contained multiple themes.

**Theme: Focus on Financial Support**

Based on the federal funding structure for juvenile justice and providing funds to states, it is not surprising that financial support was the most obvious and frequently represented theme within the documents.

**Bills.** Legislators often send letters of support to fellow congressional members trying to drum up interest in the bill that they have signed on to support or letters to constituents expressing interest in a bill ( $n = 20$ ). For example, new bills ( $n = 7$ ) were not strictly focused on juvenile justice initiatives but rather criminal justice reform broadly. For example, in a press release from the House Committee on Judiciary announcing The Sentencing Reform Act of 2015:

The Sentencing Reform Act of 2015 is the first bill that is a result of the House Judiciary Committee's criminal justice reform initiative. The Committee continues to work on additional bills that address other aspects of our criminal justice system, including over-criminalization, prison and reentry reform – including youth and juvenile justice issues – improved criminal procedures and policing strategies, and civil asset forfeiture reform. The Committee will roll out more bills addressing these topics over the coming weeks.

Bill amendments ( $n = 2$ ) addressed proposed amendments to enhance existing legislation. For example, in a House Committee Report for H.R. 125 (the Student Success Act), a recommendation was made to add a paragraph to improve the transfer of credits from the correctional institution back into the community school system and recommended consultation of educational services between community schools and institutional schools for each individual student.

**Grants.** Grant information ( $n = 48$ ) was the most commonly referenced concept in legislative documents. This is not surprising as grant funds are the principal way that federal funds are dispersed to states. Grant mentions were in the form of congressional members informing their constituents of recently awarded grants ( $n = 15$ ) within their states and districts. Upcoming grant opportunities ( $n = 13$ ) were frequently mentioned in letters to constituents, often in a very brief blurb that included the grant posting date, closing date, estimated award funding, the expected number of awards and a web link for more information. General grant information ( $n = 8$ ) was generally also in blurb form, for example a

tweet or Facebook post linking the public to grant resources or more information on currently funded grant projects. Grant recommendations ( $n = 6$ ) were in the form of a committee or congressional member making a statement recommending grant funds to be appropriated to various reentry initiatives. For example, the House Committee on Appropriations requested \$47,614,000 in funding three years in a row (2015, 2016, and 2017) for formula grant funds through the Department of Education to support educational services for “juvenile delinquents” for projects that support successful reentry into vocational or postsecondary programs. Grant program requirements ( $n = 6$ ) listed stipulations that successful grant applications would need to adhere to. Requirements included reports to Congress of program performance, providing written explanations about youth needs, and descriptions of reentry planning including, in at least one report, of how developmental differences would be taken into account.

**Economy.** Economic issues regarding juvenile justice reentry initiatives were scarcely mentioned ( $n = 3$ ). However, economics are worth noting, as reductions in funding limit opportunities for states to improve processes and bring public awareness to the high cost of juvenile incarceration. Economics also may be an important factor driving policymaker decisions to improve processes. For example, in a press release, Senator Chris Murphy (D-CT) noted in 2014 the following about the high cost of juvenile incarceration,

On average, the state of Connecticut spends \$134,000 per year to incarcerate just one child. In New Jersey, in 2013, it cost the state on average \$136,000. Typically, juveniles are sentenced for nonviolent or minor offenses that could be punished using alternative options. The high social and economic cost related to incarcerating a child are unsustainable and experts agree that federal legislation is needed to help avoid youth incarceration when possible.

“It’s outrageous how much this country spends to lock up a single child for a non-violent offense. What’s worse is this country’s lack of support for policies that get kids back on the right track,” said Murphy. “When we lock up a child, not only are we wasting millions of taxpayer dollars, we’re setting him or her up for failure in the long run. The system as it exists now is unfair to everyone involved and needs to be changed...We need to quit being so irresponsible and facilitate better outcomes for youth.”

There is limited information regarding funding reductions ( $n = 1$ ) for juvenile justice reentry programming. In a 2011 CRS Report, discussion was focused on a proposed \$191.1 million reduction in juvenile justice programming, cutting funding for every grant program under that umbrella (not limited to reentry) by 17%. Similarly, Sen. Bob Menendez (D-NJ) mentioned the economic burden ( $n = 1$ ) of juvenile delinquency, specifically that most youth return to their same influences as prior to incarceration and that the cost-benefit of breaking the cycle is paramount to helping the economy, citizens of the communities youth are returning to, and returning citizens.

***Theme: Focus on Providing Resources***

**Resources.** As the juvenile justice system generally moves toward being more reliant on community resources and improving care, through a continuum of services, documents reflecting these types of opportunities were reasonably expected. Three documents specified recommendations to improve reentry; these recommendations did not describe specific, tangible directives. Specifically, in a Report of the President's Task Force on 21<sup>st</sup> Century Policing in May 2015, an action item recommendation was that "law enforcement agencies should work with communities and procedures to integrate juveniles back into their communities as they leave the juvenile justice system."

Two documents focused on changing the existing paradigm of the juvenile justice systems with new ideas for the juvenile justice system. One idea is a bit radical in its thinking, however it is unclear if ideas like this are pervading the system since its 2012 release in a YouTube video posted by Department of Justice (DOJ); in the video a "pay for success" program is discussed that was funded and implemented by the Rockefeller Foundation in Edinburgh, England that reallocates grant funds for reentry programming by outsourcing funds. Essentially, investors invest in job training (e.g., in the wine industry and in car mechanics) for youth and recidivism rates determined the rate of return on investment.

Available resources for reentry ( $n = 7$ ) were most frequently posted on the OJJDP Facebook and Twitter sites, attempting to bring awareness to available resources, including journal articles and

program guides. Three documents offered resources for youth that didn't necessarily fit into other categories. In one press release from Senator Bob Menendez (D-NJ), this included increasing funding for new books in New Jersey detention facilities. A member of the Essex County Executive team is cited in the document that through improved literacy, youth will be better prepared to rejoin their communities and be better prepared for adulthood. A number of documents highlighted upcoming or previous press conferences or roundtable discussions ( $n = 17$ ), encouraging people to join to learn more about reentry processes. These documents were necessarily brief, only highlighting some of the key points of attending, such as dates, time, and location.

**Continuum of Services.** Continuum of services consists of providing different levels of support to youth at many touchpoints throughout the system, including bringing in community partners to invest in youth during their transition back into the community. Specific to the documents analyzed here, the continuum of services was focused on improving mental health treatment and medication management. Within this, the access to care or services is often difficult for a returning population. For example, a Department of Health and Human Services (DHHS) YouTube video from September 2017 discussed that interventions for youth are difficult because connecting them to community mental health professionals that understand how to work with a justice-involved population is limited, hindering the support youth need to thrive after returning to the community. Some communities are making substantiated efforts to improve these programs. As an example, in a 2012 press release from Rep. Eliot Engel (D-NY-16), grants were awarded in Rockland County specifically to facilitate collaboration between treatment programs in the community and in the juvenile justice system for an improved transition back into the community. Seven documents discussed collaborative partnerships with community partners. These documents indicated new partnerships with partners and did not provide insight into their effectiveness or potential for replication. For example, a July 2019 press release from Senator Kirsten Gillibrand (D-NY) outlined

the launch of a Department of Labor funded reentry program to help returning youth in Rochester and Buffalo to receive small business loans for emerging entrepreneurs.

**Jobs.** Helping youth develop job skills was mentioned somewhat infrequently ( $n = 11$ ), but this is an important topic within reentry for justice-involved youth. As mentioned in a YouTube video posted by the House Committee on Education and Labor in September 2018, a key benefit of job training ( $n = 1$ ) is that youth are immediately job ready and may not be as likely to recidivate,

they [justice-involved youth] get to step right into a job, start working, stay out of trouble...it's a win-win for everybody, they're [justice-involved youth] not going to go on any kind of federal welfare programs, or whatever, because they're going to be making a good living doing whatever it is we've trained them to do.

In a similar effort, but much less discussed is a school-to-job pipeline ( $n = 3$ ). For instance, the House Committee on Education and Labor posted a YouTube video in September 2018 where it was said that businesses are “screaming” for employees and that creating opportunities to engage youth in apprenticeship programs to create such a pipeline needs to be a higher priority for the educational system broadly.

Job initiatives ( $n = 7$ ) were mentioned with regard to the four programs funded by the Department of Labor's Employment and Training Administration (DOLETA); these programs are the Youth Activities program, Job Corps, YouthBuild, and the Reentry Opportunities program. The first three are available to “vulnerable youth” while the latter is specifically for job training “and other services” for juvenile (and young adult) offenders. The Reentry Opportunities program provides grant funding to urban centers to develop projects to enhance job skills for returning citizens and has a Federal Bonding Program to provide employers fidelity bonds to lessen risk (DOLETA, n.d.).

**Education.** Twelve documents were concerned with reentry through an educational lens. This largely focused on improving credit transfers between the institutional school and the community school; improving career and technical education for youth in order to improve reentry outcomes; Pell Grant eligibility; removing the “box” that schools require on admissions application forms asking about

criminal records, and a need to end bans on student loan eligibility for formerly incarcerated persons. In a House Dear Colleague Letter from Rep. Bill Johnson (R-OH-6), he noted that research has found that “a 5-percent increase in high school graduation rates among males would produce an annual savings of nearly \$5 billion in crime-related expenses in the United States.” This statement highlights both an economic impact and a need to improve education rates for justice-involved youth.

***Theme: Focus on Attributes and Labels of Individuals and Systems***

**Attributions.** A number of topics addressed attributions of both the individual person and the system broadly. For example, in a September 2019 Medium blog post by then presidential candidate Kamala Harris (D-CA), she critiqued the justice system ( $n = 1$ ) broadly saying that it is designed to hold “serious wrongdoers accountable” for their actions, but that decades of failed policy have exacerbated inequality for communities of color and criminalized people on the basis of low socioeconomic status. Family engagement ( $n = 2$ ) was sparsely mentioned with regard to reentry and information was limited. As an example, OJJDP announced a webinar for engaging families on their Facebook site in August 2017 and another (YouTube video former Sen. Heidi Heitkamp (D-ND)) mentioned a lack of family engagement at home for tribal youth.

Individual attributions ( $n = 6$ ) for youth often came as a result of discussing punitive sentencing and the need to help those who have made “youthful mistakes” by providing rehabilitative sentencing rather than punitive sentencing (Facebook post, Former Rep. Jason Lewis (R-MN-2) September 2018). Similarly, in September 2008 Rep. Bill Pascrell (D-NJ-9) discussed reentry as an opportunity to help “misguided young people realize they can choose a lifetime of positive opportunities” instead of a life of crime. Few documents mentioned the developmental differences between youth and adults ( $n = 2$ ) and when these were addressed, the comments were limited in scope. For example, former President Barack Obama in a YouTube video in July 2015, says that, as a country “we’ve got to make sure our

juvenile justice system remembers that kids are different. Don't just tag them as future criminals. Reach out to them as future citizens."

Only one document specifically pointed to concerns about the transition into adulthood for justice-involved youth. In September 2017, DHHS released a YouTube video that primarily discussed access to mental health services for justice-involved youth but made a relevant and important statement regarding reentry. The narrator in the video discussed a broken mental health system that overly stigmatizes mental health and tells people "we're not going to provide you [mental health] treatment unless...you are dangerous." This same video was discussed under the subtheme *Continuum of Services* but in that context referenced the challenges of developing appropriate interventions for transition age youth and ensuring they are receiving appropriate services before, during, and after transition into adulthood—both in the community and while incarcerated.

With regard to systemic attributions ( $n = 11$ ), Rep. Tony Cárdenas (D-CA-29) sent a press release in 2016 reintroducing, with Rep. Morgan Griffith (R-VA-9), the *At-Risk Youth Medicaid Protection Act* to prepare youth for reentry by not losing their Medicaid coverage due to a "technical glitch" in the system that disadvantages youth who have been incarcerated.

"This bill is needed to ensure that kids have access to the care that's crucial for them to become productive members of society. Every day that we delay this bill is a day that more children go without the care they need," said Rep. Cárdenas.

This bill was reintroduced again in 2018 as H.R. 1925 and has not progressed through the legislative process. A companion bill was introduced by Senators Chris Murphy (D-CT) and Cory Booker (D-NJ); in a press release from Sen. Murphy,

Many children in the juvenile justice system rely on Medicaid, but too many states automatically terminate their Medicaid enrollment, causing serious gaps in coverage. The process to reapply can take months, which unfairly denies children access to their medication and to mental health and substance abuse treatment. According to the National Conference of State Legislatures, as many as 70% of children in the juvenile justice system suffer from a mental disorder. The *At Risk Youth Medicaid Protection Act* would prohibit states from terminating an eligible child's Medicaid coverage, and instead require states to automatically restore a child's enrollment in a medical

assistance plan upon his or her release..."If kids are incarcerated, they need their medication when they come out. But many states block them from getting the medication and treatment they need. The easiest way to guarantee that a kid will be locked up again is to deny him the medication needed to live a normal, productive life," said Murphy. "Our bill is simple. It makes sure that kids don't have a gap in coverage and that they have access to their medication and their mental health and substance abuse treatments during the most critical reintegration period."

"Our nation must do more to support our most vulnerable youth, including ensuring a child does not encounter unnecessary obstacles to treatment, medication or mental health services just because of burdensome paperwork," Booker said.

Culture is only clearly mentioned once in the documents with regard to reentry, in a 2013 YouTube video from Sen. Chris Murphy (D-CT). In this video the speaker, Chairman John Whitmire of the Texas Senate (D-15), discussed the cultural makeup of Texas and how cultural influence is pinnacle to helping youth prepare to return to their communities:

...reaching out into my more conservative law and order, which I'm tough as they come, but you can't just be tough, you have to be smart. It applies to the adult system; it applies in the juvenile system. Yes, we want accountability, yes there are going to be kids that you have to confine, but you got to be smart about it, you got to look at what the reentry process is—you can't take an African American young man from the inner city of Houston and take him to the far reaches of West Texas. He will never have a mentor that understands his culture, his life that he has to return to, and then he goes back to Houston and you wonder why they reoffend? You got to be smart and you can actually save money, pay now or pay later, that makes a lot of sense.

**Labels.** Only one document specifically mentioned putting labels on youth. However, other documents labeled youth by varying characteristics (i.e., homeless youth, LGBT youth, tribal youth). In the YouTube video from the Institute of Education Sciences, Abbas Khalid from the RYSE Youth Center in Richmond, California talks about *not* labeling youth to support them with their reentry:

Lastly, we try to make sure that we're avoiding labels. So, I work with young people who are high risk or currently detained in juvenile halls. So I ensure that we provide services pre-and post-release to support the successful reentry into their community. Most of these young people have been consistently labeled as troublemakers by their teachers, peers, and by the system. We ensure the RYSE community avoids labeling these young people who need more support. Youth Justice staff will provide intensive case management to support the young people in implementing their plan and link them to necessary supports including educational, health, housing, and legal provided onsite or by partner organizations.

**Lesbian, Gay, Bisexual, Transgender (LGBT).** Only one document mentioned LGBT youth—and it is worth noting that LGBT is an umbrella term for the LGBTQIA+ community which includes Queer, Intersex, Asexual, and others who do not fall into a heterosexism classification. This YouTube video from the U.S. Commission on Civil Rights on collateral consequences of incarceration, in May 2017, acknowledged additional roadblocks LGBT youth face upon reentering society and the unique needs of this population. Specifically, Naomi Goldberg, Director of Research and Policy for the Movement Advancement Project noted,

...in the 2012 National Survey of Youth in Custody, another nationally representative sample of youth in juvenile correctional facilities, nearly 40% of girls in the juvenile correction facilities identify as lesbian, gay, or bisexual. This compares to national estimates about seven to nine percent of all youth who identify as LGBT. This demonstrates a greatly increased over-representation of LGBT youth in the system; 85% are youth of color, so I think these numbers really challenge us to think about who are in our prisons and jails and to think about what their unique needs are when they are released so the issues that face LGBT people in the general populations, ranging from family rejection, employment discrimination, bullying, and harassment in schools, and police targeting can be even more pronounced when someone is released from prison or has a criminal record. LGBT people can have a uniquely hard time rebuilding their lives because of added roadblocks in three key areas...First, inadequate reentry programs and restrictive probation and parole policies. Second, this discrimination based on sexual orientations and gender identity that's pervasive both in those programs and in society more broadly. And finally, the collateral consequences that everyone on this panel has been speaking about.

The collateral consequences from other panelists focused largely on the criminal justice system, with few mentions of juvenile justice. Specifically, disproportionate numbers of racial and ethnic minorities within the system, background check discrimination for home and business loans, housing discrimination, and occupational licensing discrimination—one panelist discussed job training within the criminal justice system and noted that the system trains individuals with a skill, but individuals are not able to be employed in these professions because they are denied licenses based on their offending history. Another panelist noted that the ban on employment stems, in part from insurance companies not allowing persons with a criminal record and calls for a general overhaul of the insurance system to align with the needs of individuals who had been formerly incarcerated.

**Homeless Youth.** A less dominant theme, but one that deserves attention, was found in only two documents, a YouTube video posted by Substance Abuse and Mental Health Services Administration (SAMHSA) in 2018 and in a Facebook post from OJJDP in November 2018. In both instances, homeless youth were mentioned only briefly. The Facebook post said that the Office of Justice Programs wanted homeless youth reentering from the justice system to have safer lives and to that end they had services for reentry including drug treatment courts, research, and partnerships. In the SAMHSA video, we hear from Kathy Wright who is a member of the New Jersey Parent's Caucus and whose child is justice-involved. Kathy speaks to a reality well-known to people involved in or around the juvenile justice system,

...one of the biggest things that they [the New Jersey Youth Caucus] talk about is housing. We've seen it where some of our kids have been released and they have nowhere to go or where they could go, they don't necessarily want to go. We've had some kids who requested not to go back to their communities because of the impact or the gang involvement etcetera, etcetera.

**Tribal Youth.** Tribal youth are disproportionately exposed to the juvenile justice system and are reliant on federal and state justice systems to provide appropriate support for their needs (for more information see, NCAI Issue Brief: Tribal Juvenile Justice, n.d.). Documents on tribal youth ( $n = 6$ ) reflected a need to incorporate families in the juvenile justice process (House Committee on Natural Resources May 2015) as most youth lack appropriate home and family supports to sustain them upon reentering the community (YouTube video former Sen. Heidi Heitkamp (D-ND)).

**Theme: Focus on Systemic Change**

This final category of a focus on systemic change has limited presence in documents overall, but the statements speak to a need for creating change within the system ( $n = 7$ ). These statements, while speaking to juvenile justice and reentry broadly, acknowledge the vulnerable situations youth are in and a need for systemic change for long-term developmental benefit. For example, in a recorded press

conference on YouTube from NIJ, Los Angeles County Chief Probation Officer Terri McDonald, discussed leading the largest state prison and juvenile justice systems in the country (Los Angeles County) and made a poignant statement regarding arrest and reentry,

...we've spent a whole lot of time focusing on arresting bodies. It's not difficult to arrest bodies right, you can arrest bodies, but that's not a better public safety perspective than arresting behaviors and reentry really is about thinking about what people need to change their behavior. On intake, reentry should begin at intake, it doesn't matter if that intake is in the local county jail, it doesn't matter if that intake doesn't actually result in detention, maybe they've been arrested and the courts are asking probation to take a look at them, but looking at people's needs and the pathways that bring them to the work we do.

This statement aligns with criminal justice reform broadly, in that it called for the system to shift paradigms and address behavior change and reentry processes from the first contact with the justice system. In another statement in June 2018 Rep. Sheila Jackson Lee (D-TX-18) addressed in a floor statement, the Poor People's Campaign and spoke directly to challenges that youth face upon reentering the community as a result of their incarceration. Specifically, Rep. Lee stated,

Today, more and more young children are being arrested, incarcerated, and detained in lengthy out-of-home placements. Harsh and lengthy penalties handed down to young offenders increase their risk of becoming physically abused, emotionally traumatized, and reduce their chance of being successfully reintegrated back into their communities. I have introduced and supported legislation to help reform how youth and juveniles are treated to reduce contact and recidivism within the juvenile and criminal justice system; to help protect them from a system that turns them into life-long offenders.

Another facet of reform is on the need for more research, specifically evidence-based research, to be integrated into juvenile justice broadly. However, research ( $n = 2$ ) was not a common theme in reviewed documents. Sen. Chris Murphy (D-CT) did make a research claim while discussing the economic impact of juvenile incarceration by noting that studies show that youth with justice-involvement are likely to experience a lifetime lower earning capacity, are more reliant on government social programs as adults, and are more likely to end up in the criminal justice system than their peers. Further, a need to create accountability ( $n = 2$ ) and overall improve best practices is another facet of reform. Several documents were excluded from final analysis for calls to improve oversight and auditing of OJJDP,

however two press releases in 2015 included safeguarding and improving reentry as part of the accountability process and were included in the final analysis. During his tenure as Judiciary Committee Chairman, Sen. Chuck Grassley (R-IA) and Sen. Sheldon Whitehouse (D-RI) introduced legislation aimed to improve existing law by improving systematic effectiveness of the juvenile justice system. A transcript of the press release from Sen. Grassley (R-IA) follows as it makes clear specific areas where the system falls short of helping youth.

Judiciary Committee Chairman Chuck Grassley and Senator Sheldon Whitehouse today are introducing legislation to ensure that at-risk youth are fairly and effectively served by juvenile justice grant program. Their legislation updates existing law by promoting improved transparency and accountability at the state and federal level. It also adds additional support for youth with mental illnesses and guards against fraud and mismanagement of grant funds through enhanced oversight.

“Juvenile justice programs are important tools to help local communities serve and protect at-risk youth, however it hasn’t been revisited in more than a dozen years. Our bill provides a long-overdue policy refresh to improve opportunities for our nation’s most vulnerable children and strengthen safeguards for youth who encounter the juvenile justice system. Our bill also creates measures to tackle fraud and waste so that our youth can benefit from the programs’ full potential,” Grassley said.

“Every child has a future, and we are all best served when kids in the juvenile justice system have appropriate opportunities to get back on track, rather than being marginalized and falling further behind. This legislation will give kids the chance to improve their lives while they are detained; ensure that our juvenile justice system protect children in its custody; keep kids from being detained for status offenses that would never land an adult in prison; and address racial disparities in the current system. I’m proud to stand with Chairman Grassley in reintroducing this important bill,” Whitehouse said.

The Juvenile Justice and Delinquency Prevention Act was created in 1974 to ensure the safety of at-risk youth who enter the criminal justice system and assist states with their juvenile justice programs and activities. The program has not been updated since 2002 and is due to be reauthorized this year. The Grassley-Whitehouse bill improves the existing law by:

- \*Requiring the federal Office of Juvenile Justice and Delinquency Prevention to identify best practices to serve and protect at-risk youth;
- \*Calling for a greater focus on mental health and substance abuse;
- \*Expanding training to support judges who work with juvenile cases;
- \*Encouraging greater cooperation between programs and state authorities;
- \*Phasing out remaining circumstance in which youth offenders may be detained for “status” offenses, which would not be crimes if committed by adults;

\*Offering guidance on identifying and reducing racial and ethnic disparities among youth in the juvenile justice system, and creating safeguards to improve juvenile reentry services; and

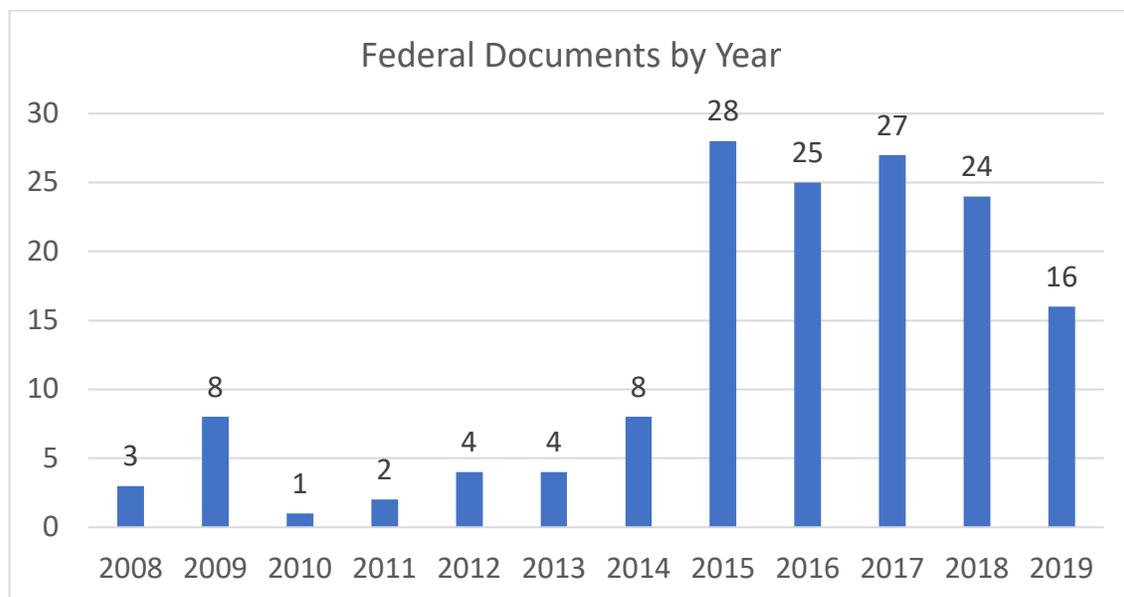
\*Improving transparency and accountability.

A number of whistleblowers have alleged that many states fall short of core requirements to receive taxpayer-funded grants, and the Justice Department office responsible for overseeing the program has admitted it has had an unlawful policy in place since 1997 that allowed states to receive these grants despite violations of funding requirements. This prompted Grassley and Whitehouse to craft new accountability requirements to ensure that taxpayer dollars are being used appropriately, and youth are being adequately served.

**Yearly Trends in Federal Documents.** Although trend predictions were only explicitly addressed within bill legislation, documents can reasonably be expected to follow a similar pattern given the nature of content within the documents. An upward trend is noticed, with an emphasis on years 2015 and forward. As previously noted, 2015 was generally the year when juvenile justice reform began in earnest, thus the unsurprising increase in mentions of reentry processes as policymakers looked toward ways to improve costs and improve recidivism rates (see Figure 6).

**Figure 6**

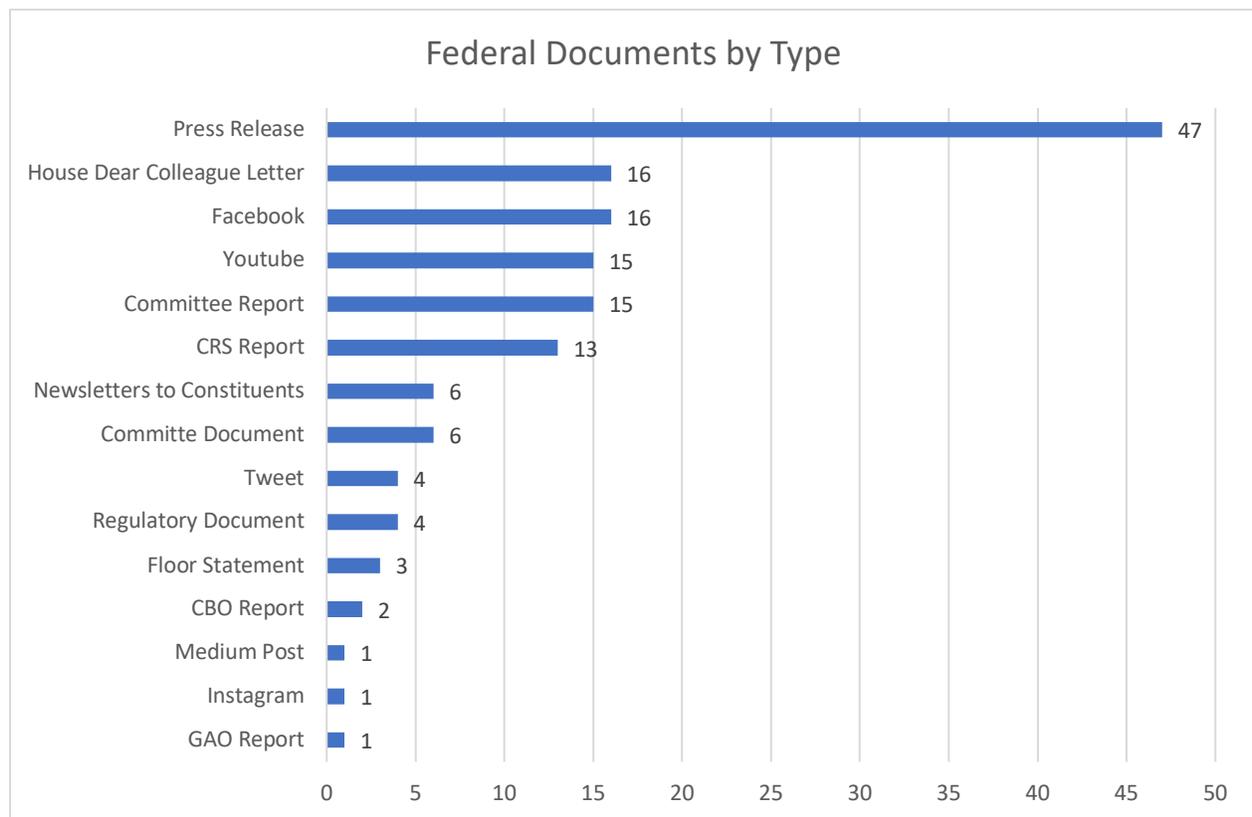
*Federal Documents by Year*



**Information on Federal Documents by Type.** Figure 7 examines documents included in the final analysis by type, with a majority of the 150 documents being press releases ( $n = 47$ ). Of note, mentions of reentry in 2019 decreased 43% from 28 in 2015 to 16 in 2019 and a 33% decrease from 24 in 2018 to 16 in 2019. Impacts of COVID-19 may not provide an accurate depiction of reentry for the next several years, but it will be important to examine trends going forward to ensure reentry remains a topic that is addressed for youth.

**Figure 7**

*Federal Documents by Type*



**Summary of Federal Document Thematic Analysis**

The purpose of this thematic analysis was to understand how federal policymakers were publicly discussing reentry initiatives and what, if any, attributions were being made regarding justice-involved youth. Themes related to providing financial support to bills, providing resources to the general public

about reentry opportunities (e.g., access to research, access to webinars, etc.), attributions of youth and the justice system broadly, as well as an overarching need for systemic change within the juvenile justice system. Attributions were primarily systemic in nature, with few attributions relating to the individual person.

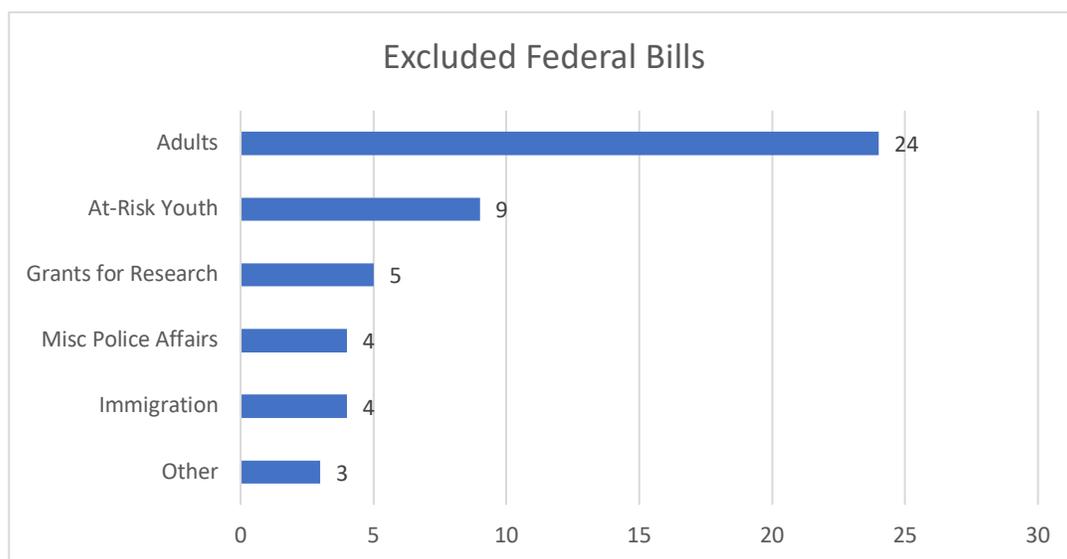
### Content Analysis of Federal Bills

#### *Excluded Federal Bills: Reasons*

Of the 133 bills analyzed, 84 met full criteria for discussing both juvenile justice and reentry and were included in the final analysis. The reasons for exclusion of the 49 bills fall into broadly the same categories as the document exclusion and can be seen in Figure 8. For example, bills were related to reentry within the adult criminal justice system ( $n = 24$ ), prevention initiatives with at-risk youth in the community ( $n = 9$ ), research grants that were not specific to reentry ( $n = 5$ ), miscellaneous police affairs, such as community policing initiatives and eliminating the backlog of DNA evidence ( $n = 4$ ), immigration ( $n = 4$ ), and other bills focused on the military and initiatives for persons not involved in juvenile justice ( $n = 3$ ).

**Figure 8**

*List of Reasons for Excluding Federal Bills from Analysis*



***Analysis of Included Federal Bills***

Initial agreement between coders was good; coders agreed on outcomes for 120 of the 133 bills, a rate of 92.5%. Of the included bills ( $n = 84$ ), agreement was reached in 79 of 84 bills, a rate of 94%. For a comprehensive listing of federal bills included in analysis, see Appendix D. As with the documents, a third coder was brought in for approximately one third of documents for reliability and additionally coded all of the bills ( $n = 10$ ) where there was not consensus among the coders. As with the documents, the third coder did not have access to previously coded bills to avert any subjective bias that may have stemmed from knowing who first coders were. In each of the ten cases, agreement was able to be reached upon utilizing a third coder. However, four bills only reached a partial agreement and the three coders met over Zoom to discuss the rationale behind each of our findings; upon group discussion, two were kept in the final analysis and two were excluded due to not explicitly referencing reentry within the juvenile justice system.

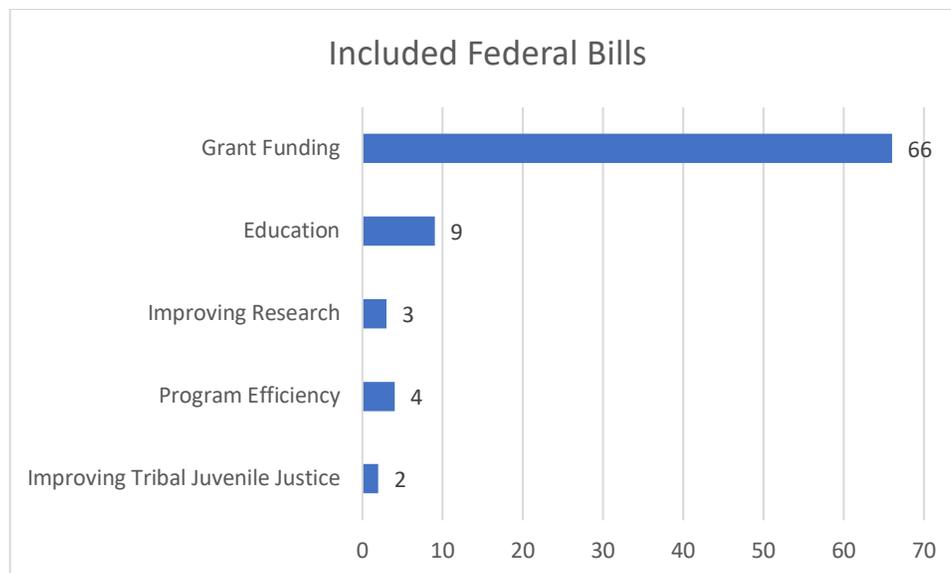
Bills overwhelmingly were related to grant funding ( $n = 66$ ), as anticipated, due to the structure of the federal government providing funds to states for implementing juvenile justice initiatives. Many bills supported PROMISE grants ( $n = 18$ ) which support nonprofit agencies and institutions of higher education to implement programs designed to help revitalize disadvantaged neighborhoods (U.S. Department of Education, 2018). Other grants sought to provide improved efficiency for reentry by improving administration and function.

Other bills related to improving educational access ( $n = 9$ ), such as the “Beyond the Box for Higher Education Act of 2019” requiring schools to remove the box soliciting criminal record status on application forms to help facilitate more returning citizens being offered enrollment in higher education. The most current iteration of the bill also requires the removal of questions relating to drug convictions from the FAFSA form. The bill cites a number of research findings to support the removal of these questions, including that over 70,000,000 people have an arrest or conviction that would show on a

background check, counting over two million youth under the age of 18, as well as the disproportionate number of minority persons this box excludes from accessing higher education. Despite the importance of this bill, it has not progressed beyond introduction. The remaining bills ( $n = 9$ ) related to miscellaneous initiatives to improve research on reentry to help reduce recidivism, including the specific impact on communities (e.g., S. 449 (2015); S. 1675 (2013); S. 467 (2015)), to ensure programs are adequately carrying out their established initiatives for reentry (e.g., H.R. 1820 (2011); H.R. 5969 (2010); S. 867 (2011); S. 977 (2011)), and to provide recommendations for improving the tribal juvenile justice system (e.g., H.R. 4908 (2014); S. 1622 (2013)). Figure 9 provides a breakdown of bill topics.

**Figure 9**

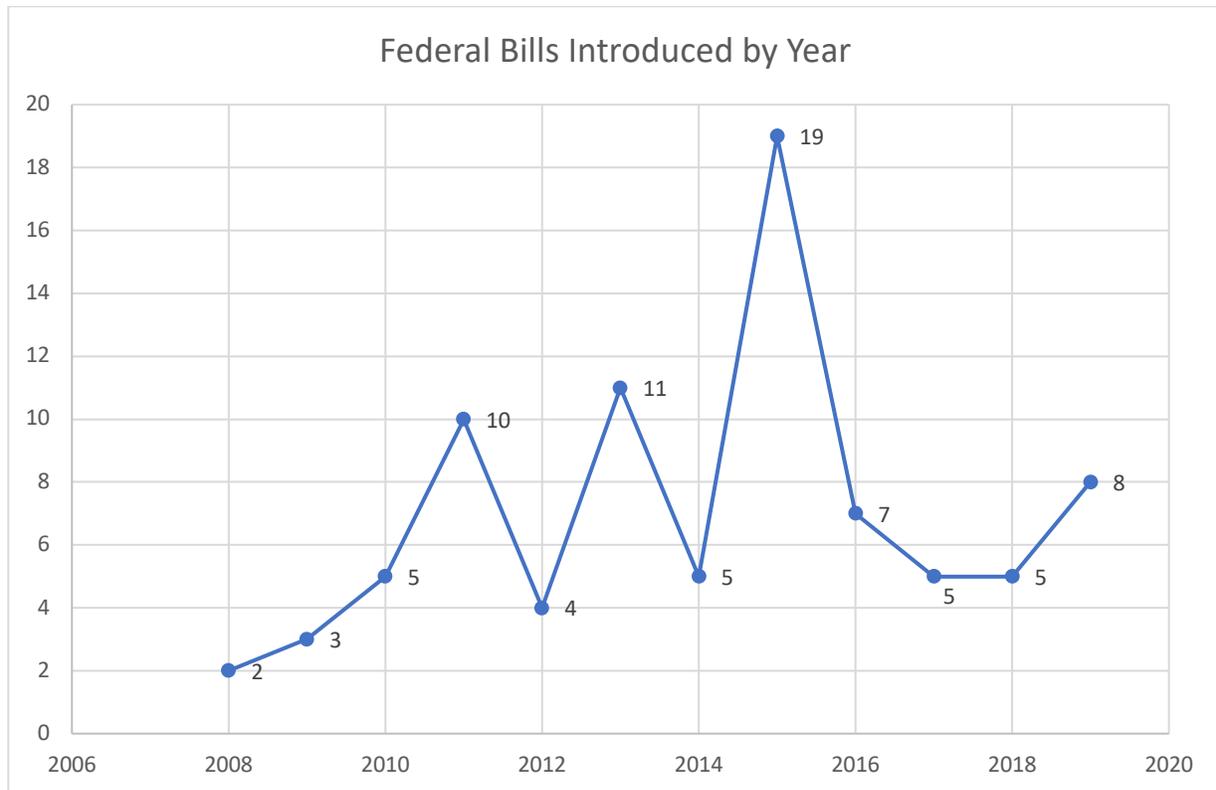
*List of Included Federal Bills*



**Yearly Trends in Federal Bills.** Figure 10 displays the year bills referencing juvenile justice and reentry were introduced in Congress. The year 2015 shows the greatest engagement with bill introduction, which was to be expected by the shift in juvenile justice initiatives initiated in 2015 that put increased emphasis on reducing recidivism to help facilitate budget cuts. Reentry legislation has not maintained the stamina gained in 2015 and only two of the 19 bills introduced in 2015 ultimately passed and were enacted into law (see Table 9).

**Figure 10**

*Federal Juvenile Justice and Reentry Bills by Year Introduced*



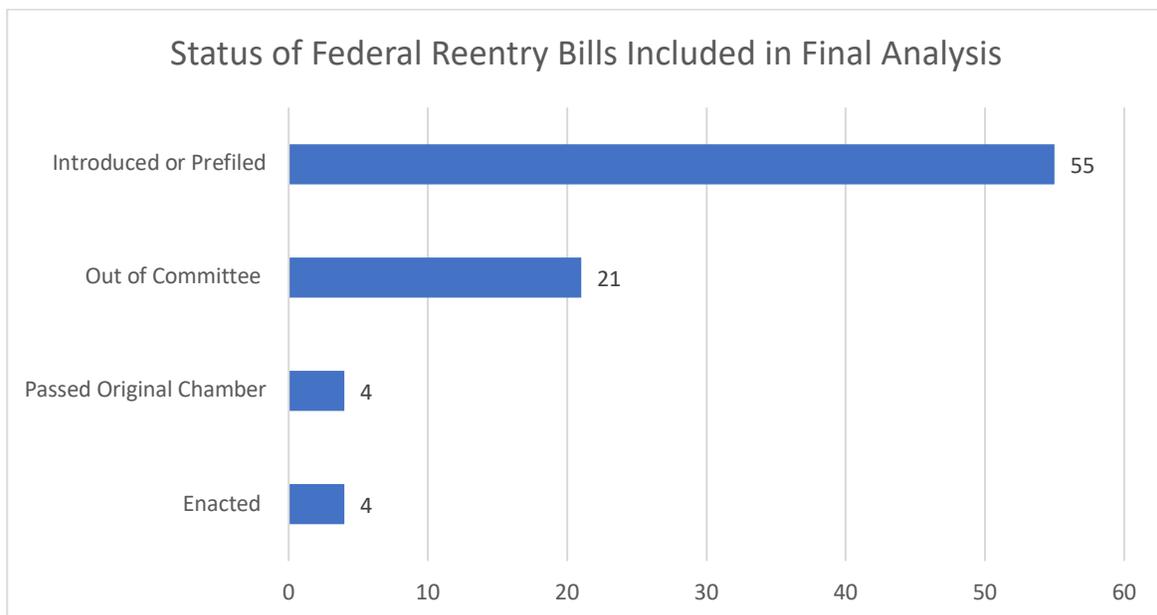
**Status of Federal Reentry Bills Included in the Analysis.** Figure 11 depicts the status of federal reentry bills that were included in the final analysis as of December 31, 2019, a majority ( $n = 55$ ) have not progressed beyond bill introduction. Of the four bills enacted, two were introduced in 2015 (S. 1177 and S. 246), one was introduced in 2016 (S. 2577), and one was introduced in 2018 (H.R. 6964). The first three passed during the 114<sup>th</sup> Congressional session and H.R. 6964 passed in the 115<sup>th</sup> Congressional session (Table 9 provides additional information). S. 1177 (2015) amended prior language to include that State agencies must establish procedures to get youth reenrolled into their home schools and have a procedure for transferring credits earned while in placement and requiring State agencies to establish opportunities for students to participate in either career or higher education pathways. Similarly, S. 246 (2015) establishes a commission for Native children and requests that the commission provides

improved access to educational opportunities for incarcerated Native children and identify successful reentry programs for Native youth. S. 2577 (2016) is a bit vague with regard to reentry, but it does require new grant applicants under the Omnibus Crime Control and Safe Streets Act of 1968 to improve the administration of the justice system, including consultations with representatives of the criminal justice system (i.e., law enforcement personnel, judges, prosecutors, corrections personnel, etc.) to describe evidence-based approaches to reducing recidivism, thus improving reentry for both the juvenile and criminal justice systems. Lastly, H.R. 6964 (2018) clarifies language in the most recently reauthorized JJDA that requires states to provide better descriptions of reentry planning, to include:

(A) a written case plan based on an assessment of needs that includes—(i) the pre-release and post-release plans for the juveniles; (ii) the living arrangement to which the juveniles are to be discharged; and (iii) any other plans developed for the juveniles based on an individualized assessment.

**Figure 11**

*Status of Federal Reentry Bills Included in Final Analysis as of December 31, 2019*



**Table 9***Summary of Enacted Federal Bills Relating to Juvenile Justice and Reentry*

Bill	Bill title	Primary sponsor	Bipartisan sponsors	Developmental language present?	Research language present?	Legislative session	Introduced date	Became law
S. 1177	Every Student Succeeds Act	Sen. Lamar Alexander (R-TN)	No	No	Yes	114th	April 30, 2015	December 10, 2015
S. 246	Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act	Former Sen. Heidi Heitkamp (D-ND)	Yes	No	No	114th	January 22, 2015	October 14, 2016
S. 2577	Justice for All Reauthorization Act of 2016	Sen. John Cornyn (R-TX)	Yes	No	Yes	114th	February 24, 2016	December 16, 2016
H.R. 6964	Juvenile Justice Reform Act of 2018	Former Rep. Jason Lewis (R-MN-2)	Yes	No	Yes	115th	September 28, 2018	December 21, 2018

*Note.* Former indicates that the Senator or Representative is no longer in position as of December 31, 2019.

**Word Content Analysis of Federal Bills**

A word content search was conducted in NVivo 12 to visually comprehend bill priorities and to determine if there were any terms that needed further examination as they related to research or developmental language. Criterion for word content included displaying the 200 most frequent words that were a minimum length of four letters; three letters were initially included in the criteria but did not add to knowledge or understanding of content (sec; may; 000; and iii) and was removed from analysis. Matches in the word content search included stemmed words (i.e., talking and talk). Bills overwhelmingly referenced states ( $n = 19,230$ ); educators ( $n = 18,184$ ), schools ( $n = 13,955$ ), programs ( $n = 13,685$ ), and grants ( $n = 9,625$ ).

To answer the research question regarding whether or not federal bills related to juvenile justice and reentry are using terminology reflective of developmental science, a text search query was conducted in NVivo 12 on the coded portion of the federal bills utilizing the terms outlined in Table 5 as previously discussed. Interestingly, none of the four bills that have been enacted utilized developmental language in the reentry portions of the bills.

The number of bills analyzed by legislative session is outlined in Table 10; Figure 12 looks at the proportion of developmental language used in the bills analyzed. Developmental language was utilized in less than half of the bills analyzed; in each of the 115<sup>th</sup> and 116<sup>th</sup> legislative sessions, only one bill referenced developmental language. Also of interest, the keyword “development” was present in the top 200 list of words used in an overall content search ( $n = 4,763$ ), but upon further examination for context, development referred to developing policies, procedures, recommendations, grants, plans, bills, and practices, as well as providing professional development opportunities for early childhood teachers or indicating the name of the federal agency involved with the legislation (e.g., Housing and Urban Development).

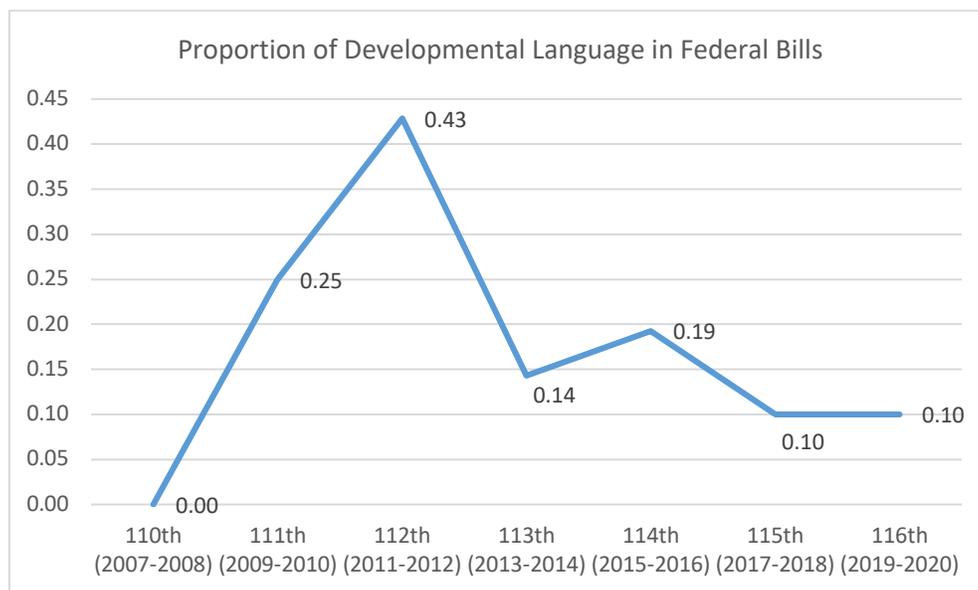
**Table 10**

*Number of Federal Bills Analyzed used to Create Proportion Score by Legislative Session*

Legislative session	Year	Number of bills analyzed
110 <sup>th</sup>	2007-2008	2
111 <sup>th</sup>	2009-2010	8
112 <sup>th</sup>	2011-2012	14
113 <sup>th</sup>	2013-2014	14
114 <sup>th</sup>	2015-2016	26
115 <sup>th</sup>	2017-2018	10
116 <sup>th</sup>	2019-2020	10

**Figure 12**

*Proportion Score of Developmental Language in Federal Bills Included in Final Analysis*

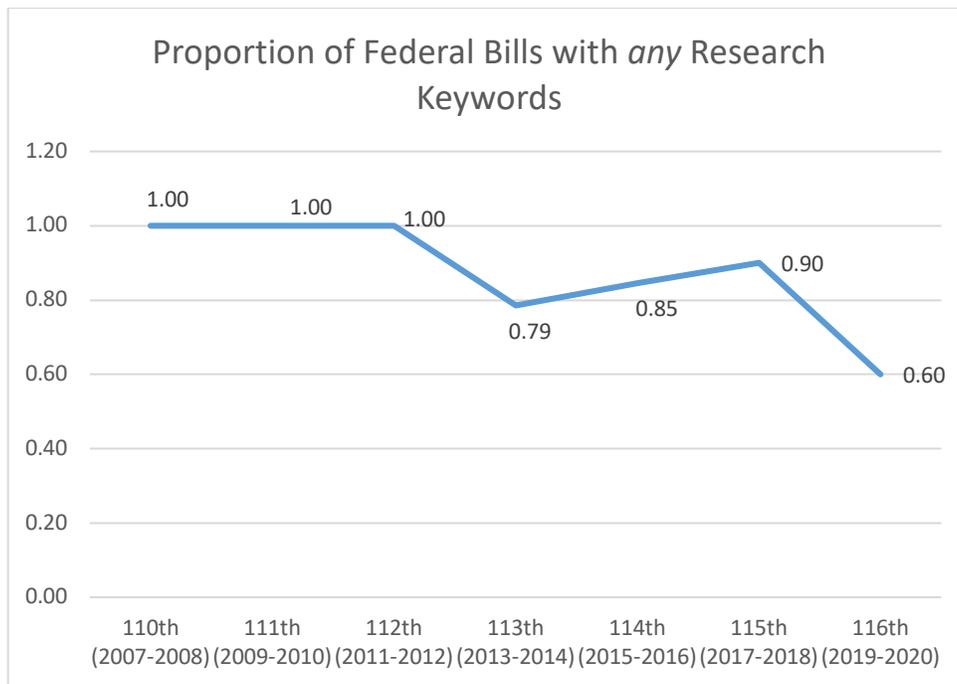


To answer the research question regarding whether or not federal bills related to juvenile justice and reentry are using terminology reflective of research, a text search query was conducted in NVivo 12 utilizing the terms outlined in Appendix C. As noted, research keywords were broken down by category;

analysis keywords are depicted in Figure 14; method keywords in Figure 15; general research keywords in Figure 16; findings keywords in Figure 17; and direct keywords in Figure 18. First, Figure 13 shows the combined proportion of all research keywords being present within the coded documents. Research use in introduced legislation has progressively declined from its peak of 100% in the 110<sup>th</sup>, 111<sup>th</sup>, and 112<sup>th</sup> Congressional sessions to just 60% of research terms being used in reentry legislation during the 116<sup>th</sup> Congressional session.

**Figure 13**

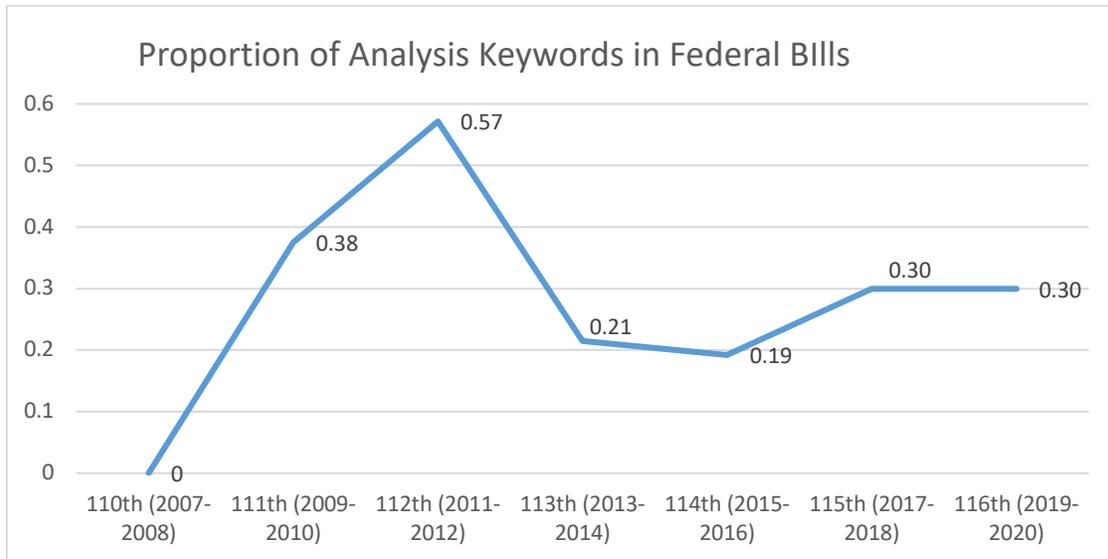
*Proportion Score of Research Keywords in Federal Bills Included in Final Analysis*



Analysis keywords, or keywords referencing statistical analysis (e.g., correlation or randomized) outlined in Appendix C are listed in Figure 14. Analysis keywords peaked in during the 112<sup>th</sup> legislative session with 57% of the coded documents using terms related to analysis in the bill. The median of 30% reflects a more consistent use of analysis keywords within the analyzed bills.

**Figure 14**

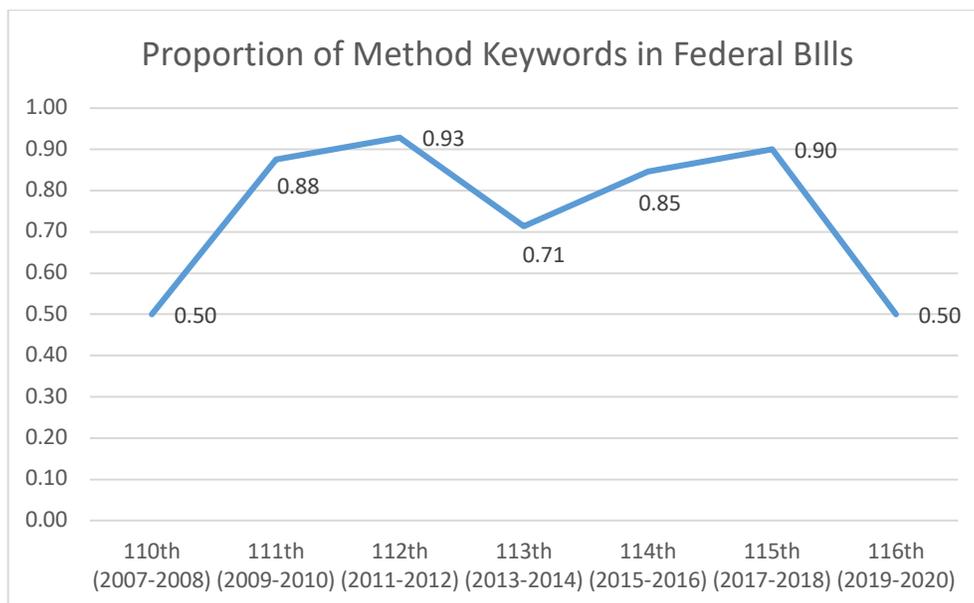
Proportion Score of Analysis Keywords in Federal Bills Included in Final Analysis



Method keywords, or keywords referencing storing, managing or conducting data (e.g., data methods, qualitative) outlined in Appendix C are listed in Figure 15. Method keywords were used in at least 50% of all reentry bills analyzed, with a peak of 93% during the 112<sup>th</sup> Congressional session.

**Figure 15**

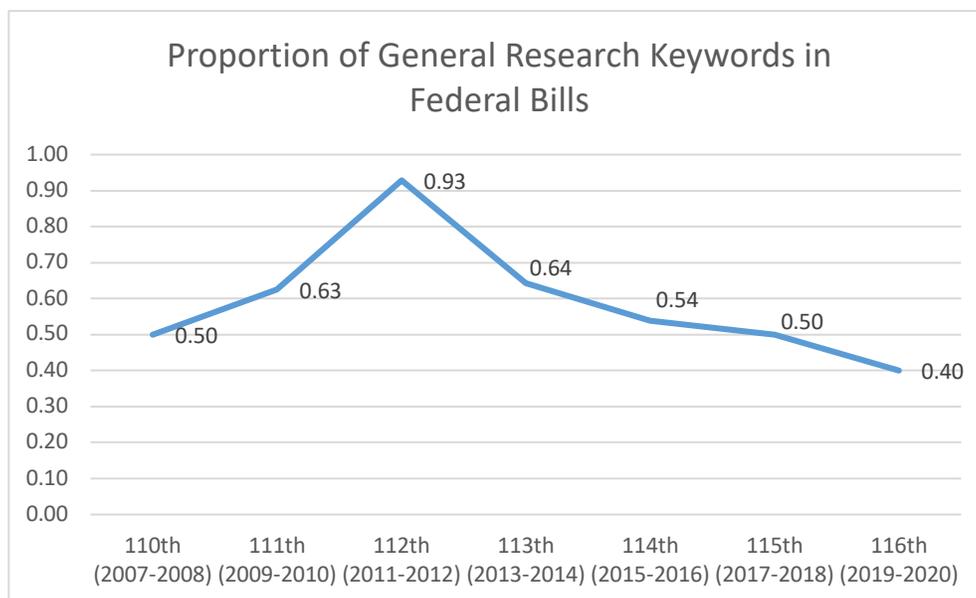
Proportion Score of Method Keywords in Federal Bills Included in Final Analysis



General research keywords, or keywords referencing research without directly referencing findings (e.g., past studies, new data) outlined in Appendix C are listed in Figure 16. The median of 54% accurately displays a broad, consistent use of general research terms in reentry bills, although for the current (116<sup>th</sup>) and immediately prior (115<sup>th</sup>) legislative sessions, general research term usage is declining with 50% and 40% of reentry bills utilizing these terms.

**Figure 16**

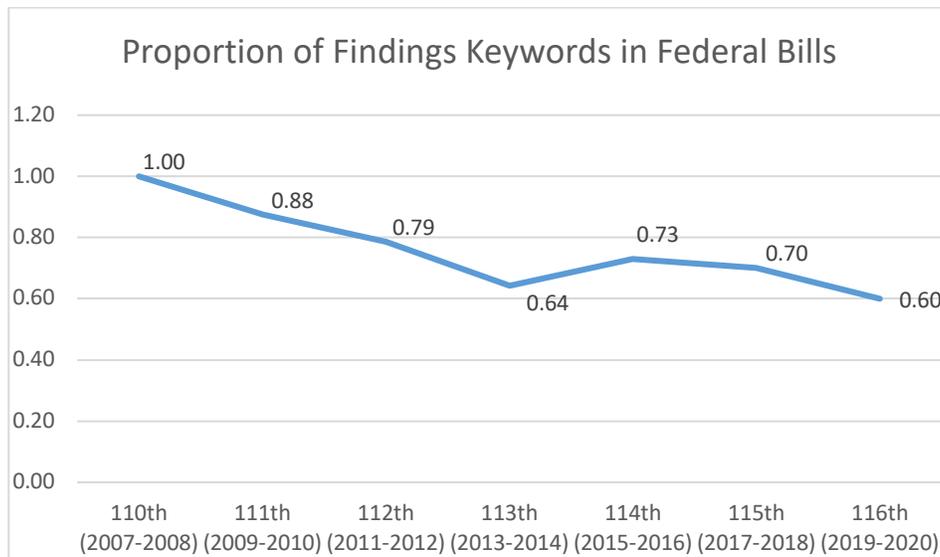
Proportion Score of General Research Keywords in Federal Bills Included in Final Analysis



Findings keywords, or keywords referencing findings in scientific literature (e.g., evidence suggests, data support) outlined in Appendix C are listed in Figure 17. Findings keywords are frequently utilized in reentry legislation with a median 73% representation in reentry bills analyzed. The current legislative session (116<sup>th</sup>) has the lowest proportion of findings keywords represented in reentry bills with only 60% of bills referencing research findings.

**Figure 17**

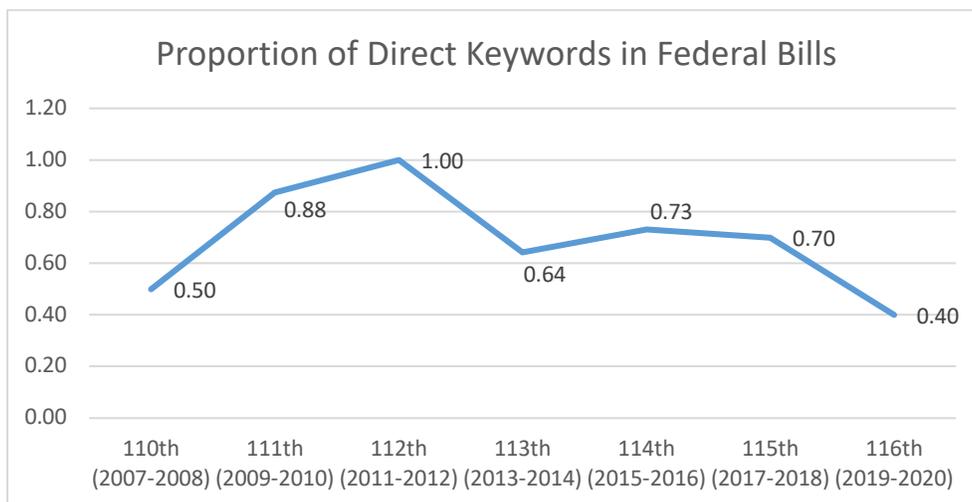
Proportion Score of Findings Keywords in Federal Bills Included in Final Analysis



Direct keywords, or keywords explicitly referencing research terms that did not fit into the other categories present (e.g., best practice, significant evidence) as outlined in Appendix C are listed in Figure 18. Direct keywords are similarly frequently represented in reentry legislation, with a median of 70% use in reviewed bills.

**Figure 18**

Proportion Score of Direct Keywords in Federal Bills Included in Final Analysis



### **Summary of Federal Bills Relating to Juvenile Justice and Reentry**

Federal bills relating to reentry within the juvenile justice system peaked in 2015, during the 114<sup>th</sup> Congressional session. A linear trajectory was assumed, but not realized for including research and developmental terms in bill language. Specifically, developmental language has only been utilized in 10% of reentry bills in the 116<sup>th</sup> Congressional session. Research language fared more positively with 60% of bills including at least some research terminology present during the 116<sup>th</sup> Congressional session, although this was down from 100% in each of the 110<sup>th</sup>, 111<sup>th</sup>, and 112<sup>th</sup> Congressional sessions. Of the 84 bills relating to reentry, only four have been enacted into law as of December 31, 2019 and none of those utilized language pertaining to developmental science within the language of the bills.

### **Content Analysis of State Bills**

State bills are broken down into three categories: states that received the *2015 Reentry Implementation Grant* funding, bills from Missouri—based on its positive reputation within juvenile justice, and the four comparison states that neither received funding nor is considered models within juvenile justice reform. In total, for all states, 89 bills were reviewed and 17 were included in the final analysis.

### **Content Analysis of State Bills that Received 2015 Reentry Implementation Grant Funds**

In total, three states' legislative bills relating to juvenile justice and reentry were reviewed based on acquisition of the federal *2015 Reentry Implementation Grant*. Bills from Virginia ( $n = 18$ ), North Carolina ( $n = 8$ ), and Iowa ( $n = 11$ ) were read for content and to further determine fit for reentry initiatives.

In Virginia, of the 18 bills reviewed, only one was related to reentry within the juvenile justice system. Bills that were excluded outlined the jurisdiction of the juvenile justice system ( $n = 10$ ), upgrades to juvenile justice facilities ( $n = 4$ ), funds for adult reentry ( $n = 2$ ), and one fiscal impact statement on conflict-of-interest disclosures.

In North Carolina, eight bills were reviewed and three were included in the final analysis. Excluded bills included reentry for adults ( $n = 1$ ), community diversion funds ( $n = 1$ ), contracts for crisis and assessment centers ( $n = 1$ ), and two that were “reserved” for juvenile justice but ultimately did not include any information relating to the goals of this paper.

In Iowa, eleven bills were reviewed, zero bills were included in the final analysis. With regard to reentry, all bills ( $n = 11$ ) referenced Veteran reentry into the community after military service. Juvenile justice was included in each of these bills, specifically seven bills discussed community programs for at-risk youth, and the remaining bills ( $n = 4$ ) discussed job class descriptions for juvenile justice personnel.

**Analysis and Status of Bills Included from Virginia and North Carolina. *Virginia.*** The bill included in the Virginia analysis was S.B. 960 (2015). S.B. 960 (2015) was interested in providing housing for dually-involved youth, that is youth who were both justice-involved and who were in the foster care system. This bill was introduced in the Virginia Senate in January 2015, passed the Senate in February, and was left with the House Courts of Justice Committee with no further progression through the legislative process.

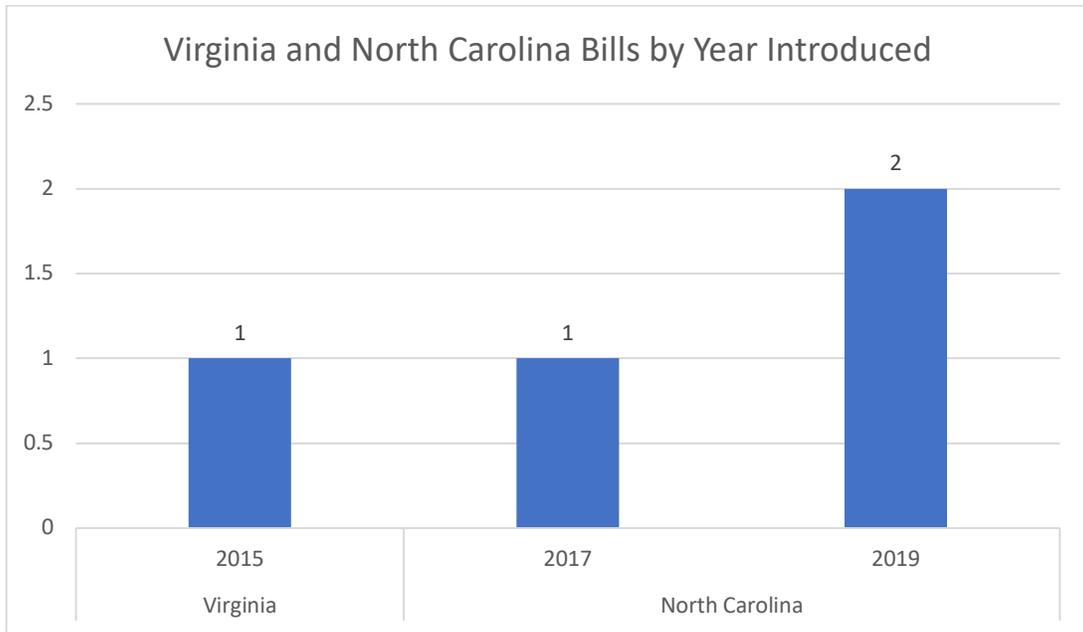
***North Carolina.*** With regard to the three bills included in North Carolina, one bill was introduced in 2017 and two in 2019. S. 344 (2017) consolidated the adult and juvenile justice divisions in North Carolina into one entity. As part of the consolidation, the departments must work to improve efficiency of reentry by identifying all outstanding warrants, while youth (and adults) are in custody, and make a plan to resolve all warrants prior to reentry. This Republican-sponsored bill moved quickly through the legislative process and was signed into law on July 25, 2017 (for additional information, see Table 12). H. 1001 (2019) was an appropriations accompaniment to the Raise the Age Act (H. 966) bill, also introduced and passed in 2019. The Raise the Age Act, effective December 1, 2019, provided that youth ages 16 and 17 will no longer automatically be charged in the adult criminal justice system (North Carolina Department of Public Safety, 2019). Within H. 1001, funds were appropriated to create four

school counselor positions within secure facilities to provide reentry and placement services, as well as career and vocational training for youth preparing to exit secure placement. The third bill (H. 930) introduced in April 2019, despite bipartisan support, did not progress through the legislative process. The sole purpose of H. 930 (2019) was to improve the reentry process in both the juvenile and criminal justice systems. H. 930 (2019) builds on S. 344 (2017) to provide quarterly reports to each district attorney in North Carolina showing traffic and nontraffic misdemeanor infractions pending or dismissed in their jurisdictions to help facilitate improved reentry. Additionally, H. 930 (2019) sought to waive fees related to applying for a birth certificate for persons returning to the community within six months of the application date.

***Word Content of Virginia and North Carolina Bills.*** A search words used in bills introduced in Virginia and North Carolina revealed that neither state had introduced bills related to juvenile justice and reentry that make reference to developmental science or use of research evidence. This finding will be further elaborated in the discussion section. For a summary of bills reviewed for Virginia and North Carolina, see Figure 19, Table 11, and Table 12.

**Figure 19**

*Virginia and North Carolina Juvenile Reentry Bills by Year Introduced*



**Table 11**

*Status of Virginia and North Carolina Juvenile Reentry Bills as of December 31, 2019*

State	Status	Number of bills
Virginia (n = 1)	Passed Original Chamber	1
North Carolina (n = 2)	Introduced	1
	Enacted	2

**Table 12***Summary of Enacted North Carolina Bills Relating to Juvenile Reentry*

Bill	Bill title	Primary sponsor	Bipartisan sponsors	Developmental language?	Research language?	Introduced date	Became law
S.B. 344	Combine Adult Correction and Juvenile Justice	Former Sen. Shirley Randleman (R-NC-030)	No	No	No	March 21, 2017	July 25, 2017
H. 1001	Raise the Age Act Resources	Sen. Erica Smith (D-NC-003)	Yes	No	No	April 25, 2019	October 14, 2019

***Content Analysis of Missouri Bills***

Missouri was included in this study because many states have implemented new juvenile justice processes based on a model originally developed in Missouri, leading Missouri to the lowest recidivism rates in the country for juvenile justice (Annie E. Casey Foundation, 2010). Of the four bills reviewed in Missouri, none were included in the final analysis as they did not pertain to reentry initiatives for this population. Two bills were related to school reentry after dropping out and two bills were related to adult reentry, including the creation of an “inmate canteen fund” in Missouri prisons and jails.

***Content Analysis of State Bills that did not Receive Reentry Implementation Grant Funding***

Bills were reviewed for New Jersey, Kansas, Georgia, and Maryland as they are similar in population to Virginia, North Carolina, Iowa, and Missouri as previously discussed.

In New Jersey, seven of the 19 bills related to reentry and were included in the final analysis. Of the 12 excluded bills, six were related to adult reentry, five were related to delinquency prevention, and one was related to native plants in New Jersey.

In Kansas, two of the 19 bills reviewed related to reentry and were included in the final analysis; bills excluded were appropriations bills defining juvenile justice committees ( $n = 5$ ), bills relating to storage of prescription drugs within detention facilities ( $n = 4$ ), adult corrections ( $n = 5$ ), alternatives to incarceration ( $n = 2$ ), and reentering the community after a stay in a mental health facility ( $n = 1$ ).

Of the five bills reviewed in Georgia, zero were included in the final analysis as they did not pertain to reentry initiatives for youth involved in the juvenile justice system. Four of the five bills related to adult reentry and the fifth related to proper training for Department of Community Supervision employees working with youth. When referencing juvenile justice, bills were related to funding for facility improvements ( $n = 2$ ), juvenile court jurisdiction ( $n = 1$ ), and youth transfer to adult court for certain offenses ( $n = 1$ ).

Of the six bills reviewed for Maryland, four were included in the final analysis. Two were removed as they were outlining submission dates for the Department of Juvenile Justice to provide certain reports to the Maryland General Assembly that were not related to reentry.

**Analysis and Status of Bills Included from New Jersey, Kansas, and Maryland. *New Jersey.*** Of the seven bills analyzed in New Jersey, one was introduced in 2016, three in 2017, and three in 2018 (see Figure 20). None of the bills have progressed beyond introduction in the legislation process (see Figure 21 for status of New Jersey, Kansas, and Maryland bill as of December 31, 2019). A. 5120 (2017), S. 3172 (2017), and A. 840 (2018) require county colleges to create and implement reentry programs for youth that include providing administrative support for financial assistance, targeting programs to meet skill needs in their region, and including a service-learning component to help youth gain on the job experience through these college programs. Each of these bills started with a call for reentry reform due to poor recidivism rates in New Jersey. Specifically, that three years after release, 86% of youth had had at least one new arrest, with 72% of those arrests leading to an adjudication or conviction. The remaining four bills were also identical with regard to reentry, these included S. 2540 (2016), A. 4565 (2017), A. 3822 (2018), and S. 66 (2018). These bills sought to establish a program to record and analyze recidivism rates of both adults and juveniles in New Jersey to measure the effectiveness of implemented reentry programs.

***Kansas.*** Of the two bills analyzed in Kansas, one was introduced in 2016, and one in 2019 (see Figure 20). One bill progressed through the legislative process and was enacted into law, S.B. 367 (2016; see Table 13 and Figure 21). S.B. 367 (2016) requires that schools are notified at least 21 days prior to youth release of a pending return to the community to help facilitate a successful transition. The other bill, H.B. 2337 (2019) provides stipulations for community grant applicants aiming to improve public safety. The grant stipulations include improving reentry for the criminal and juvenile justice systems in Kansas by utilizing appropriate treatment options (i.e., mental health services, drug treatment

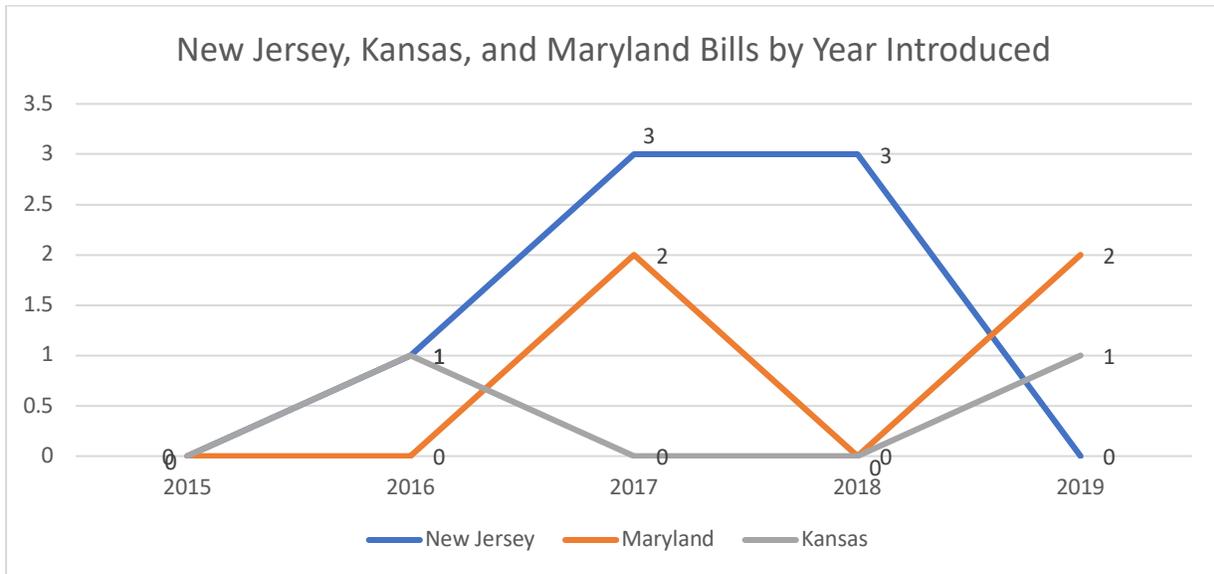
programs, etc.) and providing education and employment assistance based on individual needs. H.B. 2337 progressed out of committee, but ultimately died and did not progress further.

**Maryland.** Of the four bills analyzed in Maryland, two were introduced in 2017 and two in 2019 (see Figure 20). Three of the four bills progressed entirely through the legislative process and were enacted into law (Table 13 and Figure 21). S.B. 0674 (2017) and H.B. 0721 (2017) were companion bills, introduced to provide simultaneous consideration in both the Maryland House and Senate. These companion bills require juvenile justice facilities in Maryland to provide females with a range and quality of reentry services that is equal to the services available to male residents.

Interestingly, in 2019, S.B. 0661 and H.B. 0733 were also companion bills relating to community schools and education. Of these, only S.B. 0661 progressed through the legislative process and was enacted; H.B. 0733 did not progress beyond introduction. With regard to reentry, there was only one identifiable difference within the two bills; S.B. 0661 included that services must be developed in accordance with §9.9-104(B) of this title—§9.9-104(B) stated that “a CSC (community school coordinator) shall be responsible for developing and implementing a plan based on an assessment of needs for the community school, in cooperation with other interested stakeholders.” In both bills, public school system funding is available to community schools if they provide opportunities for enrichment, such as job training and providing mental health and reentry services for youth after justice-involvement. Community schools offer more supports than traditional public schools and build positive neighborhood climates, using schools as a hub (see <http://www.communityschools.org/> for additional information and resources).

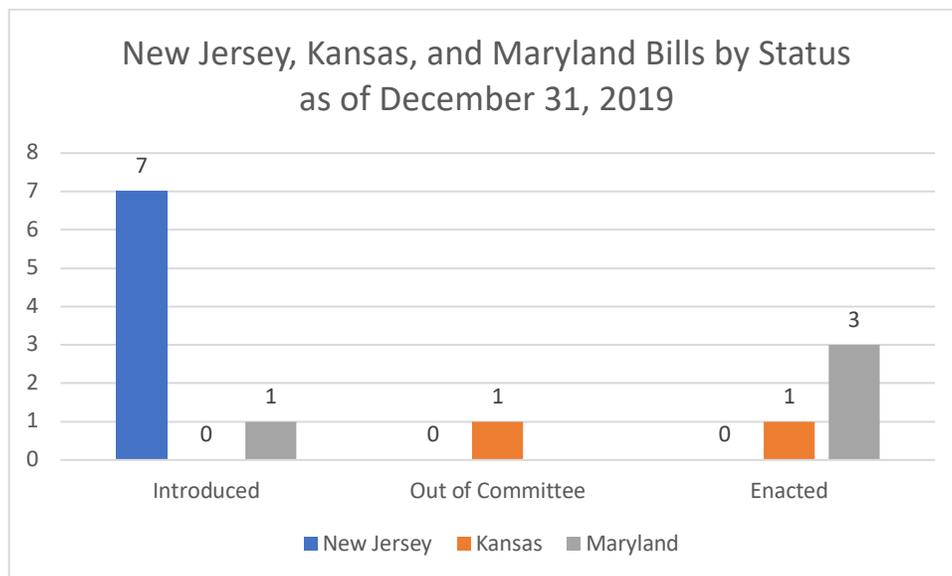
**Figure 20**

*New Jersey, Kansas, and Maryland Juvenile Reentry Bills by Year Introduced*



**Figure 21**

*Status of New Jersey, Kansas, and Maryland Juvenile Reentry Bills as of December 31, 2019*



**Table 13***Summary of Enacted Bills for Kansas and Maryland Relating to Juvenile Reentry*

State	Bill	Bill title	Primary sponsor	Bipartisan sponsors	Developmental language?	Research language?	Introduced date	Became law
Maryland	S.B. 0661	Primary and Secondary Education - Community Schools - Established	Sen. Mary Washington (D-MD-043)	No	No	No	February 4, 2019	May 13, 2019
Maryland	H.B. 0721	Juvenile Services - Services and Programs for Females	Del. Kathleen Dumais (D-MD-015)	No	No	No	February 2, 2017	May 25, 2017
Maryland	S.B. 0674	Juvenile Services - Services and Programs for Females	Sen. Delores Kelley (D-MD-010)	No	No	No	February 3, 2017	May 25, 2017
Kansas	S.B. 367	Amendments to the Juvenile Justice System	House Committee on Corrections and Juvenile Justice	Yes	No	No	January 26, 2016	April 11, 2016

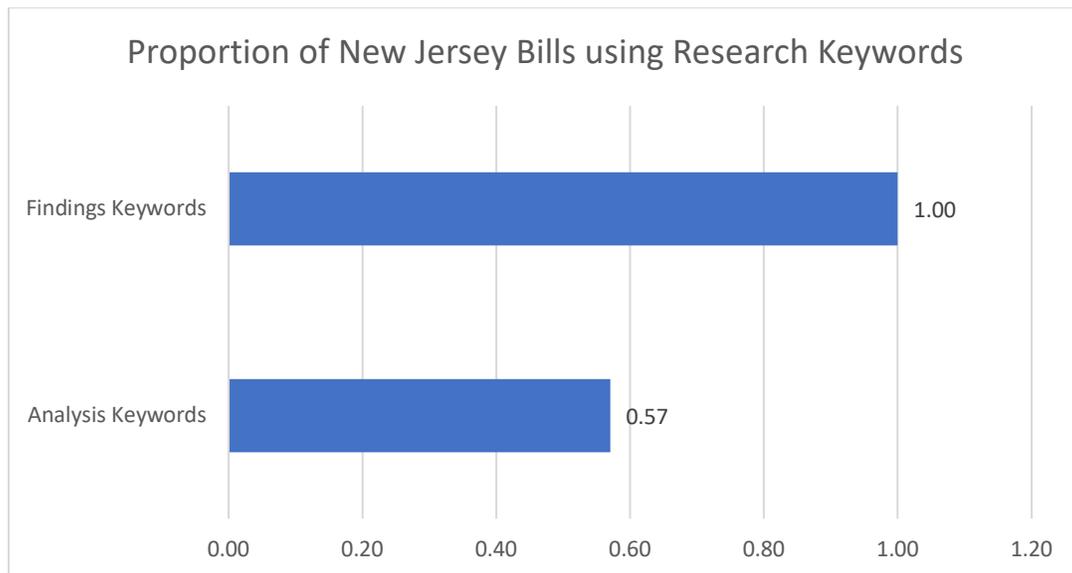
*Note.* Del. stands for House Delegate.

**Word Content of New Jersey, Kansas, and Maryland Bills.** None of the bills analyzed in New Jersey utilized developmental language, however all bills analyzed used research findings keywords in their bill language. New Jersey also used analysis keywords in 57%, or four out of seven of the bills analyzed (Figure 22).

In Kansas, direct research keywords were used in 50% of the bills analyzed ( $n = 1$ ). Specifically, only H.B. 2337 (2019) used direct research language in the coded portion of the bill and required grant-funded programs be evidence-based, signaling the use of direct research keywords. Neither of the bills utilized other research keywords nor developmental language within the content of the bills. None of the four bills analyzed in Maryland used research or developmental keywords in the content of bills.

**Figure 22**

*Proportion Score of Research Language in New Jersey Bills*



#### **Qualitative Comparison of State Bills Analyzed**

In total, there were 17 bills related to juvenile justice reentry across the eight states reviewed (Virginia, North Carolina, New Jersey, Kansas, Maryland, Iowa, Missouri, and Georgia) from January 1, 2015 through December 31, 2019. Iowa, Georgia, and Missouri did not have any bills relating to juvenile

justice or reentry. For a comprehensive listing of state bills reviewed, see Appendix E. The 17 bills had significant overlap, with eight of these bills aimed at broadly improving reentry processes, such as providing females resources equivalent to what is provided to males and improving research on recidivism. Another eight bills were related to improving education and job outcomes for returning citizens, including hiring additional school resource counselors to provide resources, and having regional colleges partner with youth to provide them with education and job training appropriate to the local geographic region. The final bill, in Virginia, related to providing housing for dually-involved youth that did not have family supports to return to after secure confinement.

### **Key Findings from Analyzed Federal Documents, Federal Bills, and State Bills**

The most common reasons for excluding federal and state bills or federal documents from analyses were that they were focused on adult reentry or youth prevention. Federal documents naturally followed the same pattern as federal bills, focusing on financial support through grant funding and providing resources to improve reentry. This pattern is not surprising as many, but not all, federal documents were released in response to new legislation. Federal documents, as predicted, followed an upward trend. Prior to 2015, federal documents referencing juvenile justice reentry averaged 4.3 documents per year. Since 2015, an average of 24 federal documents referencing juvenile justice reentry were released each year. The year 2019 ( $n = 16$ ) saw a 33.3% decline in federal documents being released that referenced juvenile justice reentry over the number of 2018 documents ( $n = 24$ ).

In analyzing reentry legislation in federal juvenile justice bills, 86% used research language; this is in contrast to only 5.6% of state bills. Additionally, no state bills used developmental language in reentry legislation, while only 10% of federal bills used developmental language in the previous two legislative sessions (115<sup>th</sup> and 116<sup>th</sup>). Developmental language in reentry bills has increased from zero percent during the 110<sup>th</sup> legislative session but is down from its peak of 43% in the 112<sup>th</sup> legislative session. Developmental language has not been utilized in any of the enacted bills reviewed in this study.

With the exception of 2015 ( $n = 19$ ), federal reentry bills introduced consistently have ranged between two (110<sup>th</sup> legislative session) and 10 (115<sup>th</sup> and 116<sup>th</sup> legislative sessions) new bills introduced each session. Enacted federal ( $n = 4$ ) and state ( $n = 6$ ) bills follow a similar configuration, requiring broad improvements to the reentry process ( $n = 5$ ) and improving educational outcomes for youth ( $n = 5$ ).

### Discussion

This study examined federal and state legislation and related communications that were focused on reentry within the juvenile justice system in order to better understand legislative language and priorities of legislators as they relate to this topic. Using a content analysis approach, this study categorized juvenile justice reentry legislation that had been initiated in the years since large juvenile justice initiatives were enacted federally (i.e., the federal Second Chance Act and the 2015 Reentry Implementation grant awards) and in selected states. The extent to which federal and state bills included both research and developmental language also was evaluated. Using thematic analysis, federal documents within the same timeframe as federal legislation was utilized to examine the ways in which policymakers use their platforms to discuss reentry and juvenile justice. Thematic analysis was useful to this project as it does not require a deep theoretical background (Braun & Clarke, 2006) and is not wed to a theoretical framework.

The study analyses yielded three key findings. First, overall, very few of the federal or state bills that were introduced were enacted. The legislation that was enacted was limited in the extent to which it directly reduced individual barriers that incarcerated youth face once they return to the community. Bills that were enacted focused on improving efficiency and reconciling gender inequities. Second, both federal and state bills and federal documents were focused on providing financial support to states and organizations. Third, developmental and research terminology largely was not included in bill language. However, language referencing research findings was more likely than language reflecting

developmental terminology to be used in bills. These findings and the possible explanations for them will be discussed in turn in the sections that follow.

### **Enacted Legislation was Sparse and was Limited in Reducing Individual Barriers for Youth Reentry**

Overall, few of the bills introduced at either the federal or state level were enacted: four federal and six state bills. Most federal and state bills that met criteria for inclusion and were evaluated did not make it out of committee. Bills may be more likely to progress through the legislative process when they have high ranking sponsors (Jenkins, 2016) or are presented in the right political climate (Downing, 2018; Jenkins, 2016).

The federal and state legislation that was enacted focused on juvenile justice reentry fell into two broad categories: improvements in efficiency to the reentry process and improvements to the education of juveniles returning to the community. With regard to improving efficiency, bills reflecting this focus included ensuring that youth have reentry case plans before returning to the community (seen in federal bills) and providing equal access to reentry programming for females as is offered to males (state bills: North Carolina). Education improvements included adding counselor positions to help provide direction to youth reentering the community (state bills: North Carolina), providing job training upon return to the community in community schools (state bills: Maryland), and setting a mandate to require that schools are notified of a returning student a minimum of 21 days before return to try and minimize lag time or disruption (state bills: Kansas). North Carolina did enact legislation that requires a process of reviewing and clearing outstanding warrants for youth while incarcerated so that the reentry process is less complicated. These legislative initiatives are aligned with goals of the juvenile justice system to provide rehabilitation rather than punitive sentencing (IACHR, 2018), but still leaves room for additional initiatives and priorities to engage youth in effective reentry processes.

A push within juvenile justice reform largely has been on the continuum of services or care that are offered to youth both during and after secure confinement (Clear & Frost, 2014). Documents were

focused on mental health and medication management for youth, but this was not reflected in the reviewed legislation. As a DHHS video in 2017 noted within the federal documents, mental health will *always* be stigmatizing if the system continues to only provide reactive mental health services. With upwards of 70 percent of justice-involved youth having diagnosable mental health concerns (OJJDP, 2017c), legislation should include improving the individual lives of youth involved in the juvenile justice system, including the mental health of incarcerated youth. Call for increased collaboration between community mental health partners and police departments have been spurred in light of moves toward social justice in the society at large (Widgery, 2019); this should include educating mental health providers both inside juvenile justice facilities and in the community on the unique needs associated with their circumstances, this may include stigmatization, trauma, etc. (Underwood & Washington, 2016). As noted by Farn and Umpierre (2017), there are other aspects of the continuum of services that are worth implementing, including improving and expanding family involvement for returning youth. Bills were able to provide some of the other aspects of the continuum, such as working to remove barriers to successful reentry through initiatives such as removing the automatic ban of FAFSA funds to persons with drug offenses on their record. In other attempts to reduce barriers, in North Carolina, H. 930 (2019) sought to waive fees related to applying for a birth certificate for persons returning to the community within six months of application. This bill did not pass but does provide evidence that states are making objective attempts to lessen barriers that are stonewalling youth from becoming productive citizens after their return to the community. These efforts are critical, as recent analyses document that among juvenile and young adult offenders released back into the community, there were significant challenges for individuals who were returning to work versus school, suggesting that additional supports are needed both in the correctional facility prior to release, and in the community post release (Jaggi et al., 2020).

In documents, youth were discussed in terms of their justice-involvement with scarcely any mention of other aspects of their identity or development. Despite overrepresentation within the juvenile justice system (Irvine & Canfield, 2016), LGBT youth only were mentioned once among the documents relating to reentry, even though LGBT youth have additional barriers to successfully reentering society. Similarly, homeless youth were scarcely mentioned despite not having basic shelter to return to upon reentering the community. When thinking of continuum of services, there is a need to be more inclusive and consider the needs of diverse populations of youth, such as LGBT and homeless youth, including LGBT homeless youth in order to promote equitable opportunity (Annie E. Casey Foundation, 2016) for reentry services. Further highlighting the need for taking into account all diverse aspects of youth identity, previous research has shown differential treatment in decision making within the juvenile justice system (Lieber et al., 2009). This study only found two instances of discussion of reentry with homeless youth and only one instance of LGBT youth despite their high representation in juvenile justice facilities. There was limited discussion of reentry within other subsets of identity, including Black and Latinx youth, girls within the system, or the large number of youth with emotional or behavioral disorders. As Arredondo (2003) notes, youth come from unique backgrounds with individual needs and are different stages of development. Although Wilson and colleagues in a 2003 meta-analysis of rehabilitative programs for delinquent youth found no statistically significant differences in service effectiveness between White and “minority” youth, culture should to be taken into account when considering what treatments are effective (Arredondo, 2003) as expectations and appropriateness may vary based on cultural norms and values. It is equally important to consider the strategies youth employ to both manage and monitor the acquisition of new skills (Weinstein et al., 1988) an invaluable tool to understand their pathway out of delinquency.

**Bills and Documents Focused on Financial Support to States and Organizations**

Perhaps unsurprisingly, bills and documents focused on providing financial support to states, nonprofit, and educational organizations with grant funds to improve reentry processes. It is important to see efforts to improve funding for reentry projects, despite the significant budget cuts discussed throughout this project. Despite support for funding and a significant discussion regarding funds toward reentry and juvenile justice broadly, the enacted legislation regarding reentry scarcely provided funds to these entities. Only three enacted bills (one federal; two state) included funding for reentry initiatives: the federal bill specified that grant applicants must coordinate with others across the juvenile justice system to find evidence-based approaches for recidivism reduction; North Carolina provided funds to hire school reentry counselors; and Maryland provided funds to “community schools” for augmenting reentry programming for returning youth.

Alternatively, the study analyses reflected the fact that bills that were excluded from this study were overwhelmingly focused on delinquency prevention and reentry for adults in the criminal justice system. While research has found economic benefits to community-based alternatives to incarceration (Underwood & Washington, 2016), there is an entire population of youth that are incarcerated and may benefit from enhanced reentry programming. As an example, in a YouTube video from the Substance Abuse and Mental Health Services Administration (SAMHSA) in December 2018, there is dialogue of a person who went into the system as a 12-year-old because of a chaotic childhood and for a number of reasons is back at age 24. The conversation surrounds the fact that he needs reentry services *now*. But there is no discussion of improving reentry services during his earlier time in the juvenile justice system as a 12-year old. This begs the question whether reentry services in the juvenile justice system may be able to curb some of the recidivism that we see among youth who become adult offenders. Although there are generally sharp declines in crime after age 25 (Ulmer & Steffensmeier, 2014) and most youth tend to age out of crime (Moffitt, 1993), there is a subset of the juvenile justice population who become

adult offenders. This is especially concerning as the youth in the SAMHSA (2018) YouTube video was just 12 years old at first entry into the justice system; a plethora research shows that younger age at first contact suggests a higher probability of adult offending (NIJ, 2014). This is also particularly concerning as an estimated 40-60% of youth offenders will go on to offend in adulthood (NIJ, 2014). This pattern scarcely indicates that a majority of youth who enter the juvenile justice system will age of out crime and necessitates that policies address youth enmeshed within the system, in addition to youth prevention strategies and adult reentry. Recent research suggests that because the United States requires that minors receive schooling while incarcerated, schooling received while in the juvenile justice facilities could be conceived as a “turning point” (Jaggi & Kliwer, 2000; Jaggi et al., 2020). Indeed, in a large sample of juvenile offenders, higher levels of attachment to schools within the correctional facility was prospectively related to gainful activity (attending school and working), less self-reported delinquency, and lower recidivism in the community upon release after accounting for prior levels of school attachment and school performance.

#### **Developmental or Research Terminology is Scarcely Used in Bill Language**

Terminology in bill language scarcely reflected the qualitative difference in cognitive development between youth and adults, and none of the enacted legislation, federally or by state, utilized developmental terminology. Using developmental terminology is not an indicator that legislators understand human development; Conversely, use of key terms relating to developmental science (i.e., evidence-based) should not be misinterpreted as a legislators’ understanding of psychology or its concepts, or even child development more broadly. Highlighting the use, or not, of developmental terminology in federal and state bills was intended to reveal the extent to which legislators were paying attention to these concepts and provides an opportunity for researchers to be more vocal about their research and to provide more information and understanding about development to policymakers. This omission of developmental language does not mean that earlier drafts of legislation did not contain such

language or that developmental science was not considered during bill development. Incorporating language regarding adolescent development into federal and state legislation may provide greater understanding regarding the necessity of the topic and help to clear up any undue confusion about a bill's purpose to other legislators.

The current study did not find evidence of consistent or frequent use of research language in the legislation reviewed, but research was referenced more frequently in legislation than in supporting documents. Although research language was present in three of the four federal bills enacted, research language was not present in any of the state bills enacted. Research keywords may help academic researchers or community practitioners understand the language policymakers are responding to and when thinking about disseminating research findings to Congressional staff. Though not explicitly addressed in this study, research and development were not frequently discussed in the documents reviewed. This may be due, in part, to the limited space available in documents (e.g., Facebook or Twitter posts), but also due to the limited research on reentry processes broadly (Mears & Travis, 2004). While there are many evidence-based programs touted to improve reentry on a local level, research looking at broad overhauls of reentry are limited in nature, potentially making it hard for policymakers to disseminate information about "what works" based on research when the data is piecemeal with regard to reentry.

### **Other Findings**

#### ***Dissemination of Information from Documents***

Documents largely tried to provide insight on the financial opportunities and barriers within the juvenile justice system, while bills provided additional context and rules about grant funding. For example, in addition to grant opportunities and upcoming legislation offering new or amended grant opportunities, the economic costs of juvenile incarceration were mentioned within documents. Public documents are one way to get information about issues to the general public. Using this platform to

bring awareness of the high cost of juvenile incarceration is an understated way to gain public support for legislative bill initiatives. Documents also were utilized to make the general public aware of some of the resources available for reentry. However, the impact of highlighting these resources is unclear. Specifically, of the 16 Facebook posts reviewed in this analysis the highest “liked” post was in March 2016 from Rep. Bennie Thompson (D-MS-2) announcing an upcoming community meeting regarding reentry with 45 likes and 29 shares; four posts had zero likes and zero shares and several had only one or two likes. While likes are not the only indicator of the impact and reach of a post, algorithms within social media provide highly liked posts with more impressions to others with similar interests to help disseminate information.

### ***Personal Anecdotes Were Rare***

It was rare for personal anecdotes to be present in federal documents. This may be an indicator of limited lived experience or knowledge of the juvenile justice system. Policymakers may be solely relying on the research data or anecdotes that are told to them. Decisions for bill support may be based on these limited experiences (Cairney & Oliver, 2017) and additionally, there may be bias between a personal decision made for the bill and the vote that is ultimately made in support of or against a bill (Xing, 2015), as politics (e.g., public interest, partisan expectations, etc.) are a driver of policy decisions. Texas Senator John Whitmire, who described cultural differences between youth in Houston and youth in rural west Texas, makes another statement regarding research, he says “to find a case that explains it [issues challenging the juvenile justice system] better than the data.” Senator Whitmire goes on to explain a case of a young girl needing food and clothing for herself and her unborn child but had been incarcerated for trying to improve her circumstances. This statement indicates Congressional staff may be open to hearing from researchers about case studies or specific examples in the field to stimulate their knowledge in this topic area.

***Bill Enactment at the Federal Versus State Level***

Reentry bills were more likely to be passed at the state level, with 64.7% of state bills enacted, rather than at the federal level with only 4.8% of bills passing federally as of December 31, 2019. Researchers and policymakers should be consulting with persons “on-the-ground” in the juvenile justice system—both personnel and youth with the lived experience and first-hand knowledge of gaps and needs for youth returning to the community—in order to improve the pass rate of bills that are presented (Cole & Cohen, 2013; Latessa, 2004).

**Strengths and Limitations**

With regard to the strengths of the study, this study utilized multiple coders, thereby offsetting any subjective bias that may be present when utilizing only one or two coders (Ulin et al., 2005). Researcher bias may be exacerbated in qualitative analyses broadly (Neuendorf, 2019), making utilization of multiple coders a strength against such bias. Additionally, a very limited number of studies have attempted to gather knowledge about the policy process (Cairney & Oliver, 2017), which this study does through the lens of reentry legislation within the juvenile justice system. This study provides a deeper glimpse into understanding legislative progression of reentry processes and can ultimately provide researchers with a point of reference when considering legislative priorities. Although this study provides a novel look at reentry legislation, it also may be necessary to look at changes in local policies or procedures and compare these over time to really understand what states are implementing with regard to reentry.

With respect to limitations, this study provides limited state data, observing legislation of eight states, geographically in Eastern and Central United States. This naturally limits our understanding of any reentry initiatives taking place outside of the states reviewed here. Additionally, there may be limitation of data that was found based on the search terms carried out by this study. In an attempt to thwart that issue, I did a generic top 200 word frequency search in the bills reviewed and did not find

this to be the case. Reentry initiatives that do not specifically use the word “reentry” may also have been missed based on the terminology utilized. I was specifically interested in reentry legislation and therefore may have overlooked valuable information related to similar topics (e.g., probation initiatives) although the additional coders may have helped to reduce this bias, it nevertheless may be present. Additionally, it was beyond the scope of the current study to examine the quality of research use in legislative bill language. This would require finding and vetting all sources of research use and may be an opportunity as a future avenue of research.

### **Directions for Future Research and Policy**

Generally, most new laws bring about the potential of more arrests. Reentry laws, however, bring potential for rehabilitation and reduced recidivism. Federal investments in juvenile justice are fundamental to improving the system (Act4JJ, 2019). There are several ways in which progress on reentry still needs to be made at both the state and federal levels.

### **Opportunities for Researchers**

The lack of use of developmental or research language in the bills and documents reviewed suggests that researchers need to interact with policymakers using clear, unambiguous language (Cairney & Oliver, 2017). Specifically, this includes providing information that is concise and easy to understand and refraining from using research terminology that is not widely understood. Legislative staff are provided with a lot of information from different sources and need to be able to understand research that may not be in their areas of expertise. Research also should be relevant and important to their constituents; it would be ideal to provide information about research on reentry within their state or local jurisdiction when possible, as it is important to make a relevant connection to see how it would benefit their constituents. As an example, from the data, multiple documents utilized the same statistic repeatedly: “Texas has seen a significant decline in recidivism of 28 percent since 2000.” At least eight documents used this exact language, and several others repeated the statistic using similar verbiage.

The document authors were from states like Ohio and Illinois where populations of youth are not culturally similar to youth and programs may have different outcomes and highlighting the salience of providing locally relevant data when possible.

It is also important to think about opportunities for developmental scientists to connect and engage with policymakers to improve translational science. Researchers should consider studies with outcomes related to providing youth with job skills that provide job opportunities above minimum wage and see their effects on youth recidivism and longer-term outcomes. As mentioned throughout this paper, policymakers often have limited knowledge of adolescent development broadly, so it is important to find opportunities to show developmental salience with regard to bill priorities and initiatives.

### **Opportunities for Policymakers**

A key focus of this project was to examine the nature of federal legislation and its impact on juvenile justice reentry through selected state policy. Results revealed a narrow set of priorities for bills that were enacted. Policymakers should consider other aspects of recidivism and reentry that can reduce stigma and lessen barriers for youth. This can be accomplished in a number of ways, particularly by considering economic issues, housing restrictions, or lessening the risk for companies to hire returning youth. As an example, with regard to economic issues, Edelman et al. (2006) argue that low wages often turn males away from legitimate job pursuits. Federal minimum wage is currently, as of November 2020, \$7.25 per hour (U.S. Department of Labor, n.d.), a number that barely covers the poverty level for a single person and would not elevate a family of two or more out of poverty (HHS Poverty Guidelines, 2019). Additionally, persons with a drug conviction or who engaged in other criminal activity are exempt from both receiving section 8 housing assistance and staying with someone living in section 8 housing (e-CFR, 2019). Policymakers may also consider expanding on DOLETA (n.d.) initiatives or exploring other opportunities to provide companies with bonds to hire returning youth.

### **Opportunities for Juvenile Justice Reform at Multiple System Touchpoints**

In addition to individual opportunities for researchers and policymakers, there are several recommendations that can be carried out at multiple touchpoints within the juvenile justice system by researchers studying juvenile justice that have implications for policymakers. Broadly, improving research on recidivism is important to understanding trends and patterns and to identify areas of specific concern and communities that may require additional resources for youth. Currently, recidivism is not consistently tracked and evaluation methodologies are not consistent among states. This makes interpretation of recidivism rates difficult and thus the full impact of successful reentry unknown. While some policymakers are pushing for integrated data systems, research patterns would need to be transformed across the board within the juvenile justice system. That is, the type of data that is tracked and how it is tracked, as well as the terminology used across systems would need to be standardized. For example, some localities measure recidivism based on new arrests, while other localities measure recidivism based on new adjudications, highlighting how standardizing recidivism data would be one of the primary factors in understanding the outcomes of reentry initiatives.

It is also relevant when thinking about reentry broadly to consider the labels that are given to youth by policymakers, researchers, and persons in the juvenile justice system. Labels need to be consistent and appropriate. For example, in a Committee Document reviewed in this study, youth were labeled as “juvenile delinquents” which immediately conjures up a negative stereotype. Previous research shows that stereotypes intersect with other aspects of youth identity and are a critical piece of identity development (Way et al., 2013). Successful reentry requires youth not foreclose on the identity that others have created for them, in this instance as a “juvenile delinquent.” Foreclosure, in identity development, refers to when an adolescent commits to an identity without exploring other options (Marcia, 1966). Former President Barack Obama said in a 2015 YouTube video reviewed for this paper

that we cannot tag youth as future criminals, automatic labeling is stigmatizing and may limit opportunities for youth when we do not reach out to them with success in mind.

Finally, as the system works to rehabilitate youth rather than rely on punitive punishment, it is fundamental to recognize at all touchpoints across the system that one-size-does-not-fit-all. Many localities are implementing data-driven tools with the goal to be more systemic and reduce bias in decision-making, but research presented in the Nevada legislature shows that, nationally, evidence-based services in the community are both infrequent and do not correspond to the needs of the entire youth population (Jones, 2017). Data tools are easy to develop, but much harder to appropriately and effectively implement in localities (Young et al., 2006). Programs must match the needs of the youth in the specific communities and engage in continuous quality improvement to continue meeting changing capacity and needs (Cusworth Walker et al., 2015).

#### **COVID-19 Impact Statement**

The current study focused on federal and select state legislative activity prior to January 1, 2020. It has become increasingly important to note that all population characteristics and data presented in this study are prior to the COVID-19 pandemic that has plagued the world; this pandemic has had potentially profound impacts on future legislation for both the juvenile and criminal justice systems, and likely will shift the priorities of policymakers. COVID-19 forced many states to quickly change practices to keep incarcerated persons safe and limit exposure to the highly contagious disease. Programming, including reentry programming, ground to a halt in March 2020 and as of November 2020, many facilities were still without programming as COVID-19 continued to spread.

As millions of people were confined to their homes, the police killings of George Floyd and Breonna Taylor permeated the news cycles and brought a renewed awareness of the many social injustices in the world. This time, people were listening. Special General Assembly sessions were called

in many states as a result of nationwide protests on these (and many other) killing of innocent Black lives. Laws are being passed and enacted across the country to improve police accountability.

COVID-19 and call for social justice and accountability are likely to significantly affect reentry initiatives in both the juvenile and criminal justice systems. It is very likely that we will see a paradigm shift in available programming and priorities for the juvenile justice system. Will reentry be more salient than before, or will it fall to the side as the country looks to further improve alternatives to incarceration? It will take some time to realize the full impact of the pandemic and social justice movement and was important to mention in this paper as the data do not reflect any of the significant world events that have happened in 2020. This study should provide a glimpse at where policymakers were with regard to reentry, but it may not be reflective of where policymakers are going with reentry.

### **Conclusion**

Translational engagement between researchers and policymakers is in its infancy. Updates to the reentry process needs to happen at both a policy level and within the juvenile justice system. A policy is only useful insofar as it provides opportunity for change. The day-to-day implementation on a local level is at least as important for meaningful change to occur (Latessa, 2004). Researchers have the opportunity to work with Congressional staff to improve the individual reentry experiences for youth within the justice system.

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## Appendix A

Keywords of all Developmental Terms used in Four Supreme Court Cases Acknowledging Differences Between Youth and Adults.

<i>Roper v Simmons (2005)</i>	<i>Graham v Florida (2010)</i>	<i>J.D.B. v North Carolina (2011)</i>	<i>Miller v Alabama (2012)</i>
Lack of maturity*	Lack of maturity *****	Lack of maturity**	Lack of maturity***
Immature*****	Psychological maturity*	Lack of experience	Underdeveloped sense of responsibility*
Psychological maturity	Reluctance to trust adults***	Lack of perspective	Transient immaturity
Irresponsible****	Difficulty thinking in terms of long-term benefits*	Susceptible to manipulation or influence*	Impulsivity
Underdeveloped sense of responsibility	Underdeveloped sense of responsibility*	Susceptible to outside pressure*	Headless risk-taking
Vulnerability***	Vulnerability*	Lacks judgment*	More vulnerable
Lack of control**	Diminished moral responsibility	Less responsible	Lack of control
Struggle to define identity*	Lack of true depravity	Irresponsible	Character not as well formed
Lack of true depravity*	Impulsiveness*		Transient rashness
Impulsive	Susceptible to manipulation or influence		Proclivity for risk*
Susceptible to manipulation or influence*	Susceptible to outside pressure		Susceptible to manipulation or influence*
Susceptible to outside pressure	Character not as well formed		Susceptible to outside pressure
Character not as well formed	Impetuousness		Inability to assess consequences*
Impetuousness	Ill-considered actions and decisions*		Impetuousness**
Recklessness	Limited understanding		Recklessness**
Instability			
Emotional imbalance			

Note. A \* indicates the number of times the terminology appears in text.

## Appendix B

## Developmental Keywords Broken Down by Conceptual Category

Cognitive	Social	Emotional	Maturation	Psychological
Reluctance to trust adults	Lack of Experience	Impulsivity	Lack of maturity	Psychological maturity
Difficulty thinking in terms of long-term benefits	Susceptible to manipulation or influence	Impetuousness	Immature	Vulnerability
Heedless risk-taking	Susceptible to outside pressure	Recklessness	Transient immaturity	Struggle to define identity
Underdeveloped sense of responsibility		Instability	Lack of control	Character not as well formed
Lack of perspective		Emotional imbalance	Transient rashness	
Irresponsibility				
Lacks judgment				
Lack of true depravity				
Inability to assess consequences				
Limited understanding				

## Appendix C

## Research Keywords Broken into Conceptual Categories

Analysis	Method	Research	Findings	Direct keywords
Data analysis	Assessment measures	Current research	Peer reviewed	Evidence-based
Gap analysis	Assessment models	Academic research	Results found/have found	Best practice
Overlap analysis	Data methods	Latest research	Results indicate	Empirically based
Comparison analysis	Scientific measurement	Existing research	Results suggest	Significant evidence
Significantly correlated	Data measurement	Recent study	Results show	Significant data
Randomized	Research methods	Past studies	Results recommend	
Experimental	Experimental methods	New study	Results signal	
Rigorous	Scientific methods	New data	Evidence demonstrates	
	Qualitative	Well documented research	Evidence recommends	
	Quantitative	Well documented science	Evidence suggests	
	Data system	Well documented information	Evidence illustrates	
		Scientifically accurate	Data informed	
		Scientifically valid	Data found/finds	
			Data support	
			Data signals	

*Note.* Keywords were emailed to me directly from corresponding author (Scott et al., 2019).

## Appendix D

## Federal Bills Included in Final Analysis

Year	Bill number	Title of bill
2008	S. 3155	Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008
2008	S. 3297	Advancing America's Priorities Act
2009	H.R. 1064	Youth Prison Reduction Through Opportunities, Mentoring, Intervention, Support, and Education Act
2009	S. 435	Youth Prison Reduction Through Opportunities, Mentoring, Intervention, Support, and Education Act
2009	S. 678	Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009
2010	H.R. 5969	Fighting Gangs and Empowering Youth Act of 2010
2010	H.R. 6029	Juvenile Justice and Delinquency Prevention Reauthorization Act of 2010
2010	S. 3695	Fighting Gangs and Empowering Youth Act of 2010
2010	S. 3636	Commerce, Justice, Science, and Related Agencies Appropriations Act, 2011
2010	S. 3842	Justice for All Reauthorization Act of 2010
2011	S. 1004	Promise Neighborhoods Act of 2011
2011	H.R. 2098	Promise Neighborhoods Act of 2011
2011	S. 867	Fighting Gangs and Empowering Youth Act of 2011
2011	H.R. 1820	Fighting Gangs and Empowering Youth Act of 2011
2011	S. 977	Fighting Gangs and Empowering Youth Act of 2011
2011	H.R. 2721	Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act
2011	S. 1019	Secondary School Reentry Act of 2011
2011	H.R. 3568	Native Culture, Language, and Access for Success in Schools Act
2011	H.R. 3569	Native Culture, Language, and Access for Success in Schools Act
2011	S. 1231	Second Chance Reauthorization Act of 2011
2012	S. 3578	Elementary and Secondary Education Reauthorization Act of 2011
2012	H.R. 3989	Student Success Act
2012	S. 2323	Commerce, Justice, Science, and Related Agencies Appropriation Act, 2013
2012	S. 3335	Effective Administration of Criminal Justice Act of 2012
2013	S. 597	Gideon's Promise Act
2013	H.R. 5	Student Success Act
2013	S. 1094	Strengthening America's Schools Act of 2013
2013	S. 1622	Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act
2013	H.R. 2195	Promise Neighborhoods Act of 2013
2013	H.R. 1318	Youth PROMISE Act
2013	S. 1307	Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act
2013	H.R. 3465	Second Chance Reauthorization Act of 2013
2013	S. 1690	Second Chance Reauthorization Act of 2013
2013	S. 1675	Recidivism Reduction and Public Safety Act of 2014
2013	H.R. 2787	Commerce, Justice, Science, and Related Agencies Appropriations Act, 2014
2014	H.R. 4908	Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act
2014	S. 2999	Juvenile Justice and Delinquency Prevention Reauthorization Act of 2014
2014	H.R. 5352	Pathways out of Poverty Act of 2014
2014	S. 2437	Commerce, Justice, Science, and Related Agencies Appropriations Act, 2015

Year	Bill number	Title of bill
2014	S. 2531	Better Options for Kids Act of 2014
2015	S. 1177	Every Student Succeeds Act
2015	H.R. 5	Student Success Act
2015	S. 514	Promise Neighborhoods Authorization Act of 2015
2015	S. 1169	Juvenile Justice and Delinquency Prevention Reauthorization Act of 2015
2015	H.R. 2882	Promise Neighborhoods Act of 2015
2015	S. 1770	Youth PROMISE Act
2015	H.R. 2751	Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act
2015	S. 246	Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act
2015	H.R. 2197	Youth PROMISE Act
2015	S. 2123	Sentencing Reform and Corrections Act of 2015
2015	S. 2131	An Act Making Appropriations for Law Enforcement and for Other Purposes, 2016
2015	H.R. 1435	Supportive School Climate Act of 2015
2015	S. 811	Supportive School Climate Act of 2015
2015	S. 467	CORRECTIONS Act
2015	S. 1513	Second Chance Reauthorization Act
2015	H.R. 3406	Second Chance Reauthorization Act of 2015
2015	S. 449	A bill to reduce recidivism and increase public safety.
2015	H.R. 2721	Pathways Out of Poverty Act of 2015
2016	S. 2577	Justice for All Reauthorization Act of 2016
2016	S. 2920	Tribal Law and Order Reauthorization and Amendments Act of 2016
2016	S. 2837	Commerce, Justice, Science, and Related Agencies Appropriations Act, 2017
2016	S. 3519	Trauma-Informed Care for Children and Families Act of 2016
2016	H.R. 5671	Urban Progress Act of 2016
2016	H.R. 5963	Supporting Youth Opportunity and Preventing Delinquency Act of 2016
2016	H.R. 6459	Supporting Youth Opportunity and Preventing Delinquency Act of 2016
2017	H.R. 1757	Trauma-Informed Care for Children and Families Act of 2017
2017	S. 774	Trauma-Informed Care for Children and Families Act of 2017
2017	S. 860	Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017
2017	H.R. 2899	Second Chance Reauthorization Act of 2017
2017	S. 1953	Tribal Law and Order Reauthorization and Amendments Act of 2018
2018	H.R. 5164	Urban Progress Act of 2018
2018	S. 3747	First Step Act of 2018
2018	H.R. 6964	Juvenile Justice Reform Act of 2018
2018	S. 3635	Second Chance Reauthorization Act of 2018
2018	S. 3435	Beyond the Box for Higher Education Act of 2018
2019	S. 1770	RISE from Trauma Act
2019	S. 697	Next Step Act of 2019
2019	H.R. 1893	Next Step Act of 2019
2019	S. 2690	Restoring, Enhancing, Securing, and Promoting Our Nation's Safety Efforts Act of 2019
2019	S. 2920	Violence Against Women Reauthorization Act of 2019
2019	H.R. 2563	Beyond the Box for Higher Education Act of 2019
2019	S. 1338	Beyond the Box for Higher Education Act of 2019
2019	S. 2584	Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020

## Appendix E

## State Bills Included in the Final Analysis

State	Year	Bill number	Title of bill
Virginia	2015	S.B. 960	Juvenile on Probation; Funding for Re-Entry and Release Services
North Carolina	2019	H. 1001	S407 Raise the Age Funding
North Carolina	2019	H. 930	Improve Success of Reentry by Inmates
North Carolina	2017	S. 344	Combine Adult Correction & Juvenile Justice
New Jersey	2018	A. 3822	Provides for reduction in suspended sentence, probation, or paroled based on compliance with conditions of sentence; requires report on effect of recidivism.
New Jersey	2018	S. 66	Provides for reduction in suspended sentence, probation, or paroled based on compliance with conditions of sentence; requires report on effect of recidivism.
New Jersey	2018	A. 840	Requires county colleges to develop juvenile offender reentry programs.
New Jersey	2017	A. 5120	Requires county colleges to develop juvenile offender reentry programs.
New Jersey	2017	S. 3172	Requires county colleges to develop juvenile offender reentry programs.
New Jersey	2017	A. 4565	Provides for reduction in suspended sentence, probation, or paroled based on compliance with conditions of sentence; requires report on effect of recidivism.
New Jersey	2016	S. 2540	Provides for reduction in suspended sentence, probation, or paroled based on compliance with conditions of sentence; requires report on effect of recidivism.
Kansas	2019	H.B. 2337	Making changes to the community corrections advisory boards and grant programs.
Kansas	2016	S.B. 367	Amendments to the juvenile justice system.
Maryland	2019	S.B. 0661	Primary and secondary education-community schools-established.
Maryland	2019	H.B. 0733	Primary and secondary education-community schools-established.
Maryland	2017	H.B. 0721	Juvenile services-services and programs for females.
Maryland	2017	S.B. 0674	Juvenile services-services and programs for females.