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Targeting Chronic Juvenile Offenders:
SHOCAP Harbors Potential for Success

Juvenile Justice is a relatively new concept. Until the late nineteenth century, young offenders were tried in adult courts and punished in adult institutions. The first separate juvenile court was established in Chicago, Illinois, in 1899. Other states followed suit by creating separate juvenile courts and correctional systems over the next twenty years (Siegel 390). Since its establishment, the juvenile justice system has reformed its philosophies several times. "A massive 735-page review of juvenile and adult correctional intervention, which detailed information on 231 individual studies published between 1945 and 1968, concludes that very little works" (Rubin 19). Today, concern over violent and chronic delinquent behavior has brought the treatment philosophy under criticism. As early as the 1970's, research had led some to the conclusion that rehabilitation efforts left much to be desired: "With few and isolated experiences, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism" (qtd. in Greenwood and Zimring 32).

Too often, a program is introduced as a panacea and people become disillusioned with the Justice system when the program does not accomplish its goals. There are many problems facing those who attempt to set up a program targeting

a specific group of offender.

One major problem is that there is no single factor that causes juvenile delinquency; there is therefore no single factor solution. Although many theories have been formulated concerning the causal factors of delinquency, five basic types have been consistently found correlated with chronic delinquency among urban males. The first factor involves family characteristics that tend to lead to delinquent behavior. These include having a criminal father, having many siblings, having criminal siblings, and being part of the lower socio-economic class. This family factor can lead to the next two factors, familial experience and physical characteristics. The familial experience includes a lack of love, attention, and a lack of consistent punishments and rewards. Physical characteristics may include an abnormal EEG, minor birth abnormalities, or brain damage. Another basic type of factor is pre-delinquent behavioral flags, which include truancy, low academic achievement, and acting aggressive or antisocial. The fifth factor is criminal acts committed by a juvenile, including early arrests and serious or frequent criminal acts. All five of these factors are interrelated with another category that is much more difficult to measure. In this category are individual experiences, peer relations, and opportunity structures provided to the juvenile (Greenwood 78-81).

Considering all the factors that may lead to delinquency is only one of the many problems faced by policy makers. Another major problem is identifying the group of delinquents they wish to target. An attorney experienced in the defense

of juvenile court clientele wrote the following for the record of the 1978 Senate Hearings on Serious Youth Crime:

Although no one is sure, psychiatrists, social workers and defense lawyers believe, possibly based on intuition, that the serious juvenile offender accounts for only ten percent of the juvenile court clientele. The first problem is finding him (qtd. in McDermott 67).

Because the concept of the serious or habitual offender is a socially created term, the definition may vary depending on which entity is doing the defining. Since there is no one definition agreed on, simple identification becomes an obstacle that must be overcome before developing a program.

Another problem with developing a program that targets serious habitual juvenile offenders is the amount of discretion used throughout the juvenile justice system. Even once a clear definition of targeted youths is obtained, many youths slip through the cracks in the system and do not come to the attention of the officials in time to hinder their delinquent career. Many research projects and informal surveys sponsored by the Office of Juvenile Justice and Delinquency, U.S. Department of Justice, and the Federal Law Enforcement Center verified the following breakdown of juvenile justice transaction:

For every 1,000 young persons in contact with the police, ten percent or 100 are arrested. Police commonly drop charges or reprimand about 50 percent of these, leaving 50 cases. Of the 50 cases formally presented to the court intake, only about 50 percent or 25 are sent forward. Unless a young offender has

been arrested before, or the immediate offense is serious, less than 50 percent or 12 will be referred to the court. Less than 50 percent of the cases presented result in the adjudication or determination of delinquent status. This means that only six accused Delinquents will be found guilty and sentenced. Of the six sentenced, five will probably be placed on probation. This leaves only one juvenile out of the 1,000 who will be incarcerated (qtd. in the Office of Juvenile Justice and Delinquency Prevention pamphlet 2).

Although many juveniles can slip through cracks in the system, the most serious and chronic offenders are eventually caught. Ideally, however, these offenders should be identified long before they reach the most serious stages of their delinquent careers. Because a small percentage of habitual offenders are responsible for a disproportionate amount of offenses, it is imperative that a program is designed to plug any leaks in the system and not allow a chronic offender to slip through. The Serious Habitual Offender Comprehensive Action Program (SHOCAP) was designed to (1) reach an acceptable definition of serious habitual offenders for all local agencies involved and (2) reach an inter-agency agreement that will not allow offenders to fall through cracks in the justice system.

The SHOCAP concept evolved from studies by Wolfgang, Figlio, Sellin, and the Rand Corporation that were based mainly on police contacts. Wolfgang and his colleagues' 1972 birth cohort study found that a small group of chronic offenders commit a large portion of all crime and an even

larger portion of serious crime (Bernard and Ritti 33). The Rand research found that serious habitual offenders reach the peak of their criminal careers at age fifteen and a half. The aim of SHOCAP is to identify these juveniles before their criminal career reaches its peak. By removing these identified youths from the community, the community will suffer less damage and a message will be sent to other young offenders.

On a local level, each community will develop an unique set of criteria according to its needs. These criteria will be developed through the cooperation of the police department and all other agencies involved. Once the criteria are agreed upon, a letter of agreement is developed and agreed upon by all agencies pertaining to the role each agency will play in the program. The criteria and responsibilities of each agency will be evaluated periodically to ensure both are in accordance to the needs of that particular community. The guidelines of SHOCAP are rather ambiguous to allow each community to design, develop and implement SHOCAP as necessary. This is important because not all communities have the same problems with juveniles. The type and frequency of juvenile crime varies from city to city. Chicago, for example, may want to set criteria that place greater emphasis on felony gun crimes while a community like Carbondale may need a greater emphasis on misdemeanor property crimes. Because local agencies who deal with the local juveniles have a better sense of where to place the greatest emphasis, the criteria are able to be developed locally to maximize the effectiveness of the program.

Carbondale Police Department recently began the implementation process of SHOCAP. After attending a National familiarization conference for the program, the youth unit returned to begin to attempt to develop a workable set of criteria. To obtain a starting point, they contacted departments of similar size to Carbondale that have a working SHOCAP program. These departments provided the youth unit with examples of criteria they had established for their communities. This gave the youth unit an idea of what type of criteria systems are in effect. The next step was for the youth unit to develop a tentative list of problem youths in the community. Due to their constant contact with the local juveniles, they were able to develop the list from their knowledge of the juveniles that continually have numerous police contacts. Using this list as a guide, the records of these youths-including arrest, suspect and witness reports, and contact cards-were compiled for each youth to affirm that each youth was a potential candidate for SHOCAP. The records for the past five years were pulled for each youth and a file with each offense committed was made. Using a combination of examples from other departments, the youth unit then developed a tentative set of criteria to be used in conjunction with a point system per offense:

Candidates must have four (4) police contacts within a twelve month period, a minimum of forty (40) points, and a minimum of one delinquent adjudication. The twelve month window freezes upon incarceration.

Contact Points

<u>FELONY/DRUG</u>	<u>20</u>
<u>FELONY/GUN</u>	<u>20</u>
<u>PROPERTY FELONY</u>	<u>15</u>
<u>OTHER FELONY</u>	<u>15</u>
<u>MISDEMEANOR/GUN</u>	<u>10</u>
<u>MISDEMEANOR AGAINST PERSON</u>	<u>10</u>
<u>MISDEMEANOR/DRUG</u>	<u>10</u>
<u>MISDEMEANOR/PROPERTY</u>	<u>5</u>
<u>OTHER MISDEMEANOR</u>	<u>5</u>
<u>STATUS OFFENSE</u>	<u>2</u>
<u>(including other "unsupervised contact")</u>	

(Carbondale P.D.)

An example of criteria was obtained from Rocky Mount, North Carolina. Their criteria for qualification as a SHO are as follows:

Candidates must have at least one adjudication and reach a minimum of twenty-five points.

Contact Points

Violent Felony Arrest - 20

Drug Related Felony Arrest - 20

Property Felony Arrest - 15

Misdemeanor Crime Against Person Arrest - 10

Misdemeanor Arrest for Victimless Crime - 5

Misdemeanor Arrest for Traffic Offenses - 2

Another, quite different, example was sent by the Oxnard Police Department. Their program involves an emphasis on drug offenses:

Candidates must have one prior adjudication and have:

1. Five or more total arrests, including:

a. three felonies and

b. three total arrests within past twelve months

OR

2. Ten or more total arrests, including:
 - a. two felonies and
 - b. three total arrests in past twelve months

OR

3. Ten or more total arrests, including:
 - a. eight or more for petty theft, misdemeanor assaults, narcotics possession, weapons violations, or substance abuse, and
 - b. three total arrests in past twelve months

OR

4. One arrest for multiple (3 or more) burglaries, robberies, sexual assaults, within the past twelve months. Burglaries that could be construed as shoplift type burglaries must be reviewed by the Deputy District Attorney before criteria is met.

(Oxnard P.D)

The criteria tentatively selected by Carbondale closely resembles that of Decatur-Macon County's program, with a few more specificities added to the point system. Decatur-Macon has the same requirements as far as police contacts and number of points, but has only the following categories in their point system:

Violent Felony - 20

Felony Drug - 20

Property Felony - 15

Misdemeanor Against Person - 10

Misdemeanor Drug - 10

Misdemeanor Property - 5

Other Misdemeanor - 5

Status Offense - 2

The youth unit decided to add unsupervised contacts, based on their working knowledge of common problems with local youths, and the stipulation of the twelve month window freezing upon incarceration. "Unsupervised contacts" include instances when a particular juvenile may have been only a witness, or perhaps even a victim, in a case but will be given points because he or she was somewhere he should not have been in the first place. For example, if a juvenile is involved or witnesses an altercation that took place at 2:30 a.m. on a school night in some parking lot, the youth unit has determined that points be allotted because the juvenile, while not charged, should not have been out at that time of night unsupervised.

It was also determined that the twelve month window freeze upon incarceration so a youth returning to the community must maintain acceptable behavior. If the window continued while a youth was incarcerated, it would be possible that the youth could continue to commit a number of offenses before attaining enough points to be considered a SHO. Because the window moves each month, a borderline SHO has an opportunity to have points deducted from his or her file. For example, if a youth has 38 points in the current window of April 1992 to April 1993 which include 10 points for a misdemeanor committed in April 1992, when the window moves to May the points for the offense in April would be deducted. This allows a youth to alter his behavior if he chooses, and be dropped from the SHO list if no more offenses are committed.

After compiling the records from the tentative list of

chronic offenders, the records were evaluated against the criteria to see if and when, from 1988 to present, any of the juveniles would have qualified as SHO's. Due to the size of the city of Carbondale, it was determined that no more than eight juveniles should qualify as SHO's. If more than eight had appeared, the criteria would have been altered to include fewer offenses.

Although the police department was responsible for laying the groundwork for SHOCAP, it does not bear full responsibility for the implementation of the program. SHOCAP is comprised of representatives from the following organizations: Carbondale Police Department, Jackson County State's Attorney's Office, Jackson County Probation, Juvenile Court Judge, Carbondale High School District, Illinois Department of Corrections, Carbondale Elementary School District, Illinois Department of Children and Family Services, and Jackson Count Community Mental Health Center Youth Services Program. The goals of this policy making body are as follows:

- The identification of services being provided by the agencies involved with the juvenile population;
- The identification of duplication of services being provided by the agencies and the reduction of such duplication;
- Coordination of services provided by the involved agencies;
- The coordination and networking of information to assist each agency in providing effective and efficient service to juvenile related services;
- Enhance communications between the agencies and the

coordination and delivery of services which are directed toward improving the juvenile justice system and the responses therein, and to assist each agency in making timely and effective responses to the needs of the citizens (Carbondale P.D.)

One major problem the youth unit has had in the past has been that of a lack of communication between different entities of the juvenile justice system. For example, if patrol officers are not aware of the terms of a youth's probation, such as a curfew, they have no way of enforcing violations. The juveniles have been aware of this lack of communication and have repeatedly violated their probation or parole terms unbeknownst to officers. When SHOCAP is implemented, it will not take long for youths in the community to realize that they can no longer get away with such behavior. It is the intention of the SHOCAP program to make all chronic offenders aware of the program, how close they are to qualifying as SHO's, and the consequences of being a SHOCAP candidate. This will allow problem youths the opportunity to modify their behavior before being sent to the Department of Corrections.

Once a youth is determined to be a SHOCAP candidate, he will be monitored very closely by all agencies that may have contact with him. The school will be aware of this and agrees to contact the youth unit with any problems concerning a SHOCAP youth. Each patrol officer will be aware of all potential SHO's, enabling them to monitor and communicate more effectively with the youth. Once a juvenile meets all the criteria for SHOCAP, he will be allowed no more diversion programs and will be sent to an

appropriate institution. Due to all contingencies involved in SHOCAP, it is imperative to have the full cooperation of all agencies involved.

The SHOCAP program has not yet been fully implemented in Carbondale. The criteria are set and the potential SHO's have been identified. The policy-making body is currently working out details of the letter of agreement and a software program is necessary before full implementation can begin. Nonetheless, the groundwork is complete and it is only a matter of time before it begins. The youth unit and representatives from the agencies involved are confident that SHOCAP will be a successful and worthwhile program. This program has a great deal of potential, especially because it is at a community level, to successfully combat chronic juvenile offenders. This will benefit not only the agencies involved, but also the community as a whole.

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