# Reducing Recidivism and Improving Other Outcomes for Young Adults in the Juvenile and Adult Criminal Justice Systems

#### INTRODUCTION

esearchers focused on brain development have found that 18- to 24-year-olds—also referred to as young adults\*—stand out as a distinct developmental group with heightened impulsive behavior, risk taking, and poor decision making.¹ Young adults are also frequently not connected to education or jobs—approximately 1 in 5 young adults (the majority of whom are Black or Latino) were out of school and out of work in 2013.² These factors increase the odds that a young adult might come into contact with the justice system.†

Not coincidentally, law enforcement officials say that more often than not, when a violent crime is committed, it involves someone between the ages of 18 and 24. And it is people in this same age group that law enforcement officials say are especially likely to be repeat offenders.<sup>3</sup>

Of course, the overwhelming majority of young adults across the country are not involved in any criminal activity.<sup>4</sup> And among those young adults who have committed a crime, most of those offenses are minor offenses.

Still, because this subset of individuals drives a disproportionately large share of criminal justice activity, they should be an important focus of juvenile and adult justice systems alike. [See box, "Young Adults in the Justice System," which explains that both systems can have jurisdiction over this population.] But whereas considerable research exists demonstrating what strategies make it less likely an adolescent or, say, a 35-year-old adult will reoffend, similar research does not exist for young adults. Nor is it clear what strategies can

#### **Young Adults in the Justice System**

When someone between the ages of 18 and 24 commits a crime, neither the juvenile nor the adult criminal justice system is exclusively responsible for providing services and supervision to this individual. In every state, a person who commits a crime after age 18 is referred to the adult criminal justice system, and in some states that age can be 17 or even 16. Yet, some states are considering raising the upper age limit of juvenile court jurisdiction beyond the age of 18.

At the same time, when a young person is adjudicated delinquent§ in the juvenile justice system, two-thirds of states⁵ allow them to remain under the supervision of the juvenile system through age 20 and, in some other states, up to age 24. Even if a young person commits a new crime while under community supervision within the juvenile justice system, it is possible that he or she may still remain in that system.

Because young adults can be involved in either the juvenile or adult criminal justice systems, policymakers and administrators in both systems should be focusing their attention on this important population and developing strategies to reduce recidivism and improve other outcomes for young adults.

improve education and employment outcomes for this age group. As states work to ensure that limited resources are used efficiently to protect public safety, they need to develop a strategy for addressing the distinct needs of young adults under juvenile or adult criminal justice system supervision.<sup>‡</sup> To help state and local officials advance this goal, this issue brief:

- 1. Highlights how young adults are distinct from youth and older adults
- 2. Identifies young adults' distinct needs, summarizing the limited research available on what works to address these needs, and detailing the unintentional barriers imposed by states to getting these needs met
- 3. Provides recommendations for the steps that policymakers, juvenile and adult criminal justice agency leaders, researchers, and the field can take to improve outcomes for young adults

<sup>\*</sup> While there is no universal definition of "young adult," this brief defines them as individuals ages 18–24. This population may also be described as "transition-age youth" or "emerging adults." † A number of critical issues impact why and how young adults come into contact with the justice system, including law enforcement and court practices; racial and ethnic disparities; community factors such as crime or poverty; and the prevalence and effectiveness of prevention and early intervention programs. These issues are beyond the scope of this brief. Instead, this brief focuses on how to better address the needs and reduce reoffending for those moderate- and high-risk young adults who are already under system supervision.

<sup>‡</sup> This brief does not take a position on the age of juvenile jurisdiction, nor does it advocate for breaking down carefully constructed boundaries between the juvenile and adult justice systems. Rather, since young adults in both systems experience the same developmental stages and have similar needs, approaches within either system that are tailored to these young people should share common elements.

§ Adjudication is a formal disposition of a youth's case by the juvenile court, which is similar to a conviction in an adult court.

#### Methodology

This issue brief was informed by an extensive review of the available literature and data on young adults in the justice system, research on brain and adolescent development, and relevant findings from the fields of education, employment, mental health, substance use, child welfare, and reentry. To supplement this literature review, more than 50 experts, researchers, and practitioners were consulted across these various fields.

# PART I: HOW YOUNG ADULTS ARE DEVELOPMENTALLY DIFFERENT FROM YOUTH AND OLDER ADULTS

Contrary to conventional belief, age 18 is not a fixed point when all adolescents become fully mature adults. Rather, young adulthood is a transitional period that can range from age 18 to 24 and even beyond, during which significant brain development is still occurring and decision-making abilities are not fully mature. During this period of substantial growth and change, young adults exhibit clear developmental differences from both youth and older adults.<sup>6</sup>

How Young Adults Are Distinct From Youth	How Young Adults Are Distinct from Adults
<ul> <li>More cognitively developed<sup>7</sup></li> <li>More vulnerable to peer pressure and other external influences</li> <li>More likely to engage in risky behaviors</li> <li>Seeking autonomy from families/caregivers</li> </ul>	<ul> <li>More impulsive</li> <li>Less able to control emotions</li> <li>Less likely to consider future consequences of their actions</li> </ul>

It is unrealistic to expect justice systems to develop interventions designed specifically for every age group. However, what is clear from the research is that any effective policy response to reducing young adult reoffending must account for these basic developmental differences.

#### **Young Adults by the Numbers**

Longstanding research on the age-crime curve demonstrates that criminal behavior peaks during young adulthood, as does offending for serious crimes. However, limited data specifically focused on young adults in the juvenile and adult criminal justice systems are being tracked. The following summarizes the data currently available:

#### **Arrest Rates**

In 2013, young adults comprised 10 percent of the U.S. population but accounted for nearly 30 percent of people arrested for both serious and non-serious crimes, including:<sup>9</sup>

- 40 percent of those arrested for murder and non-negligent manslaughter
- 40 percent of those arrested for robbery
- 33 percent of those arrested for weapon possession
- 30 percent of those arrested for vandalism
- 35 percent of those arrested for drug abuse violations

#### **Incarceration Rates**

- In 2013, approximately 20 percent of young people incarcerated in the juvenile justice system were between the ages of 18 and 20\* and more than half of these young adults (7,044 people) were incarcerated as the result of a serious offense.¹0
- In 2012, young adults comprised more than 21 percent of admissions (129,274 people) to adult state and federal prisons.<sup>11</sup>
- Black males ages 18 to 24 comprised nearly 40 percent of all young adults admitted to adult state and federal prisons in 2012, and represented nearly 10 percent of all prison admissions that year. <sup>12</sup>

#### Recidivism Rates

■ Recidivism rates for young adults released from prison are significantly higher than for other age groups. One study found that approximately 76 percent of people who were under the age of 25 when released from prison were rearrested within three years, and 84 percent were rearrested within five years.<sup>13</sup>

# PART II: OPPORTUNITIES AND CHALLENGES TO MEETING YOUNG ADULTS' NEEDS

## Young Adults under Justice System Supervision Have Distinct Needs and Few Programs Exist that Are Proven to Effectively Meet these Needs

Young adults in the juvenile and adult criminal justice systems have distinct needs that can make them more likely to reoffend than youth and older adults.† At the same time, few research-based interventions are targeted specifically for young adults at moderate and high risk of reoffending, or have been tested for this population. Indeed, despite the fact that young adults are the most likely to commit serious offenses, little is known about how to effectively tailor programming to address the primary causes of their behavior in ways that are proven to reduce recidivism and improve other outcomes.

#### Criminal Thinking and Behavior

For both youth and adults, criminal thinking and antisocial tendencies are often the primary causes of delinquent and criminal behavior. And young adults' immaturity and susceptibility to peer influences makes them even more prone to engage in this type of behavior. As such, it is likely that any strategy for improving outcomes for young adults should incorporate cognitive behavioral therapy (CBT) interventions, which address the causes of delinquent and criminal behavior and have proven among the most effective interventions for improving outcomes for youth and adults. However, few evaluations have been conducted of the CBT interventions that have been shown to reduce recidivism among adults, <sup>14</sup> such as Thinking for a Change, <sup>15</sup> to determine whether they are equally effective for young adults, or to identify how they may need to be customized to this population's distinct needs. Additionally, few CBT programs target young adults specifically, and young adults are not even eligible for a number of those programs due to their age.

<sup>\*</sup> OJJDP Census of Juveniles in Residential Placement does not include data for individuals above the age of 20 in the juvenile justice system. As more states increase the age of juvenile court jurisdiction, the proportion of high-risk young adults under the supervision of the juvenile justice system is likely to grow.

<sup>†</sup> These needs exist for anyone involved in the criminal justice system, but are particularly challenging for young adults under justice system supervision. Research has shown that the best way to identify the needs associated with a person's criminal thinking and behavior and match those needs with appropriate services and supervision is through the use of validated risk assessments.

#### Education

Typically, people involved with the justice system have lower education levels, significant deficiencies in literacy skills, and many qualify for special education services. Young adults under justice system supervision face particular educational challenges. They are often over-age and lack the credits necessary to complete high school, and as a result, find it difficult or even impossible to reenter the public school system upon release from incarceration. Due to their difficulty thinking long-term, young adults are also less likely to see the value in pursuing further education or may face pressure to secure a job rather than complete their education as they transition to financial independence. Given that earning education credentials is associated with a host of positive outcomes such as higher levels of employment and increased earnings, it is critical that juvenile and adult criminal justice systems help provide young adults with viable pathways to high school and post-secondary success.

An array of education programs are available to youth and adults to recover high school credits, earn a GED or high school equivalency diploma, and connect them to post-secondary education opportunities. However, young adults are a particularly challenging group to attract to these programs. And while educational attainment has been shown to reduce recidivism for adults, almost no research exists on what types of education programs effectively reduce recidivism and improve long-term educational outcomes specifically for young adults.<sup>19</sup>

#### Employment

People who are involved with the juvenile and adult criminal justice systems often lack important vocational and job-readiness skills necessary to secure and maintain employment. For young adults, these deficits are particularly acute. Young adults have few vocational skills and most have little or no job experience, making it even more difficult for them to find and retain jobs. Employers may also be reluctant to hire young adults, who can be perceived as less motivated, reliable, and job ready. Nationally, labor market participation among 18- to 24-year-olds is at a historic low, making it difficult for even the most qualified young adults—let alone young adults involved in the justice system—to find employment. Given that young adults are transitioning to independence, it is particularly important that they are equipped with the skills and tools necessary to secure long-term employment.

Despite a history of federal investment, few employment and training programs have shown substantial impacts on long-term employment for young adults.<sup>22</sup> Further, there is little research on what types of vocational programs effectively engage and prepare young adults under justice system supervision for successful employment and also reduce reoffending.<sup>23</sup>

#### Mental Health and Substance Use

Research indicates that up to 70 percent of incarcerated juveniles and 50 percent of incarcerated adults meet the criteria for at least one mental disorder,<sup>24</sup> and a large proportion of these individuals have co-occurring mental and substance use disorders.<sup>25</sup> Young adults have particularly acute mental health treatment needs, as many disorders emerge for the first time during young adulthood. In addition, many young adults have experienced significant trauma as a result of their early involvement in the justice system, which can often go undiagnosed and untreated. Finally, young adults under justice system supervision are particularly likely to have a substance use disorder,<sup>26</sup> which has been shown to significantly impair judgment and contribute to long-term offending among all individuals.<sup>27</sup> To better identify and manage these conditions, young adults under justice system supervision require mental health and substance use treatment.

Few mental health and substance use interventions have been tested specifically for young adults, however, particularly young adults involved with the justice system. In addition, treatment providers often do not receive specialized training to work with young adults, <sup>28</sup> and a lack of coordination between the mental health and justice systems presents challenges to determining whether and how young adults' behavioral health needs are being met.

#### Transition to Independence

Many youth and adults under justice system supervision lack the stable housing, life skills, and connections to positive peers or adults necessary to succeed in the community. However, young adults face particular challenges as they seek to become self-sufficient, often without the necessary skills, experience, and support systems to make this transition to independence successful. It is therefore critical that juvenile and adult criminal justice systems provide services and supports to help young adults prepare for independence and successfully transition to adulthood.

Unfortunately, minimal research has been conducted on how and to what extent the challenges associated with this transition for young adults drive reoffending, and accordingly, what strategies are needed to help young adults involved in the justice system successfully transition to independence.

#### Young Adults Face Systemic Barriers to Meeting their Needs

State policies often present additional barriers to improving outcomes for young adults. Many public systems—including education, health care, and child welfare—terminate or change conditions of care as youth transition to young adulthood, limiting their access to key protective networks. In addition, there is a lack of coordination across service systems, which can result in duplication or gaps in services. Finally, a criminal record brings a host of collateral consequences that present added barriers for moderate- and high-risk young adults under justice system supervision to connect with the education, employment, and housing needed for them to transition to a crime-free and productive adulthood.

#### Aging Out of Protective Networks and Lack of Coordination across Service Systems

Many young adults are not required by law to attend school during or after justice system supervision. By age 18, young adults in every state are able to opt out of the public school system, which disconnects them from a key protective network and reduces their likelihood of ever receiving a high school diploma or GED.<sup>29</sup> In addition, almost 60 percent of states do not publicly fund education services past the age of 21, limiting any young adults' access to the types of accelerated, alternative education programs they need to earn a high school or post-secondary degree and/or workforce credential.<sup>30</sup>

Further, while all young adults under the age of 19 who meet certain financial criteria are eligible for health care coverage through Medicaid,<sup>31</sup> upon reaching age 19 they face interruptions in and even termination of their care. Medicaid's eligibility criteria for youth under the age of 19 are relatively broad, yet only a fraction of young adults over the age of 19 are able to meet the stricter requirements for eligibility to access adult mental health services. As of 2015, almost half of states provide no Medicaid coverage for childless adults, thus, young adults over the age of 19 without children who need access to mental health or substance use treatment must be a dependent of a qualifying adult, pay out-of-pocket for services, or forgo treatment all together. Additionally, even for those young adults who do qualify for continued Medicaid coverage, some childhood diagnoses are not covered in the adult system, which can interfere with the continuity of their care.<sup>32</sup> Finally, up to two-thirds of youth who are involved with the juvenile justice system are also involved with the

child welfare system, and research shows that these youth tend to have higher recidivism rates than youth not involved in both of these systems.<sup>33</sup> It is likely that a significant proportion of people in the adult criminal justice system have current or prior involvement in the child welfare system. The maximum age for foster care eligibility in most states ranges from 18 to 21, meaning that these young people are potentially exiting the child welfare and justice system at the same time, placing them at greater risk of reoffending and leaving them to face the transition to independence on their own.<sup>34</sup>

As a further complication, there is rarely coordination across these service systems within a given state to ensure that young adults' particular needs are being met. To the extent that any of these systems are providing services for young adults, there is typically little effort to coordinate policies and funding to ensure that resources are being used efficiently to reduce recidivism and improve other outcomes for young adults. In addition, service systems rarely work to ensure continuity of care so that young adults are not aging out of all these protective networks simultaneously without access to any formal supports. Finally, data is rarely shared across the justice and other service systems, which makes it challenging for states to understand young adults' key needs and which interventions are most effective for them.

#### Collateral Consequences

Legal and regulatory penalties, sanctions, and restrictions imposed on anyone convicted of a crime that are distinct from his or her court sentence—known as "collateral consequences"—also create barriers that hinder access to post-secondary education, employment, and housing. For a young adult who is trying to transition to independence, this can be a particular challenge, as a criminal record may hinder his or her ability to gain the critical skills necessary to becoming self-sufficient.

Young adults under justice system supervision have less access to education, particularly post-secondary education, than young adults without justice system involvement. While state policies vary, many public and private college applications include questions about an individual's criminal record. Such questions not only discourage young adults from completing the application process, but can also limit the likelihood they will be accepted to a higher education program.<sup>35</sup> A recent survey found that more than half of responding higher education institutions collect and use information about an applicant's criminal record in the admissions process. Convictions for drug-related or sex offenses can also prevent young adults from accessing federal and state student financial aid.<sup>36</sup>

Young adults who are required to disclose a criminal record during the job application process are less likely to find a job and develop the essential work skills and experience needed for stable, long-term employment. In addition, many employers conduct background checks, which, coupled with employer wariness of prospective employees who have been involved in the justice system and young adults generally, can present additional barriers to securing employment. As of May 2015, two-thirds of states had no legislation or regulations restricting employers' use of criminal record for hiring purposes.<sup>37</sup>

A criminal record can also limit young adults' housing options. Most housing applications ask about criminal history, and federal law gives Public Housing Agencies (PHAs) discretion to reject anyone with a criminal record for most types of crimes.<sup>38</sup> Additionally, many young adults under justice system supervision experience homelessness, putting them at greater risk of continued contact with the justice system.<sup>39</sup>

#### PART III: RECOMMENDATIONS

While many young adults who come into contact with the juvenile and adult criminal justice system will desist from future criminal behavior on their own, 40 there remains a population of young adults who are at moderate to high risk of reoffending under the supervision of both systems. Given the scarcity of research on what works for these young adults, few states have targeted strategies specifically at reducing recidivism and improving other outcomes for this population. The following recommendations are intended to address this gap and help state policymakers, agency leaders, researchers, and the field to advance policies and practices that can help these young adults transition to a crime-free and productive life.

#### Recommendation 1: Tailor supervision and services to address young adults' distinct needs

Both juvenile and adult criminal justice system leaders should ensure that services and supervision for young adults are developmentally appropriate and address the distinct needs of this population. While research findings are limited, existing literature and consultations with experts and practitioners in the field identified the following elements that will likely need to undergird any effective strategy for improving outcomes for young adults under justice system supervision:

- Targeted cognitive behavioral approaches to address criminal thinking and antisocial behavior
- Career pathways that integrate education, vocational training, and job-readiness supports to ensure that young adults are prepared to join and succeed in the workforce
- Targeted mental health and substance use treatment so that young adults are better able to manage their conditions
- Life skills training to ensure that young adults are ready to transition to independence
- Family involvement or connection to a supportive adult to help young adults navigate the difficult transition to adulthood

Regardless of the strategy employed to improve outcomes for young adults, it will only succeed if justice system professionals are equipped to successfully engage and work with this population. All staff that interact with young adults, including corrections, parole, and probation staff, should receive ongoing training on how interventions should be tailored to young adults' distinct needs.

#### **Promising Models for Young Adults under Justice System Supervision**

#### Multisystemic Therapy for Emerging Adults

Multisystemic Therapy for Emerging Adults (MST-EA) is an adaptation of MST—an evidence-based intervention that has been effective in reducing reoffending among juveniles—that is specifically tailored to the distinct needs of young adults ages 17 to 21. MST-EA is designed to target the greatest causes of offending in young adults with both justice system involvement and a serious mental health condition (SMHC). MST-EA follows the general MST treatment process, but incorporates two important adaptations. First, while MST is considered primarily a family-based treatment, MST-EA is more focused on directly engaging the emerging adult. Second, the role of

family in MST-EA is expanded to include the young adult's social network, such as close friends or supportive adults outside the family whenever possible. MST-EA integrates psychiatric support, substance use treatment, and trauma-focused interventions when necessary, as well as several "coaches" that provide mentoring support and help build the young adult's social, emotional, vocational, and life skills.

A feasibility study funded by the National Institute of Mental Health and National Institute on Disability and Rehabilitation Research was conducted of 41 MST-EA participants, ages 17 to 20, that had a SMHC and a recent arrest or incarceration.<sup>41</sup> Pre- and post-intervention analyses revealed significant reductions in participants' mental health symptoms, justice system involvement, and associations with antisocial peers.<sup>42</sup>

#### Roca, Inc.

Roca is a nonprofit organization that aims to help reduce justice system involvement and increase job readiness for young adults in Massachusetts. Roca's evidence-based Intervention Model engages 17- to 24-year-olds who are at high risk of reoffending in a long-term process of behavior change and skill-building opportunities. With two years of intensive engagement and two years of less intensive follow-up, Roca's Intervention Model provides a robust combination of services, including street outreach, data-driven case management, and stage-based education and employment training. Roca focuses its efforts on two groups of young people: young men trapped in cycles of crime and incarceration and young mothers with a multitude of risk factors.<sup>43</sup>

Roca partners with an important array of leaders and institutions within the criminal justice field, government, social service sector, and business, to create systemic improvements to respond to the crises of crime, poverty, and the over-incarceration of young people.

Findings from Roca's program evaluation in FY2014 found that, of the 171 participants enrolled 24 months or longer, 92 percent had no new arrests, 98 percent had no new technical violations of the conditions of their supervision, and 89 percent had retained employment for 3 months or more. In addition, of the 150 participants enrolled 21 months or longer who were placed in a job, 85 percent retained employment for at least 180 days.<sup>44</sup>

### Recommendation 2: Reduce barriers across service systems to meeting the distinct needs of young adults

Federal, state, and local policymakers should take steps to reduce the systemic barriers that prevent the needs of young adults under justice system supervision from being met. First, policymakers should ensure that individual service systems—including child welfare, education, employment, behavioral health, and health care—provide as much of a safety net as possible. In addition, policymakers should look across these service systems to ensure consistency in eligibility for services and improved alignment of endpoints for care. Available services and funding sources to support young adults should also be examined to ensure that resources are being used efficiently across systems and that program investments are producing improved outcomes for young adults. Finally, policymakers should examine laws and policies that result in collateral consequences for young adults with a criminal record. Every effort should be taken to ensure that justice, education, employment, health care, housing, and other systems do not impose additional penalties on young adults that can prevent them from transitioning to a crime-free and productive adulthood.

### Increasing Cross-Systems Coordination to Improve Outcomes for Young Adults in Iowa

The lowa Collaboration for Youth Development (ICYD) Council is a collaborative of state and community agencies that are leading an effort to better align policies and programs for young people and improve interagency coordination across lowa. <sup>45</sup> Established in 1999, and formalized through state statute passed in 2009, the ICYD Council meets quarterly to examine reports from state agencies, review progress of current activities, evaluate data, and establish priorities and recommendations to improve outcomes for youth and young adults. The ICYD Council serves as a statewide coordinating body to examine youth-related issues across agencies and programs, including education and dropout prevention, juvenile justice reform, transitions from foster care, and homelessness. Among its many priorities, the ICYD Council is also working to develop a cross-systems model for expanding the use of evidence-based practices and improving how data and information is shared to improve outcomes for youth and young adults.

### Recommendation 3: Improve data collection and reporting on young adult recidivism and other outcomes

Currently, there is limited public information on arrest, incarceration, and community supervision for young adults, and many states are not specifically tracking recidivism for this population.<sup>46</sup> To address this gap, federal, state, and local policymakers should require both juvenile and adult criminal justice agencies to collect and report data at least annually on the number of young adults under justice system supervision, as well as detailed recidivism data that is disaggregated by age, risk level, and other key variables. Efforts should also be made to connect juvenile and adult criminal justice data systems and to improve data sharing among the various public systems that serve youth, in compliance with data privacy mandates. This effort can help states and local jurisdictions evaluate whether young adults in the juvenile justice system end up in the adult system; track the services that young adults receive in both systems and identify ways to use resources more efficiently; and analyze not only recidivism trends but other key outcomes, such as education and employment, over time.

# Recommendation 4: Build the knowledge base of "what works" by testing promising and innovative supervision and service delivery approaches, and direct funding to programs proven to be effective

To help expand the existing research base, policymakers at the federal and state level need to support the development, testing, and evaluation of potential strategies to reduce recidivism and improve other outcomes for young adults under justice system supervision. First, policymakers should support rigorous evaluations of the few existing programs designed to improve outcomes for young adults in the juvenile and adult criminal justice systems. At the same time, policymakers must help develop and test new, innovative models for meeting young adults' needs. Finally, policymakers should use findings from these evaluations to direct resources toward effective and promising approaches for reducing recidivism and improving other outcomes for young adults. Findings from this research can help leaders and practitioners across the juvenile justice, adult criminal justice, and other service systems to institute more systematic, research-based responses to young adults.

#### ENDNOTES

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