

JJDPA ADDRESSES THE CHILD WELFARE – JUVENILE JUSTICE CONNECTION FACT SHEET

The JJDPA

The Juvenile Justice Delinquency Prevention Act of 2002 recognizes the connection between child maltreatment and later delinquent behavior. It provides that:

- The state will implement a system to ensure if a juvenile appears before a court in the juvenile justice system, public child welfare records related to the juvenile in the geographical area will be made known to the court.
- The state will establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing and implementing treatment plans for juvenile offenders.
- The state will provide assurance that juvenile offenders whose placement is funded through Title IV-E funds of the Social Security Act (42 U.S.C. 672) receive the protections specified in Title IV-E, including a case plan and case plan review.¹

Childhood Maltreatment and Juvenile Crime

- In 2005, of the over 2 million referrals for child maltreatment (representing nearly 3.6 million children), 48.3% resulted in a disposition of substantiated or indicated child maltreatment (899,000 victims nationwide).²
- In 2005, 1,403,555 children under the age of 18 were arrested.

The connection between child maltreatment and later involvement with the juvenile justice system is well documented. Here are four prospective studies across different regions of the United States that document a relationship between childhood victimization and delinquent behavior:³

1. Research conducted in the Midwest used cases of child abuse and neglect that came to the attention of courts between 1967 and 1971. By the time these individuals were approximately 33 years old the research found that child abuse and neglect increased the risk of being adjudicated delinquent by 55% and increased the risk of being arrested for a violent crime by 96%. It also found that abused and neglected children were first arrested about a year before non-neglected peers and were more likely to become repeat offenders.
2. A 1995 study in New York collected information on child abuse and neglect in upstate New York from the department of social services in Rochester. They then extended prior research by

comparing official arrest records to youths' self-reports. The findings in Rochester confirmed a significant relationship between child maltreatment and delinquency (self-reported and official).

3. In North Carolina, a 1993 study using maltreated children and two non-maltreated comparison samples from Mecklenburg County found that maltreated children (approximately age 15) had higher rates of delinquency complaints than non-maltreated children and impoverished children. It also showed maltreated children had higher rates of violent delinquency.
4. In Washington State, a designed as replication of the study in the Midwest, researchers selected substantiated cases of child abuse or neglect from court dependency records in large urban areas between 1980 and 1985. The findings showed that neglected children were 4.8 times more likely to be arrested as juveniles and 11 times more likely to be arrested for a violent crime than their matched control.

Effective Responses

A continuum of prevention and intervention programs can serve as a foundation on which to build effective responses to prevent crime and delinquency. Regardless of the point of intervention, what is needed is a continuous staging of individualized assessments focused on the child's health and behavior and identifying the child's service needs. Critical to the effort is developing and delivering more effective prevention and early intervention responses for abused and neglected children.

A 2002 survey of public juvenile justice agencies show that less than 10% of states have developed any collaborative program or project to address the population of delinquent offenders with previous individuals or family histories of child maltreatment .

Through the establishment of multi-system protocols, policies, and procedures, juvenile justice and child welfare systems must develop coordinated dependency and delinquency system plans for victims of child abuse and/or neglect and their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law. It is critical to embrace common responsibilities and common goals that require the child welfare, juvenile justice, and other youth-serving agencies to work collaboratively.

Prepared by the Child Welfare League of America

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¹ Juvenile Justice Prevention Act, 2002 (P.L. 107-77)

² Administration on Children, Youth & Families, (2007). *Child Maltreatment 2005: Reports from the states to the National Child Abuse and Neglect Data System*. Washington, DC: U.S. Department of Health & Human Services. Available online at: www.acf.dhhs.gov/programs/cb/pubs/cm05/index.htm.

³ Wiig, J., Widom, C. S., Tuell, J. (2003) *Understanding Child Maltreatment & Juvenile Delinquency*. Washington, D.C.: Child Welfare League of America