



## Evidence-Based Practices Brief

EB-NE Brief #1: May 2017

in conjunction with **NEBRASKA**  
COMMISSION ON LAW ENFORCEMENT  
AND CRIMINAL JUSTICE

### Therapeutic vs. Control Treatment Philosophies

Control techniques include programs aimed to deter negative behavior through fear of consequences (e.g., jail tours, court tours) and programs emphasizing surveillance to detect negative behavior.<sup>1</sup> Other deterrence and surveillance type techniques include inappropriate drug testing (i.e., when youth does not have substance abuse

**Skill building** (e.g., cognitive-behavioral techniques, social skills, academic/vocational skills)

**Counseling** (e.g., individual, group, family; mentoring)

**Multiple coordinated services** (e.g., case management)

#### JUVENILE DIVERSION IN NEBRASKA

**NCC & JJI urge programs utilizing control-type techniques in juvenile diversion programs to re-evaluate their practices & consider implementing therapeutic-type programs that have shown to be effective with juvenile offenders through research.**

**The Nebraska Crime Commission, with support from the Juvenile Justice Institute, does not recognize the use of deterrence and surveillance type approaches as effective practices in juvenile diversion programs.**

issues), electronic monitoring, and excessive monitoring or supervision.

Therapeutic techniques include programs aimed to increase positive behavior change through personal development, including<sup>2</sup>:

**Restorative** (e.g., restitution, victim-offender mediation)

The Nebraska Crime Commission, with support from the Juvenile Justice Institute, does not recognize the use of deterrence and surveillance type approaches as effective practices in juvenile diversion programs.

Furthermore, bringing youth into an adult jail facility may violate the separation requirement of the Juvenile Justice and

Delinquency Prevention Act of 2002 and Nebraska Jail Standards.

Programs implementing practices such as scared straight, jail tours, observing court proceedings, and other surveillance programs have good intentions, however, the research indicates that these practices could be causing more harm than good.

<sup>1</sup> Mark W. Lipsey et al., *Improving the Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-Based Practice* (Washington, DC: Center for Juvenile Justice Reform, 2010). <sup>2</sup> *Ibid.*

# Risk-Needs-Responsivity

A risks-needs-responsivity (RNR) model of juvenile intervention suggests that targeted therapeutic interventions are the most effective method for programs to deter future criminal behaviors.<sup>3</sup> Research and evaluation supports the therapeutic approach, both theoretically and empirically.<sup>4</sup>

“The risk principle states that the intensity of interventions should reflect the level of criminogenic risk exhibited by the youth<sup>5</sup>”; that is, the most intensive services should be reserved for highest risk youth, and least intensive services should be directed at lower risk youth. Diversion programs in Nebraska are available for youth with low and moderate levels of risk, consequently, “it is vital that the level of intervention is adjusted to the youth’s level of risk.” Of particular importance is ensuring that youth presenting low levels of risk are provided minimal levels of intervention or none at all” (pg. 4).

As such, diversion programs in Nebraska should not use high-risk level interventions, such as electronic monitors, on youth who are low risk. Furthermore, programs should use caution when drug testing youth. According to the RNR model, only youth with identified substance use needs should be drug tested.

By testing youth without substance abuse issues, programs may be net-widening the youth served. Moreover, the goal of drug testing should be therapeutic, rather than punitive, so that youth with a positive drug screens are provided with graduated responses for services.

## RESOURCES

OJJDP News. Justice Department Discourages the Use of “Scared Straight” Programs.

[https://www.ncjrs.gov/html/ojjdp/news\\_at\\_glance/234084/topstory.html](https://www.ncjrs.gov/html/ojjdp/news_at_glance/234084/topstory.html)

Scared Straight & Jail Tour Programs: Myths vs. Facts (2014).

[http://www.djj.state.fl.us/docs/research2/myth-fact-2014-scared-straight-2014\\_mb-10-22-14.pdf?sfvrsn=0](http://www.djj.state.fl.us/docs/research2/myth-fact-2014-scared-straight-2014_mb-10-22-14.pdf?sfvrsn=0)

Mark Lipsey. (2010). Improving the Effectiveness of Juvenile Justice Programs.

<http://www.modelsforchange.net/publications/284>

James Bonta. (2007). Risk-need-responsivity model.

<http://www.pbpp.pa.gov/Information/Documents/Research/EBP7.pdf>

<sup>3</sup> Andrews, Donald A., and James Bonta. “Rehabilitating criminal justice policy and practice.” *Psychology, Public Policy, and Law* 16, no. 1 (2010): 39.

<sup>4</sup> Dowden, Craig, Daniel Antonowicz, and D. A. Andrews. “The effectiveness of relapse prevention with offenders: A meta-analysis.” *International journal of offender therapy and comparative criminology* 47, no. 5 (2003): 516-528; Hanson, R.K., Bourgon, G., Helmus, L. and Hodgson, S., 2009. *A meta-analysis of the effectiveness of treatment for sexual offenders: Risk, need, and responsivity. User Report, 1.*

<sup>5</sup> Wilson, Holly A., and Robert D. Hoge. “The effect of youth diversion programs on recidivism: A meta-analytic review.” *Criminal Justice and Behavior* 40, no. 5 (2013): 497-518.