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# Child Welfare and Delinquency: Examining Differences in First-Time Referrals of Crossover Youth within the Juvenile Justice System

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Child Welfare and Delinquency: Examining Differences in First-Time Referrals of  
Crossover Youth within the Juvenile Justice System

by

Courtney Nicole Shrifter

A thesis submitted in partial fulfillment of the  
requirements for the degree of

Master of Science  
in  
Criminology and Criminal Justice

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## **Abstract**

The link between child welfare and juvenile justice is well established, with over forty years of research that focuses on the increased risk of delinquency associated with child maltreatment. However, with over 700,000 children in the United States being victims of abuse and/or neglect in 2010 (DHHS, 2011), it is important to continue investigating this connection. Few studies are able to identify the same youth in both systems, therefore this study provides the unique opportunity using child welfare and juvenile justice administrative data from Oregon, to compare juvenile offenders that have been in the child welfare system, otherwise known as “Crossover” youth, to Non-Crossover juvenile offenders. The study attempted to examine if Crossover youth differ in terms of demographics, as well as if they committed offenses with higher severity scores than Non-Crossover youth. It also investigated whether an individual’s status as a child welfare youth impact processing decisions in the juvenile justice system. Results indicate that Crossover youth have a higher percentage of females, African Americans, and are significantly younger. Crossover youth also have higher severity scores than non-crossover youth, and have a higher percentage of more intense adjudicated delinquent sanctions. Limitations of these findings and suggestions for further research are discussed.

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## **Chapter 1: Introduction**

In 2010, an estimated 700,000 children in the United States were found to be victims of maltreatment (9.2 victims per 1,000 children in the population) (U.S. Department of Health and Human Services [DHHS], 2011). As researchers and child welfare professionals dedicated to the well being of young people know, childhood maltreatment and neglect can cause a host of short- and long-term negative consequences (Bilchik & Nash, 2008). Therefore, researchers and practitioners from both child welfare and criminal justice have been progressively more concerned about the increased likelihood of child welfare youth to be involved in the juvenile justice system (Brezina, 1998; Herz, Ryan, & Bilchik, 2010; Nash & Bilchik, 2009; Smith & Thornberry, 1995). Although no single factor by itself is likely to account for the development of criminal behavior, the importance of childhood maltreatment as a risk factor for subsequent delinquency and violence has become increasingly recognized (Widom, 2003).

### *Purpose and Specific Aims*

Over the past forty years, researchers have repeatedly demonstrated the connection between childhood maltreatment and delinquency (Brezina, 1998; Herz et al., 2010; Nash & Bilchik, 2009; Smith & Thornberry, 1995). In an effort to provide further insight on this connection, it may be beneficial to examine any potential differences that delinquent child welfare youth have from the general delinquent population. Do youth originating from the child welfare system represent a unique demographic (i.e. gender, race, age) subgroup within the juvenile justice system? Do Crossover youth commit a different (more serious) set of offenses? Does the individual's status as a child welfare

youth impact processing decisions (dispositions) in the juvenile justice system? This current study addresses these important questions.

Statewide data for Oregon on both juvenile referrals (and dispositions), along with founded cases of child welfare maltreatment was obtained for the present study. Administrative staff in the two agencies involved constructed a common identifier of juvenile justice youth who have also had contact with the child welfare department. With a deeper understanding of these issues, policy makers may be able to make more informed decisions about policies and laws effecting this particular population, with the goal of reducing the risk of delinquency.

## **Chapter 2: Review of Literature**

Adolescents involved in both the child welfare, and juvenile justice system are referred to as “Crossover” youth. Although, most delinquents are not crossover youth, research has shown that youth coming from the child welfare system are much more likely to become a delinquent. Numerous studies indicate youth exposed to abuse and neglect are at an increased risk of delinquency (Bilchik & Nash, 2008; Bolton, Reich, & Guitierrez, 1977; Ryan, Herz, Hernandez, & Marshall, 2007; Smith & Thornberry, 1995). However, prevalence of Crossover youths nationwide is difficult to ascertain. Very few jurisdictions are equipped to systematically track the number of crossover youths, much less their outcomes. Studies estimate that between 6% and 29% of child welfare youth engage in delinquent behavior (Bolton, et al., 1977; Ryan et al., 2007; Smith & Thornberry, 1995). However, due to the fact that Oregon’s systems created common identifiers, this study was able to track the number of crossover youths and their outcomes. Much of the research on crossover youth often categorizes crossover types into neglect and abuse or maltreatment for their studies. Therefore, it may be important to examine whether crossover threat types such as neglect, physical abuse, or sex abuse and exploitation affect the extent to which they are involved in the juvenile justice system.

Young people known to both systems are mostly male, but crossover contributes disproportionately to females entering the juvenile justice system. Females are the fastest growing population in the juvenile justice system compared to all other demographic characteristics, which is also true of female adult offenders (Bilchik & Nash, 2008). In Los Angeles, a larger proportion of females enter the juvenile justice system from child welfare than from any other single referral source (Ryan et al., 2007). Female Crossover

youths also suffer from a lack of gender-specific programming, and the juvenile justice system often has limited housing capabilities for females (Bilchik & Nash, 2008). Thus, it is extremely important to examine whether this is happening in Oregon, where the housing capabilities for female offenders are significantly less.

Race in particular has been an important predictor as to whether a youth will become known to the child welfare and juvenile justice systems (Bilchik & Nash, 2008). Nationwide, African-Americans represent 26% of juvenile arrests, 44% of youth who are detained, 46% of the youth who are judicially waived to criminal court, and 58% of the youth admitted to state prisons (Center on Juvenile and Criminal Justice, 2011). Some research suggests that crossover from child welfare to the juvenile justice system is a significant contributor to disproportionate minority contact with the juvenile justice system. In one study African-American youths were twice as likely as similarly situated white youths in the child welfare system to be arrested (Herz & Ryan, 2008). In Los Angeles, African-American youths are 14% of the total population; but make up 30% of the child welfare population, and represent 54% of the total population that moves from child welfare to the juvenile justice system (Ryan, et al., 2007). Investigating the affects of race further, in a population such as Oregon, where the African American population is significantly lower than the nation (1.8% vs. 12.6%) will provide more clarity to issues of racial disparity within the juvenile justice system.

There is no uniform national age from which a child is accountable in the juvenile court system; this varies between states, with many setting 10 as the minimum. Most research on the average age of serious male offenders at their first contact with the juvenile justice system is around 14.5 years of age (Office of Juvenile Justice and

Delinquency Prevention [OJJDP], 2008). Past research on dependent youth have found that they are arrested more often and begin offending at an earlier age relative to nondependent youth (Ryan & Testa, 2005; Kelly, Thornberry, & Smith, 1997). In a series of studies, researchers also found that abused and neglected youth were younger at the time of their first arrest (Maxfield & Widom, 1996; Widom, 1989; 1992). That being said, it is important to investigate whether these differences between Crossover youth and Non-Crossover youth enter the juvenile justice system still exist in order to develop safeguards to combat the disparity.

Although most research agrees that the majority of youth in the child welfare system do not become delinquent, there has been some inconsistency about whether Crossover youth commit more violent or serious crimes. Armstrong (1998) found that Crossover youth averaged lesser levels of charged offenses than Non-Crossover youth. Another study found that Crossover youth were no different in offense seriousness than the juvenile population at large (Scrivner, 2002). However, other research which compares violent delinquents with less violent peers, found that 75 percent of the violent children had been severely physically abused, compared to only 33 percent of the less violent group (Lewis, 1983). Also in a study on the so-called “cycle of violence” by Widom and Maxfield (2001), abused and neglected youth were 11 times more likely to be arrested for a violent crime as a juvenile than were their non-maltreated counterparts. More recently Thornberry (2008) demonstrated that Crossover youth are more likely to commit violent or serious offenses than those with no history of abuse or neglect. Therefore, it is still unclear whether Crossover youth really differ from those with no child welfare involvement in terms of crime severity. A possible reason for the

inconsistency could be due to the fact that the studies done by Armstrong (1998) and Scrivner (2002) were primarily reviewing youths at the formal processing decision point; rather than Widom and Maxfield (2001), and Thornberry (2008), who were examining all referrals to the juvenile justice system. However, since this study is examining all referrals to the juvenile justice system, as well as reviewing multiple decision points, it hopes to shed light on these inconsistent findings.

Despite the consensus that maltreatment increases the risk of delinquency, most research on this connection virtually ends at the point of arrest. The research on the outcomes of child welfare youth in the juvenile justice system is often far more limited; some professionals speculate that this may be because there is lack of collaboration between the child welfare and juvenile justice systems to identify these children (Freundlich & Morris, 2004). In general, the few studies that focus on maltreated children in the juvenile justice system indicate that the status as a Crossover youth negatively influences decision-making (Conger & Ross, 2001, Freundlich & Morris, 2004). However, most of this research focuses specifically on foster youth. This is a population likely to include some youth who have been victims of maltreatment, but may also include other youth who have lost families for a variety of reasons other than mistreatment. Freundlich and Morris (2004) concluded that the offenses associated with dependent youth entering the juvenile justice system were less serious compared to nondependent delinquents and that many stakeholders believed crossover youth were treated differently than their delinquency-only counterparts. Therefore, there is a need to examine the outcomes of overall child welfare youth at multiple decision points in the juvenile justice system.

## **Chapter 3: The Current Study**

In summary, while the above studies are informative to our understanding about some of the links and connections between child welfare and the juvenile justice system, there is still more research to be done. The present study examines the question of whether adolescents from the child welfare system differ (with regard to certain demographics) from the Non-Crossover adolescents that enter the juvenile justice system. Following that, it next examines the types of threats (maltreatment), which were “founded” for this group, and then investigates whether Crossover youth commit more severe offenses than Non-Crossover youth. Lastly, it examines whether the individual’s status as a child welfare youth impacts processing decisions (dispositions) in the juvenile justice system.

This study hypothesizes that adolescents coming from the child welfare system will have different pathways in the juvenile justice system, than adolescents who have had no contact with the child welfare system. Consistent with previous research, this study anticipates Crossover youth will have a higher proportion of females, African Americans, and a younger population (Bilchik & Nash, 2008; Ryan et al., 2007; Herz & Ryan, 2008). In terms of the allegations which bring them to the juvenile justice system, this study also expects to see Crossover youth with higher severity scores, as the more recent research suggests (Thornberry, 2008).

Lastly, this study anticipates that Crossover youth will experience more intense sanctions (as measured by dispositions) in the juvenile justice system compared with Non-Crossover youth. It might be assumed that if youth have been through mild forms of treatment services while in the child welfare system, it may be expected that judges,

district attorneys, and probation officers would see fewer viable options for handling these kids. Therefore, giving them more intense sanctions. This reasoning comes from the assumptions about the willingness (or lack thereof) of foster parents to remain involved with a delinquency case and from the literature on stereotypes and juvenile justice decision-making(Conger & Ross, 2001, Freundlich & Morris, 2004). The literature summarized by Feld (1999), concludes court officials impose more severe sanctions when youth are not perceived to come from “good” families. Therefore, this study expects to find that Crossover youth will experience a more intense level of dispositions, particularly at the adjudicated delinquent decision point.

This study will be doing a comparative analysis of Crossover youth and Non-Crossover youth at their first-time referral within the juvenile justice system. The measures that will be examined for this study are: crossover youth status, crossover threat type, Oregon Revised Statue (ORS) severity types and scores of the referral/offense, and the most intense disposition outcome (such as probation, plea bargain, dismissed, etc.). Demographics such as gender, race, and age at referral/offense will also be examined.

## **Chapter 4: Methods**

### *Sample*

The sample for this study consisted of 151,860 juvenile referrals and their associated dispositions from the state of Oregon. Seven percent (10,635) of the offenders classified as Crossover youth, which is consistent with prior research (Herz et al., 2007; Smith & Thornberry, 1995). Sources of the data used for this study include administrative records for all children involved with the Department of Human Services and the Juvenile Justice System for the state of Oregon. The delinquency records were collected from 1998 to 2010 and represent first time offenses for all minors who have had contact with Oregon's Juvenile Justice System.

The delinquency records include demographic characteristics (gender, race/ethnicity, birthdates), as well as referral and disposition data. Gender among the sample consisted of approximately of 36% female and 64% males. The majority of the youth in this sample were white (74.7%), while the remaining youth were African American (4.1%), Asian (1.6%), Hispanic (12.6%), Native American (1.8%), or Others/Unknown (5.2%). As a point of reference, the African American population for the United States is approximately 12.6%, but in Oregon the African American population is only 1.8% (2010 U.S. Census Data). In an effort to be consistent with juvenile justice national reporting, youth included in this study were at least 10 years of age or older, with the mean age being 14.65 years old at the time of their first referral ( $SD = 1.832$ ). The child welfare and juvenile justice records share a unique identifier. This was originally created for a special crossover research project by administrative staff in the two agencies. Records of each system do not routinely contain a shared identifier.

Thus, this sample provided the unique opportunity to identify minors who have had contact with both systems.

#### *Procedure and Measures*

*Gender.* The gender variable originally had 159 missing cases; however, after determining that the missing cases were random through a cross-tabular analysis, and there were so few missing (approximately .09%), they were deleted from the sample using list wise deletion. The remaining cases were recoded into two dummy variables, female (1 = female, 0 = not female), and male (1 = male, 0 = not male).

*Race.* The race variable originally consisted of two independent variables, race and ethnicity. The race variable had five different categories: White, African American, Asian, Native American, and Others/Unknown. Ethnicity was coded as Hispanic or none. For the purpose of this study (and for the larger study that provided the basic data) ethnicity and race were merged, so that if a juvenile was coded as Hispanic that code took precedence over the race coding. After that, each of the resulting race/ethnicity categories were recoded into dummy variables, where one represented that particular race/ethnicity and zero represented all others.

*Age at Referral.* Age at referral originally ranged from age 0 to 32, undoubtedly reflecting some data entry errors, as well as situations that did not really involve a juvenile delinquency allegation. In order to be consistent with national reporting of juvenile justice, this variable was recoded to only include ages 10 and older. Also, the youth under 10 represented such a small number of the population, and appeared to be random using cross-tabular analysis; therefore, the researcher was confident it would not skew the results to discard those data points.

*Offense Type.* This variable represents the type of offense that is the most serious offense of that referral, categorized according to Oregon Revised Statute (ORS), Criminal Code of Oregon, as defined by the Oregon Legislature. This variable was also recoded to only include four categories: Status, Violation, Misdemeanor, and Felony, because the remaining categories had zero cases.

*Severity Scores.* This variable represents a score for the offense category that is the most serious offense of that referral, categorized according to Oregon Revised Statute (ORS), Criminal Code of Oregon, as defined by the Oregon Legislature. The ranking of offenses according to severity was conducted by the Juvenile Justice Information System (JJIS) steering committee and is published in the JJIS report series. Each offense's category, type, and class determine the severity score. (See Appendix A) This variable was also recoded to match the severity scores from JJIS for Oregon. Therefore, the small number of cases representing dependency allegations and out of state crimes were deleted from the juvenile justice data entries through list wise deletion.

*Dispositions Categories.* This variable represents the sanction that was given for the most intense referral. This variable was recoded from 95 detailed disposition categories to be grouped into 6 disposition reporting categories (See Appendix B). This was recoded to be consistent with the standard developed by the JJIS Data and Evaluation Committee, and modeled after national reporting standards. Approximately 2% of the entries for this variable had to be deleted because it represented a category that no longer exists. Using cross-tabular analysis, it was verified that these cases did not represent a pattern when examined through other variables. It is important to note that the disposition categories found in Appendix B refer to dispositions at multiple decision

points within the juvenile justice system. Categories are listed from least to most intense level of juvenile justice intervention in two main layers. The first layer is those cases resolved informally, or not petitioned including: review and close and authorized diversion programs or other informal disposition. The second layer are those cases in which a petition of delinquency was filed with the court, and in which that petition was resolved by one of several means: dismissed, alternative process/plea bargain, adjudicated delinquent, and adult court (See Appendix B). This study also looks specifically at the adjudicated delinquent disposition, which includes: probation, custody transfer to other agency, and youth correctional facility.

*Crossover Youth.* This variable was created to represent the youth that had been ‘involved’ in both the child welfare system and the juvenile justice system. The mechanism of ‘involvement’ in juvenile justice was a formal referral into the juvenile court. In child welfare the ‘involvement’ meant that a formal allegation of child maltreatment was investigated and ‘founded’ by the Department of Human Services (DHS). The nature of the founded cases are described briefly below, but the set of information only contains those cases in which the child was formally and officially found to have been the victim of child maltreatment. Cases of allegations or suspicions are not included. Administrative staff from the two agency information systems found sets of variables (e.g. date of birth, race, ethnicity, gender, surname, etc.), which they were confident would permit them to match the youth and give the DHS files when they matched, a new data field containing the JJIS number. A new variable was then created that represented all child welfare youth that contained a matching juvenile justice youth identifier, which became known as the Crossover variable. For purposes of this study,

this variable was then recoded as a dummy variable (1 = Crossover, 0 = Non-Crossover). Once all variables went through data cleaning and recoding, the data from both systems were merged using the Crossover variable. It should be noted that this variable does not indicate which system ‘came first’ or that the two systems had overlapping jurisdiction at some point in the child’s life. It simply means that these youth have had experience in both child serving systems.

*Crossover Threat Type.* This variable represents the types of threats a crossover youth may experience within the child welfare system. This refers to the nature of the maltreatment that was ‘founded’ within the Child Welfare System. It is important to recognize that the only information this study had access to in the Child Welfare system were the records of maltreatment that were investigated and substantiated through an official review process. This study does not have access to alleged maltreatment or to other allegations within the cases that were unfounded. In other words this is an extremely conservative view of the likely mistreatment of these youth. This variable originally consisted of six different categories: Abandonment, Mental Injury, Neglect, Physical Abuse, Sexual Abuse/Exploitation, and Threat of Harm. For the purpose of this study each crossover youth type category was recoded into dummy variables, where one represented that particular type of threat and zero represented all others. It is important to note these categories are not mutually exclusive; therefore, a youth could report more than one type of threat. Therefore, these variables were recoded into pure threat types, referring to cases where only one threat type was documented; multiple threat types (Non-SA), referring all cases where more than one threat type was documented but no combination contained a sexual abuse/exploitation threat type; and multiple threat types

(SA plus), referring to all cases where more than one threat type was documented and at least one threat type documented was a sexual abuse/exploitation threat type. Recoding these variables in this way allowed this category to become mutually exclusive.

## Chapter 5: Results

### *Demographic Characteristics*

Of the 151,860 unique minors referred to Oregon's Juvenile Justice System between 1998 and 2010, 7% (10,635) of the offenders classified as Crossover youth. This is consistent with prior research (Herz et al., 2007; Smith & Thornberry, 1995). The demographic characteristics of both the Crossover youth and Non-Crossover youth are displayed in Table 1 below. With regard to demographic characteristics, Crossover youth have a higher percentage of females (48.7% vs. 35%), African Americans (7.6% vs. 3.8%), and are significantly younger ( $M= 13.44$  vs.  $14.74$ ), than Non-Crossover youth. All these results were statistically significant.

Table 1  
*Demographics by Crossover Status*

Measures	Crossover Youth		Non-Crossover Youth		Totals	
	N	%	N	%	N	%
Gender						
Female	5,177	48.7	49,492	35	54,669	64
Male	5,458	51.3	91,733	65	97,191	36
Race						
White	7,904	74.3	105,577	74.8	113,481	74.7
African American	804	7.6	5,409	3.8	6,213	4.1
Asian	126	1.2	2,317	1.6	2,443	1.6
Hispanic	1,094	10.3	18,054	12.8	19,148	12.6
Native American	279	2.6	2,386	1.7	2,665	1.8
Others/Unknown	428	4.0	7,482	5.3	7,910	5.2

Note. (Gender chi-square Pearson value = 797.955 , p = .000) (Race chi-square Pearson value = 478.196 , p = .000)

### *Crossover Threat Type*

Table 2 reports the percent of youth, broken down by each type of threat documented by child welfare, within Crossover youth. The highest proportion of Crossover youth in this sample had experienced some Threat of Harm (41.9%), followed by Neglect (20.3%), Physical Abuse (16.8%), and Sexual Abuse/Exploitation (15.5%). It is important to note these categories are not mutually exclusive; therefore, a youth could report more than one type of threat. The demographic characteristics of threat types by polyvictimization status are displayed in Table 3. Crossover youth who had one threat documented are relatively similar to that of the general Crossover youth population. This is somewhat expected being that the majority of Crossover youth only have one threat documented (88%). With regard to demographic characteristics, multiple threats in which one of those threats is sexual abuse/exploitation have a higher percentage of females (78.4%) and a lower percentage of African Americans (4.5%). For all the findings refer to Table 3.

Table 4 represents demographic characteristics for all pure threat types, referring to cases where youth had only one threat type documented. With regard to demographic characteristics, Crossover youth who have a pure threat type of abandonment have a lower percentage of female (37%) and White (63%) populations and a higher percentage of Hispanic (15.2%) populations compared to all other pure threat types. Although the findings for multiple threats in which one of those threats is sexual abuse/exploitation and the pure abandonment threat type produced interesting results in terms of demographic characteristics, the individual Crossover threat types did not produce substantive

differences in the later analyses of offense severity or case dispositions; therefore, later tables do not differentiate Crossover youth by type of threat suffered.

**Table 2**  
*Types of Threats to Child Welfare*

Crossover Youth	Percent of Findings*	Percent of Crossover
		Youth*
	N = 11,994	N = 10,635
Abandonment	1.2%	1.3%
Mental Injury	4.3%	4.9%
Neglect	20.3%	22.8%
Physical Abuse	16.8%	18.8%
Sexual Abuse/Exploitation	15.5%	17.4%
Threat of Harm	41.9%	47.1%
Total	100%	-

Note. \*Individual cases may include more than one finding of threats to Child Welfare. For this sample, there were 10,635 youth involved, with 11,944 separate findings of threat to a child's welfare.

**Table 3**  
*Demographics by Polyvictimization Status of Threats to Child Welfare*

Measures	One Threat		Multiple Threats (Non-SA) <sub>1</sub>		Multiple Threats (SA plus) <sub>2</sub>	
	N	%	N	%	N	%
<b>Gender</b>						
Female	4,581	48.6	458	44.5	138	78.4
Male	4,848	51.4	572	55.5	38	21.6
<b>Race</b>						
White	6,983	74.1	784	76.1	137	77.9
African American	732	7.8	64	6.2	8	4.5
Asian	117	1.2	7	.7	2	1.1
Hispanic	974	10.3	101	9.8	19	10.8
Native American	238	2.5	35	3.4	6	3.4
Others/Unknown	385	4.1	39	3.8	4	2.3

Note.

1. Multiple Threats (Non-SA) refers to cases where more than one threat had been documented excluding all cases that had any Sexual Abuse/Exploitation threats documented.
2. Multiple Threats (SA plus) refers to cases where more than one threat had been documented and at least one of the threats documented was a Sexual Abuse/Exploitation threat.

Table 4  
*Demographics of Pure Threat Types*<sup>\*</sup>

Measures	Abandonment		Mental		Neglect		Physical Abuse		Sexual		Threat of Harm	
			Injury						Abuse/Exploitation			
	N	%	N	%	N	%	N	%	N	%	N	%
<b>Gender</b>												
Female	34	37.0	112	43.2	682	40.8	759	44.7	1,248	76.2	1,746	42.9
Male	58	63.0	147	56.8	989	59.2	938	55.3	390	23.8	2,326	57.1
<b>Race</b>												
White	58	63.0	197	76.1	1,206	72.2	1,287	75.8	1,269	77.5	2,966	72.8
African American	11	12.0	24	9.3	122	7.3	136	8.0	82	5.0	357	8.8
Asian	1	1.1	1	.4	15	.9	28	1.6	17	1.0	55	1.4
Hispanic	14	15.2	22	8.5	198	11.8	146	8.6	169	10.3	425	10.4
Native American	2	2.2	6	2.3	57	3.4	31	1.8	33	2.0	109	2.7
Others/Unknown	6	6.5	9	3.5	73	4.4	69	4.1	68	4.2	160	3.9

Note. \* Pure Threat Types refer to threat types where only one time of threat was documented.

### *Severity*

The results for the cross-tabular analysis for severity types of Crossover and Non-Crossover youth are displayed in Table 5. The results indicate that Crossover youth have a higher percentage of status offenses than Non-Crossover youth (15.8% vs. 6.5%). These results also show that Crossover youth have a lower percentage of violation offenses compared to Non-crossover youth (18.2% vs. 32.2%). For the two remaining offense types, Crossover youth had a higher percentage than Non-Crossover youth for both misdemeanor (53.7% vs. 49.2%) and felony (12.3% vs. 12%) offenses.

In an effort to investigate misdemeanor and felony offenses more in-depth, Table 6 shows the percentage of each of the offenses broken down by person and property crime, as well as crime class, and type. The results indicate that a higher proportion of the offenses alleged against Crossover youth are person crimes than Non-Crossover youth, regardless of whether it was a misdemeanor or felony. In fact, person crimes account for 14.2% of all offenses for Crossover youth and only 10.1% for Non-Crossover youth. These results also indicate that compared with Non-Crossover youth, a higher proportion of the allegations against Crossover youth are in the most severe felonies.

Table 7 represents the linear regression of severity scores of Crossover youth, controlling for certain demographic characteristics. The results indicate that Crossover youth have higher severity scores than Non-Crossover youth, even after controlling for important demographics. While females have lower severity scores than male, as well as youth that are older have lower severity scores. It is also important to note that African Americans tend to have the highest severity scores of offenses relative to all other

demographics. All these results were statistically significant (Tables 5-7 are presented in the next pages).

**Table 5**  
*Offense Type for Crossover and Non-Crossover Youth*

Measures	Crossover Youth		Non-Crossover Youth		Totals	
	N	%	N	%	N	%
Status	1,684	15.8	9,169	6.5	10,853	7.1
Violation	1,935	18.2	45,495	32.2	47,430	31.2
Misdemeanor	5,708	53.7	69,519	49.2	75,227	49.5
Felony	1,304	12.3	16,986	12	18,290	12
Other	4	0	56	.1	60	.2
Totals	10,635	100	141,225	100	151,860	100

Note. (chi-square Pearson value = 1888.028 , p = .000)

**Table 6**  
*Severity Code for Crossover and Non-Crossover Youth*

Measures	Crossover Youth		Non-Crossover Youth		Totals	
	N	%	N	%	N	%
Status Offense	1,684	15.8	9,170	6.5	10,854	7.1
Violation	1,937	18.2	45,506	32.2	47,443	31.2
Property Crime						
C Misdemeanor	1,835	17.3	25,840	18.3	27,675	18.2
B Misdemeanor	949	8.9	10,069	7.1	11,018	7.3
A Misdemeanor	1,871	17.6	23,602	16.7	25,473	16.8
Person Crime						
A Misdemeanor	1,020	9.6	9,608	6.8	10,628	7
Property Crime						
C Felony	557	5.2	8,744	6.2	9,301	6.1
B Felony	43	.4	884	.6	927	.6
A Felony	220	2.1	2,801	2	3,021	2
Person Crime						
C Felony	160	1.5	1,909	1.4	2,069	1.4
B Felony	178	1.7	1,641	1.2	1,819	1.2
A Felony	144	1.4	1,014	.7	1,158	.8
Other	37	.3	437	.3	474	.3
Totals	10,635	100	141,225	100	151,860	100

Note: (chi-square Pearson value = 2107.451, p = .000)

Table 7  
*Linear Regression of Severity of Referrals (N=151,860)*

Measures	Model 1		Model 2		Model 3		Model 4	
	$\beta$	SE	$\beta$	SE	$\beta$	SE	$\beta$	SE
Crossover <sup>1</sup>	.295***	.040	.485***	.039	.450***	.039	.102**	.040
Gender (male)								
Female			-1.394***	.021	-1.380***	.021	-1.341***	.021
Race (white)								
African American					1.276***	.051	1.189***	.051
Asian					.696***	.080	.738***	.079
Hispanic					.588***	.031	.519***	.030
Native American					.551***	.076	.404***	.076
Others/Unknown					.200***	.045	.222***	.045
Age, centered on 10							-.268***	.006
Constant	5.148***	.011	5.637***	.013	5.476***	.014	6.746***	.030

Note. \*p≤.05, \*\* p≤.01, \*\*\*p≤.001

1. Models using each specific child welfare threat type did not add significantly to the overall predictability; therefore, overall Crossover type was used.

### *Dispositions*

The remaining analyses explore the outcomes of youths within the juvenile justice system after their first arrest. Table 8 represents overall case outcomes by Crossover status. It is important to note that table 8 includes multiple decision points within the juvenile justice system. Therefore when interpreting the results, it is only relevant to make comparisons between Crossover status for that particular outcome, and not compare multiple outcomes to each other. Crossover youth represent a higher percentage of cases than Non-Crossover youth that are reviewed and closed (47.6% vs. 42.5%), dismissed (7.8% vs. 6.2%), and plea bargained (1.7% vs. 1.3%). They also have a higher percentage of cases where the outcome is a custody transferred to other agency (1.0% vs. .5%), or the youth correctional facility (.8% vs. .3%). However, Crossover youth have a lower percentage of cases that receive diversion (32.3% vs. 39.4%), or receive an adult sentence (.3% vs. .7%) than Non-Crossover youth. All of these case outcomes were statistically significant.

Table 8  
*Overall Case Outcomes by Crossover Status*

Measures	Crossover Youth		Non-Crossover Youth		Totals	
	N	%	N	%	N	%
<b>Not Petitioned</b>						
Review & Close	5,058	47.5 <sub>a</sub>	60,020	42.5 <sub>b</sub>	65,078	42.8
Diversion	3,431	32.3 <sub>a</sub>	55,710	39.4 <sub>b</sub>	59,141	38.9
<b>Petitioned</b>						
Alternative Closure						
Dismissal	827	7.8 <sub>a</sub>	8,768	6.2 <sub>b</sub>	9,595	6.3
Plea Bargain	178	1.7 <sub>a</sub>	1,889	1.3 <sub>b</sub>	2,067	1.4
Adjudicated Delinquent						
Probation	917	8.6 <sub>a</sub>	12,743	9 <sub>a</sub>	13,660	9
Transfer to Other Agency	109	1.0 <sub>a</sub>	638	.5 <sub>b</sub>	747	.5
Youth Correctional Facility	80	.8 <sub>a</sub>	476	.3 <sub>b</sub>	556	.4
Adult Court						
Adult Sentence	34	.3 <sub>a</sub>	975	.7 <sub>b</sub>	1,009	.7
Other	1	0 <sub>a</sub>	6	0 <sub>a</sub>	7	0
Totals	10,635	100	141,225	100	151,860	100

Note: (chi-square Pearson value = 373.978, p = .000)

The remaining tables separate case dispositions at multiple decision points within the juvenile justice system. Table 9 reports all case outcomes, and whether or not they were petitioned. The majority of all cases (81.8%) are not petitioned. When examining differences among Crossover status, Crossover youth have a slightly lower percentage than Non-Crossover youth of cases not petitioned (79.8% vs. 82%) and a slightly higher percentage of cases petitioned (20.2% vs. 18%). Table 10 breaks down case dispositions for those cases not petitioned that received an informal processing decision. Among cases not petitioned, Crossover youth have 59.6% of cases reviewed and closed, and 40.4% of cases receiving diversion. While Non-Crossover youth have 51.9% reviewed and closed, and 48.1% of cases receiving diversion.

Table 11 highlights case dispositions for those petitioned that received a formal processing decision. Among petitioned cases, Crossover youth had 46.9% of their cases receiving an alternative closure outcome, 51.6% of their cases receiving an adjudicated delinquent outcome, and 1.6% of their cases receiving an adult court outcome. Among petitioned cases for Non-crossover youth, 41.8% of their cases received an alternative closure outcome, 54.4% of their cases received an adjudicated delinquent outcome, and 3.8% of their cases receiving an adult court outcome.

Table 12 represents the breakdown of case dispositions that received an adjudicated delinquent outcome. The majority of all adjudicated delinquent outcomes (91.3%) received probation. When examining differences among Crossover status, Crossover youth had a lower percentage than Non-Crossover youth of cases receive probation (82.9% vs. 92%), but a higher percentage of case outcomes resulting in a custody transfer to another agency (9.9% vs. 4.6%). Crossover youth also had a higher percentage than Non-crossover youth of case outcomes resulting in a youth correctional facility outcome (7.2% vs. 3.4%).

Table 9

*Overall Case Outcomes for Not Petitioned and Petitioned by Crossover Status*

Measures	Crossover Youth		Non-Crossover Youth		Totals	
	N	%	N	%	N	%
Not Petitioned	8,489	79.8 <sub>a</sub>	115,730	82 <sub>b</sub>	124,219	81.8
Petitioned	2,146	20.2 <sub>a</sub>	25,495	18 <sub>b</sub>	27,641	18.2
Totals	10,635	100	141,225	100	151,860	100

Note: (chi-square Pearson value = 29.910, p = .000)

Table 10

*Case Dispositions among Not Petitioned Cases by Crossover Status*

Measures	Crossover Youth		Non-Crossover Youth		Totals	
	N	%	N	%	N	%
Not Petitioned						
Review & Close	5,058	59.6 <sub>a</sub>	60,020	51.9 <sub>b</sub>	65,078	52.4
Diversion	3,431	40.4 <sub>a</sub>	55,710	48.1 <sub>b</sub>	59,141	47.6
Totals	8,489	100	115,730	100	124,219	100

Note: (chi-square Pearson value = 189.018, p = .000)

Table 11

*Case Dispositions among Petitioned Cases by Crossover Status*

Measures	Crossover Youth		Non-Crossover Youth		Totals	
	N	%	N	%	N	%
Petitioned						
Alternative Closure	1,005	46.9 <sub>a</sub>	10,657	41.8 <sub>b</sub>	11,662	42.2
Adjudicated Delinquent	1,106	51.6 <sub>a</sub>	13,857	54.4 <sub>b</sub>	14,963	54.1
Adult Court	34	1.6 <sub>a</sub>	975	3.8 <sub>b</sub>	1,009	3.7
Totals	2,145	100	25,489	100	27,634	100

Note: (chi-square Pearson value = 41.984, p = .000)

Table 12

*Case Dispositions among Adjudicated Delinquent Cases by Crossover Status*

Measures	Crossover		Non-Crossover		Totals	
	Youth	Youth	Youth	Youth	N	%
	N	%	N	%	N	%
<b>Adjudicated Delinquent</b>						
Probation	917	82.9 <sub>a</sub>	12,743	92 <sub>b</sub>	13,660	91.3
Transfer to Other Agency	109	9.9 <sub>a</sub>	638	4.6 <sub>b</sub>	747	5
Youth Correctional Facility	80	7.2 <sub>a</sub>	476	3.4 <sub>b</sub>	556	3.7
Totals	1,106	100	13,857	100	14,963	100

Note: (chi-square Pearson value = 105.527, p = .000)

## **Chapter 6: Discussion**

The objectives of the current study were (1) to determine if Crossover youth represent a unique demographic subpopulation within the juvenile justice system, (2) to determine if Crossover youth have a higher severity score for offenses than Non-Crossover youth, and (3) to determine whether involvement with the child welfare system appears to have an impact on processing decisions (dispositions) in the juvenile justice system.

With regard to demographic characteristics, juvenile offenders coming from the child welfare system are unique, relative to juvenile offenders coming from other referral sources. At the time of first referral, Crossover youth are more likely to be female, African American, and significantly younger than Non-Crossover youth (Table 1). All of these findings are consistent with prior research (Herz, et al., 2007; Herz & Ryan, 2008; Ryan et al., 2007).

It was important to examine the breakdown of child welfare documented threat types to assess the population of the child welfare youth beyond demographics. The largest threat type to child welfare youth was the threat of harm; followed by neglect, physical abuse, and sexual abuse/exploitation all being highly reported threat types as well (Table 2). As previously stated, the threat categories are not mutually exclusive; therefore, more than one type of threat could be documented for each youth. With regard to demographic characteristics of threat types by polyvictimization status, Crossover youth with only one threat type documented are similar to that of the general population. Crossover youth with multiple threat types in which one of those threats is sexual abuse/exploitation had a higher percentage of females and African Americans (Table 3).

Examining only pure threat types, Abandonment produced some interesting findings with a lower percentage of females and Whites and a higher percentage of Hispanics (Table 4). Besides the unique findings of demographic characteristics for multiple threats in which one of those threats is sexual abuse/exploitation and the pure abandonment threat type, the individual Crossover threat types did not produce substantive results when included in later analyses. Therefore, as previously mentioned, they were not included in later tables and only overall Crossover youth type was used.

Crossover youth have a significantly higher percentage of status offenses than Non-Crossover youth in first-time referrals (Table 5). Dependency and status offenses include runaway, beyond parental control, and behavior to endanger self or others. Hence, it is not that surprising that youth involved with child welfare system represent more of these offense types. Such offenses could have precipitated the child welfare involvement. However, for violation offenses, Crossover youth have a much lower percentage of these types of offenses than Non-Crossover youth. Violation offenses refer to public order offenses like disorderly conduct, harassment, or offenses regarding curfew, tobacco, and substance/alcohol use. It is interesting to note that for first-time referrals Non-Crossover youth represent almost double the percentage of violation offenses compared to Crossover youth.

The current study also sought to shed light on the inconsistency in the literature regarding whether Crossover youth allegedly commit more violent or serious crimes. Examining severity codes based on crime category (person or property crime), class and type, the results found that Crossover youth commit more person crimes than Non-Crossover youth, regardless of whether it was a misdemeanor or felony (Table 6). The

study also found that Crossover youth commit a higher percentage of all the most severe felonies, compared to Non-Crossover youth.

Crossover youth also have higher severity scores for offenses, even when controlling for demographics (Table 7). These results add to the previous research that found Crossover youth are more likely to commit violent or serious crimes than those with no history of abuse or neglect (Thornberry, 2008). When examining demographics alone females have lower severity scores, therefore, they are more likely to commit property or drug crimes, which is consistent with previous research (Bilchik & Nash, 2008; Ryan et al., 2007). In terms of age, the current study found that youth with higher severity scores tend to be younger; this is expected knowing that Crossover youth have higher severity scores and tend to be younger. Along with all these results being statistically significant, it is also important to note that African Americans had the largest coefficient, further highlighting the disparity among this population.

The current study investigated whether involvement with the child welfare system appears to have an impact on processing decisions (dispositions) in the juvenile justice system after their first arrest. Overall, Crossover youth had more case dispositions dismissed, and reviewed and closed, than Non-Crossover youth (Table 8). This could be due to the fact that Crossover youth are likely to already be under some sort of supervision within child welfare, so rather than using double the resources it may be more beneficial for the juvenile justice system to dismiss, or review and close the case. Crossover youth also had more cases receive a transfer to another agency, or receive an outcome that required them to go to a youth correctional facility than Non-Crossover youth, which will be discussed in further detail below. However, Crossover youth have a

lower percentage of case outcomes that go through diversion or receive an adult sentence, than Non-Crossover youth. Though, with regard to receiving an adult sentence, these results are not surprising. When considering the relationship between age and adult court dispositions, it is expected that age would be the highest determining factor in whether an offender receives an adult court disposition. Since we know that Crossover youth are significantly younger than Non-Crossover youth at time of their first offense, this outcome would be somewhat expected.

Case dispositions were also examined at multiple decision points, allowing for comparisons of case outcomes at that particular decision point (Tables 9-12). Results indicate that the majority of cases for both Crossover and Non-crossover youth were not petitioned. However, Crossover youth were found to have a slightly higher percentage than Non-crossover youth of cases petitioned. Which gives support to the hypothesis that Crossover youth are expected to have a more intense disposition outcome, when compared to Non-Crossover youth.

Results also indicated that when examining differences, particularly among adjudicated delinquent outcomes, Crossover youth had a significantly higher percentage of cases receive a sanction that placed them in a youth correctional facility than Non-Crossover youth. A sanction to a youth correctional facility is arguably the most intense disposition outcome, besides being sentenced to adult court. This is consistent with the research that has shown court officials to impose more severe sanctions when youth are not perceived to come from “good” families (Feld, 1999). This finding also may build on the few studies that focus on maltreated children in the juvenile justice system indicating

that the status as a Crossover youth negatively influences decision making (Conger & Ross, 2001, Freundlich & Morris, 2004).

Several limitations are worth noting regarding the present study. First, as previously mentioned, some cases had to be deleted for missing or recoding purposes. Precautions were taken by running cross-tabular analyses to verify that there were no patterns present in the data that was to be deleted. Fortunately, the cases that were deleted represent such a small part of the sample that this did not appear to skew the data. Another potential limitation to this study is that the child welfare and delinquency records were examined over the same 12-year period. Meaning that delinquent youth that had child welfare status before then, or child welfare youth that have been exposed to the juvenile justice system after that period would not show up in this study. A past study of children who had experienced abuse indicated that after five years, 14 percent had appeared in court for delinquency or a status offense, and after ten years 32 percent had been adjudicated (Bolton et al., 1977). Therefore, there may be an underestimation of how prevalent child welfare youth commit delinquent acts. To further add to this point is the fact that child abuse and neglect is believed to be significantly under-reported. As a result, because this study only used ‘founded’ abuse and neglect from the child welfare system there may be many more abused and neglected youth within the juvenile justice system than captured by this sample.

Finally, the results of the present study point to implications and areas of future research. Findings suggest there is a disparity between child welfare referrals and non-child welfare referrals. However, there is still much to be learned about the relationship between child welfare and juvenile justice, particularly the reason why youths cross over

and how to better serve them within the child welfare system to minimize their risk of juvenile justice system involvement. More research needs to be done to determine if other variables such as demographics or offense categories explain more of the relationship between the offender and the disposition level. This may shed light on whether the disparity is due to the fact that crossover youth are committing more serious offenses or if in fact there is a bias that impact processing decisions.

Also, it would be valuable to explore Crossover youth beyond their first-referral, to investigate whether there are long-term effects of being a Crossover youth, such as if they are at a higher risk of recidivism. There is much more to learn about who the Crossover offenders are beyond demographic information. Examining their referral reasons for child welfare involvement in more detail may shed more light on the unique subpopulation they represent in the juvenile justice system. Future research should focus on all these areas, hopefully bridging the gap of understanding of this unique subpopulation. Policy makers may then be able to make more informed decisions about policies and laws effecting this particular population. Future research may also help in influencing the development of specific programming and services targeted towards this unique subpopulation with the goal of reducing the risk of delinquency. Allowing the best future for our youth and our communities.

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## Appendix A—Juvenile Justice Information Systems Severity Scores

(adopted, Oregon Juvenile Department Directors Association, May 18, 2000)

Crime Category	Class & Type	Severity Score
Person	Murder*	19
Person	A Felony	18
Person	B Felony	17
Person	C Felony	16
Person	U Felony	15
Property Other Criminal (Behavioral)	A Felony	14
Property Other Criminal (Behavioral)	B Felony	13
Property Other Criminal (Behavioral)	C Felony	12
Property Other Criminal (Behavioral)	U Felony	11
Person	A Misdemeanor	10
Person	B Misdemeanor	9
Person	C Misdemeanor	8
Person	U Misdemeanor	7
Property Other Criminal (currently named Behavioral)	A Misdemeanor	6
Property Other Criminal (currently named Behavioral)	B Misdemeanor	5
Property Other Criminal (currently named Behavioral)	C Misdemeanor	4
Property Other Criminal (currently named Behavioral)	U Misdemeanor	3
Non Criminal	Violation	2
	Status Offense	1

Note: \* Aggravated Murder, Murder, Murder by Abuse, Murder in the Course of a Crime, Murder Intentional, Criminal Homicide, and Treason have the Type of Murder (instead of Felony), in order to obtain the highest severity score.

Source: Juvenile Justice Information Systems Data & Evaluation Reports

## Appendix B—Disposition Categories

**Disposition Categories:** These reports categories dispositions according to a standard developed by the JJIS Data and Evaluation Committee, and modeled after national reporting standards. Detailed dispositions have been grouped into the disposition reporting categories.

For all reports, dispositions are grouped into categories consistent with national reporting categories as follows. Categories are listed from least to most intense level of juvenile justice intervention.

<b>Not Petitioned</b>	<b>Review and Close</b>	No Jurisdiction
		Referred to Another Agency
		Review & Close
		Warning
		Divert & Close
		Intake Office Contact & Close
		Rejected by DA/Juvenile Department
		Alternative Process
<b>Petitioned</b>	<b>Authorized Diversion Programs or Other Informal Disposition</b>	Diversion Supervision
		Diversion—Youth Court
		Diversion—Traffic/Municipal Court
		Informal Sanction(s)/Supervision
		Formal Accountability Agreement
<b>Dismissed</b>	Dismissed	
	Alternative Process	
<b>Adjudicated Delinquent</b>	Formal Sanction	
	Probation	
	Commit/Custody to Other Agency (Non-Youth Authority)	
	Probation and Commit/Custody to Other Agency (Non-Youth Authority)	
	Probation and Youth Authority Commitment for Community Placement	
	Youth Authority Commitment for Youth Correctional Facility Placement	
	Waived/Transfer	
<b>Adult Court</b>	Adult Sentence	

Source: Juvenile Justice Information Systems Data & Evaluation Reports

Appendix C—Human Subjects Approval

## Portland State University HSRRC Memorandum

**To:** Courtney Shrifter

**From:** HSRRC 2012

**Date:** February 28, 2012

**Re:** HSRRC waived review of your application titled, "Examining the Differences of Child Welfare Youth within Juvenile Justice" (HSRRC Proposal #122063)

Your proposal is exempt from further Human Subjects Research Review Committee review, and you may proceed with the study.

Even with the exemption above, it was necessary by University policy for you to notify this Committee of the proposed research, and we appreciate your timely attention to this matter. If you make changes in the research protocol, the Committee must be notified in writing, and changes must be approved before being implemented.

If you have questions or concerns, please contact the HSRRC at Research and Strategic Partnerships, Market Center Building, 6<sup>th</sup> Floor.

cc: Brian Renauer

Waiver memo