



# *Criminological Highlights:* **Children and Youth**

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This issue of *Criminological Highlights: Children and Youth* addresses the following questions:

1. Do curfews for youths reduce crime?
2. Why do young Black Americans perceive the criminal justice system as unjust?
3. How are the use of foster care for children and imprisonment for adults linked?
4. What kinds of strategies can the police use to reduce crime in specific neighbourhoods?
5. Why is some form of criminal record expungement especially important now?
6. Is the disruptive impact of imprisonment on employment related to time spent in prison?

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*Criminological Highlights* is designed to provide an accessible look at some of the more interesting criminological research that is currently being published. These summaries of high quality, policy related, published research are produced by the Centre for Criminology & Sociolegal Studies at the University of Toronto. The *Children and Youth* edition constitutes a selection of these summaries (from the full edition) chosen by researchers at the National Center for Juvenile Justice and the University of Toronto. It is designed for those people especially interested in matters related to children and youth. Some of the articles may relate primarily to broad criminal justice issues but have been chosen because we felt they also have relevance for those interested primarily in matters related to children and youth. Each issue of the *Children and Youth* edition contains “Headlines and Conclusions” for each of 6 articles, followed by one-page summaries of each article.

*Criminological Highlights* is prepared at the University of Toronto by Anthony Doob, Rosemary Gartner, Samantha Aeby, Jacqueline Briggs, Giancarlo Fiorella, Jihyun Kwon, Maria Jung, Erick Laming, Katharina Maier, Holly Pelvin, Andrea Shier, and Jane Sprott. The *Children and Youth* edition is compiled by Melissa Sickmund at NCJJ and Anthony Doob and Rosemary Gartner at the University of Toronto. Views – expressed or implied – in this publication are not necessarily those of the Ontario Ministry of the Attorney General, the National Center for Juvenile Justice, or the National Council of Juvenile and Family Court Judges.

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**Stopping crime by imposing curfews on youths seems like an easy way to reduce crime and victimization. There’s one problem, however: curfews don’t work.**

“The evidence across the ten studies... suggests that a curfew reduces neither juvenile criminal behaviour nor victimization... [The] finding of no effect may mean that juvenile curfews truly have no impact on crime, or that any impact they have is too small to be reliably detected.... The lack of any credible evidence in their favour suggests that any effect is likely to be small at best, and that curfews are unlikely to be a meaningful solution to juvenile crime and disorder” (p. 183).

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**Young Black Americans’ perceptions of criminal injustice depends on more than the nature of their own interactions with justice authorities.**

“For the state to secure voluntary compliance from the public, it is necessary for it to be perceived as morally credible” (p. 520). This paper suggests that the legitimacy of the state in the eyes of young Black Americans is undermined most dramatically when negative interactions with the police occur to those who live in neighbourhoods that can be characterized as already having high degrees of legal cynicism. These results are independent of individuals’ record of offending, arrests or other criminal justice contact.

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**Child protection intervention in the form of admissions to foster care is most likely to occur in US states with punitive social policy regimes such as high incarceration rates and a high proportion of cases resulting in death sentences.**

“After controlling for relevant demographic, social, and political contexts, states with expansive and generous welfare regimes place fewer children into foster care than do states with expansive and punitive criminal justice system” (p. 576). States with high crime and high imprisonment also tended to have high rates of entry into foster care. It would appear that “disruptive methods of child protection [e.g., placing a child in foster care] are institutionally aligned with punitive forms of social control” (p. 577). In addition, given the negative relationship between welfare generosity and the foster care institutionalization rate, it would seem that states are making an implicit choice in how they deal with children growing up in poverty: to invest in more generous welfare programs or to invest in programs that move children from their families into foster care.

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**Policing strategies that focus on local forms of disorder can be reduce crime. However, aggressive order maintenance strategies that target individual disorderly behaviours appear to be ineffective.**

Policing that focuses on “community problem-solving that seeks to change social and physical disorder conditions at particular places produces [statistically] significant crime reductions” (p. 581) though these effects are relatively modest in size. “When considering a policing disorder approach, police departments should adopt a ‘community coproduction model’ rather than drift toward a zero-tolerance policing model, which focuses on a subset of social incivilities...” (p. 581). This latter approach appears to be ineffective.

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**People with records of contact with the criminal justice system find that persuading others – potential employers or landlords – to overlook their records is just about impossible. They clearly realize that some form of state expungement of the record is necessary for them to have a chance at full reintegration into society.**

The common themes of those who were trying to get their records expunged were “frustration with blocked opportunity...; an inability to use personal contact to change employers’ beliefs about the meaning and relevance of the criminal record history; and frustration with the ongoing and punitive nature of the criminal justice system. These themes were present for participants with both extensive and minor criminal justice histories” (p. 405). Given that after a period of time, a criminal record no longer predicts offending (*Criminological Highlights* 8(4)#4, 10(5)#6), these findings suggest a disproportionately punitive response to criminal justice contact. In past decades, “By not disclosing their past criminal justice contact, and upholding conventional lifestyles, ex-offenders could easily circumvent potential stigma” (p. 407). This no longer is the case. For jurisdictions truly interested in promoting reintegration of those who have come in contact with the criminal justice system, this would seem to be a useful area for reform.

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**Being imprisoned for six to twelve months has more dramatic negative impacts on employment prospects than imprisonment for less than six months.**

It would appear that those who are imprisoned for 6 months or more are less likely to be employed after release than those who spend less time in prison. Six months for these prisoners appeared to be an important threshold: for those who spent less time in prison, the ‘time in prison’ did not seem to matter. But being in prison for 6 months or more did appear to reduce employment prospects. Hence, “although employment is largely insensitive to imprisonment length among short term prisoners [i.e., those with less than 6 month prison stays], an apparent threshold exists at approximately 6 months. Beyond 6 months, longer imprisonment corresponds with incremental deterioration in employment prospects” (p. 422).

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## Stopping crime by imposing curfews on youths seems like an easy way to reduce crime and victimization. There's one problem, however: curfews don't work.

Searching for quick fixes to complex crime problems is popular in many locations. The *Washington Post* once suggested that while a curfew does not constitute “a miraculous cure-all to juvenile crime, it is merely a common-sense approach that police believe would be a useful tool in protecting public safety” (p. 168).

The theory of the effectiveness of curfews is simple: reduced opportunity for youths should translate into fewer crimes. This ignores, among other things, data suggesting that most crime by youths takes place in the hours immediately before and immediately after school.

Not surprisingly, the data do not support the effectiveness of curfews (see *Criminological Highlights*, 3(2)#2, 3(4)#7). This paper examined all those studies with relatively adequate research designs that focused on either juvenile offending or victimization and used either official measures of crime or self-report measures of offending. Ten unique studies – all carried out in the US and published between 1999 and 2012 – were located. Various research designs were used. “Curfews are often implemented in response to a spike in crime or due to a particularly newsworthy event” (p. 177) which is a problem because spikes in crime typically revert back to average rates, even if legislative bodies don't act. In four of the 10 studies the origin of the curfew law was some unusual event that may have been associated with a temporary increase in crime that would, without any intervention, typically return to normal levels. Hence the advantage of having some form of comparison group. More problematic is that curfews often come into effect along with other changes (e.g., other programs for youth) making it very difficult, if crime were to decline, to know what might be the cause.

Because the ten studies evaluated the curfew laws on different dimensions, the results are reported for those different dimensions. The two studies that looked at juvenile crime during curfew hours each showed a non-significant *increase* in crime. Eight studies looked at juvenile arrests for crime during all hours. Five studies showed small increases, one no change, and two showed decreases. Overall, there was almost no change in juvenile crime or arrests associated with curfews. Juvenile victimization was examined in two studies: one reported a small decrease, the other an increase.

The nature of the intervention – a change in the law affecting when youth can be unsupervised in the community – obviously does not easily lend itself to randomization as a technique of testing the impact of intervention. Most studies looked at variants on an interrupted time-series design. All but two of the studies used time series that were too short to adequately disentangle an effect of the curfew – had there been one – from a long term trend over time. Given that most of these studies were carried out when crime was generally decreasing in most parts of the US, it would not have been surprising to see strong decreases in crime attributed to curfews.

*Conclusion:* “The evidence across the ten studies... suggests that a curfew reduces neither juvenile criminal behaviour nor victimization... [The] finding of no effect may mean that juvenile curfews truly have no impact on crime, or that any impact they have is too small to be reliably detected.... The lack of any credible evidence in their favour suggests that any effect is likely to be small at best, and that curfews are unlikely to be a meaningful solution to juvenile crime and disorder” (p. 183).

*Reference:* Wilson, David B., Ajima Olaghere, and Charlotte Gill (2016). Juvenile Curfew Effects on Criminal Behaviour and Victimization: A Campbell Collaboration Systematic Review. *Journal of Experimental Criminology*, 12, 167-186.

## Young Black Americans' perceptions of criminal injustice depends on more than the nature of their own interactions with justice authorities.

Black Americans are more likely than others to perceive that they are treated in an unfair manner. But in addition, Black Americans living in disadvantaged neighbourhoods are especially more likely than others to have negative views of the justice system. A question raised by this paper is whether it is structural disadvantage *per se* that is important in understanding these neighbourhood and race differences or whether it is the moral and legal cynicism of the neighbourhood that is important in understanding perceptions of criminal injustice.

Over a period of 11 years, 689 African American youths (age 10-12 years old at the beginning of the study) and their families were interviewed 5 times. They were recruited from 39 neighbourhoods in two states. These neighbourhoods varied considerably at the beginning of the study in their degree of 'structural disadvantage' (e.g., proportion of families on public assistance, proportion unemployed). Moral and legal cynicism was measured for the neighbourhood when the youth was 19-21 years old by combining responses from those in the neighbourhood to 10 items such as "How important is it to obey the law?", "Behaving aggressively is often an effective way of dealing with someone who is taking advantage of you", or how 'wrong' it is to commit certain crimes such as stealing something, selling drugs. During these interviews, the parent and the youth were each asked if they had been treated unjustly or in a discriminatory manner by the police in the year before the interview.

When youths were 21-23 years old, their own perceptions of criminal injustice were assessed by asking them to indicate their degree of agreement/disagreement with statements such as "Police are more likely to stop and question Blacks unfairly than those in other racial

groups"; "Courts are biased and unfair when it comes to deciding cases with Black suspects and White victims"; "Courts punish Blacks more harshly than Whites." Various control variables (e.g., sex, various measures of criminal justice involvement by the youth) were also included.

Structural disadvantage of the neighbourhood only predicted perceptions of criminal injustice when neighbourhood moral and legal cynicism were not included in the prediction model. Moral and legal cynicism did, however, predict perceptions of injustice. "It is not simply structural disadvantage that generates perceptions of injustice among African Americans. Rather disadvantage promotes collective cynicism [in the neighbourhood], which is associated with appraisals of biases in the criminal justice system" (p. 535). Both personal and vicarious (parental) negative interactions with the police were also associated with increased perceptions of injustice. In addition, "individuals who [directly or vicariously] experienced negative encounters [with the police] and also reside in neighbourhoods characterized by high levels of moral and legal cynicism are [especially] likely to view the criminal justice system as being biased against them" (p. 536).

*Conclusion:* "For the state to secure voluntary compliance from the public, it is necessary for it to be perceived as morally credible" (p. 520). This paper suggests that the legitimacy of the state in the eyes of young Black Americans is undermined most dramatically when negative interactions with the police occur to those who live in neighbourhoods that can be characterized as already having high degrees of legal cynicism. These results are independent of individuals' record of offending, arrests or other criminal justice contact.

*Reference:* Berg, Mark T., Eric A. Stewart, Jonathan Intravia, Patricia Y. Warren, and Ronald L. Simons (2016). Cynical Streets: Neighbourhood Social Processes and Perceptions of Criminal Injustice. *Criminology*, 54(3), 520-547.

## **Child protection intervention in the form of admissions to foster care is most likely to occur in US states with punitive social policy regimes such as high incarceration rates and a high proportion of cases resulting in death sentences.**

Large numbers of children – 5.9% of all US children, 11.4% of African American children, and 15.4% of Indigenous children – enter the foster care system at some point in their lives. The variation across states is also dramatic – from a low of 1.42 to a high of 10.46 foster care entries per 1000 children in the population per year. This paper examines the variation, across states, in the use of foster care in relation to other policies, including criminal justice policies.

Entry into foster care can be seen as “a regrettable but necessary component of a broad and generous welfare state...” or as “a vehicle through which states monitor and punish parents and families who fail to conform to hegemonic parenting standards” (p. 578). However, since poverty is “among the key factors [predicting] child maltreatment” it follows that entry into foster care should be expected to relate to poverty levels. The study looks at rates of entry into foster care as a function of poverty measures as well as various other social policies. These include programs designed to address poverty as well as criminal justice policies. Various other social policies are included in the predictive models as well. Estimates of these indicators from the 50 states for 10 years (2002 to 2011) were included as predictors of the use of foster care.

The findings suggest that the rate of entry into foster care (per 1000 child population) was lower in states with more generous welfare systems and in states with relatively lower crime rates. However, even after crime rates were controlled for, adult incarceration rates and the number of death sentences per prison admission were positively associated with high rates of entry into foster care. As an example of how entry into foster care is related to other social policies, it appears that, holding all other variables constant, states with the most generous welfare rates tended to have lower foster care entry rates.

In addition, however, entry into foster care was related to criminal justice policies. “A state with a criminal justice regime that is less punitive than the average state... is expected to have 3.4 foster care entries per 1000 children... whereas states with broad and punitive justice regimes are expected to place 4.9 children per 1000 into foster care.”

*Conclusion:* “After controlling for relevant demographic, social, and political contexts, states with expansive and generous welfare regimes place fewer children into foster care than do states with expansive and punitive criminal justice system” (p. 576). States with high crime and high imprisonment also tended to have high rates of entry into foster care. It would appear that “disruptive methods of child protection [e.g., placing a child in foster care] are institutionally aligned with punitive forms of social control” (p. 577). In addition, given the negative relationship between welfare generosity and the foster care institutionalization rate, it would seem that states are making an implicit choice in how they deal with children growing up in poverty: to invest in more generous welfare programs or to invest in programs that move children from their families into foster care.

*Reference:* Edwards, Frank (2016). Saving Children, Controlling Families: Punishment, Redistribution, and Child Protection. *American Sociological Review*, 81(3), 575-595.

## **Policing strategies that focus on local forms of disorder can be reduce crime. However, aggressive order maintenance strategies that target individual disorderly behaviours appear to be ineffective.**

Dealing with physical and social disorder appears to be a central feature of some police services' crime prevention strategies. Whether such strategies are effective, however, is contentious (*Criminological Highlights* 1(4)#5, 4(5)#4, 5(1)#6, 8(4)#1, 8(5)#8, 9(1)#2, 10(3)#4, 14(5)#3), in part because the strategies used and the problems that are targeted vary considerably.

In this paper, a very thorough search of the published and unpublished research literature on the policing of disorder took place. All adequately designed studies addressing the question of whether policing disorder reduces crime were examined. To be included in the review, there had to be some kind of 'control areas' within the cities. Hence in all cases, the disorder-oriented police strategy was compared to a control area where, typically, policing took place in its normal fashion. Twenty-eight studies reporting 30 independent tests of policing disorder interventions were found. Two studies were from the U.K.; the rest were carried out in the U.S. In 9 of the studies, a random, controlled, experimental design was used. In the rest, an attempt was made to find equivalent areas in which the intervention did not take place.

Across all 30 tests, there was a significant effect of police interventions. Those areas in which social and/or physical disorder was targeted tended to have statistically significantly lower crime rates. However, the effect is described as 'modest.' To get an idea of what 'modest' means, imagine that in a targeted area, there were, on

average 50 criminal incidents a month prior to the intervention being instituted, and that this varied such that for most (95%) of the months we would expect to find between 40 and 60 incidents. The targeted police interventions described in these 30 studies would be expected to reduce the number from 50 to approximately 48.85 incidents.

However, only the community problem solving programs instituted by the police demonstrated significant crime reduction. Using the hypothetical example above, these programs would be expected to reduce the number of crimes from 50 to 48.6 crimes per month.

Those programs that attempted to carry out 'aggressive order maintenance' programs (e.g., focusing on minor forms of disorder such as public drunkenness, prostitution, vandalism, disorderly youth, or traditional arresting of those thought to be gang members) did not show statistically significant effects.

The effective types of programs seem to have had fairly similar impacts on violent crime, property crime, and disorder and drug offences.

*Conclusion:* Policing that focuses on "community problem-solving that seeks to change social and physical disorder conditions at particular places produces [statistically] significant crime reductions" (p. 581) though these effects are relatively modest in size. "When considering a policing disorder approach, police departments should adopt a 'community coproduction model' rather than drift toward a zero-tolerance policing model, which focuses on a subset of social incivilities..." (p. 581). This latter approach appears to be ineffective.

*Reference:* Braga, Anthony A., Brandon C. Welsh, and Cory Schnell (2015). Can Policing Disorder Reduce Crime? A Systematic Review and Meta-analysis. *Journal of Research in Crime and Delinquency*, 52(4), 567-588.

**People with records of contact with the criminal justice system find that persuading others – potential employers or landlords – to overlook their records is just about impossible. They clearly realize that some form of state expungement of the record is necessary for them to have a chance at full reintegration into society.**

In pre-internet days, criminal records could effectively be made to disappear because there was no easy way for ordinary people to find out whether someone had a criminal record. Today, “the visibility of the criminal record history makes it difficult for record-bearers to avoid negative repercussions: background checks have become commonplace” (p. 388).

In addition, in many jurisdictions, criminal records do not necessarily involve just criminal convictions. Simply being arrested at some point, even if no conviction results from the arrest, can become part of one’s criminal record and, in turn, affect one’s life chances. Well-paying jobs where minor records are irrelevant (e.g., in manufacturing) are fewer in number. Various licensed trades and professions, as well as the education programs required for occupational or professional certification, often require ‘clean’ records. In addition, rules requiring ‘clean records’ are often made by national head offices of corporations, which may mean it is impossible for local exceptions to be made. “Criminal justice records are more plentiful, accessible, and persistent than they have been...” (p. 390). Many jurisdictions allow some form of expungement or sealing of criminal records (see, *Criminological Highlights* 15(2)#6). Illinois, where this study was carried out, allowed expungement of records of most offences, often after a designated waiting period.

In this study, people applying to have their records expunged were interviewed to find out how they had been affected by a criminal record. The most obvious

disadvantage they mentioned was in obtaining or maintaining employment. For example, one 30 year-old woman, arrested at age 21 for the misdemeanour offence of “reckless conduct – the result of a loud argument with her cousin” (p.399)– found that her undergraduate degree in early childhood and family services and her verifiable work history were irrelevant for getting a job: She was explicitly told that her one arrest labelled her forever. Another man, who had been free of any problems for 12 years, was told by Walmart that they wouldn’t hire him even if his last contact with the justice system had been 102 years before. McDonalds took the same position. Another man was conditionally accepted for a job and then had the offer revoked because of a 14-year old misdemeanor charge that was ultimately dismissed. Such decisions were non-negotiable.

*Conclusion:* The common themes of those who were trying to get their records expunged were “frustration with blocked opportunity...; an inability to use personal contact to change employers’ beliefs about the meaning and relevance of the criminal record history; and frustration with the ongoing and punitive nature of the criminal justice

system. These themes were present for participants with both extensive and minor criminal justice histories” (p. 405). Given that after a period of time, a criminal record no longer predicts offending (*Criminological Highlights* 8(4)#4, 10(5)#6), these findings suggest a disproportionately punitive response to criminal justice contact. In past decades, “By not disclosing their past criminal justice contact, and upholding conventional lifestyles, ex-offenders could easily circumvent potential stigma” (p. 407). This no longer is the case. For jurisdictions truly interested in promoting reintegration of those who have come in contact with the criminal justice system, this would seem to be a useful area for reform.

*Reference:* Ispa-Landa, Simone and Charles E. Loeffler (2016). Indefinite Punishment and the Criminal Record: Stigma Reports Among Expungement-Seekers in Illinois. *Criminology*, 54(3), 387-412.



## Being imprisoned for six to twelve months has more dramatic negative impacts on employment prospects than imprisonment for less than six months.

Those who have a criminal record have a difficult time getting a job (*Criminological Highlights* 4(3)#6). But there are other reasons that those who spend time in prison may be very likely not to have work. Those spending substantial periods of time in prison also run the risk of losing relevant work skills, becoming detached from the institution of work, and developing closer ties to those more likely to be involved in crime than with employment.

This study examines the relationship between the time that a sample of 702 men spent in prison and their likelihood of being employed after release. Sentences of a year or less are common in many countries. In Canada, for example, approximately 90% of those released after serving a sentence of imprisonment were in prison for a year or less. This paper, therefore, looks at those released from Dutch prisons after serving a year or less to determine what impact it has on their employment record.

The paper examines the employment records of those who were in prison for at least a week and up to a year. "Time in prison" included both pretrial detention and sentences served immediately after conviction. Five groups of prison lengths were created: 1-6 weeks, 3 weeks to 3 months, 3-4 months, 4-6 months, and 6-12 months. Groups were equated by using a 'propensity score' technique such that pre-existing measures on each person were used to predict their likelihood of serving each of these sentence lengths. In this way, the researchers were able to create groups of people who spent varying lengths of time in prison but who, generally, were very similar on relevant dimensions. Employment was measured through an interview that took place approximately 6 months after release. Two different self-report techniques (which produced very similar results) were employed.

There were no consistent differences among the four groups that had spent less than 6 months in prison. In the first month after release, about 33% of those who had been in prison for less than 6 months were employed. This increased to about 40% employed 6 months after release. However, the time in prison did not seem to matter for those who were in prison for 6 months or less.

The group that was different from the 4 groups who spent less than 6 months in prison were those who had been imprisoned for a relatively long period: 6-12 months. In the first month after they were released, only 20% were employed. Six months after release only about 27% were employed. Their rate was obviously considerably lower than the employment rates for the groups imprisoned for less than 6 months. It appears that those who spent 6-12 months in prison were both less likely than those who spent less time in prison to regain their pre-prison employment or to find new employment.

The differences in employment rates did not appear to be related to treatment programs in prison or recidivism rates. Those who spent very short periods of time in prison were less likely than others to participate in any rehabilitative prison programs. In addition, recidivism rates did not differ significantly across the groups: about one quarter of the study

participants reported committing at least one offence during the 6 month follow-up period.

*Conclusion:* It would appear that those who are imprisoned for 6 months or more are less likely to be employed after release than those who spend less time in prison. Six months for these prisoners appeared to be an important threshold: for those who spent less time in prison, the 'time in prison' did not seem to matter. But being in prison for 6 months or more did appear to reduce employment prospects. Hence, "although employment is largely insensitive to imprisonment length among short term prisoners [i.e., those with less than 6 month prison stays], an apparent threshold exists at approximately 6 months. Beyond 6 months, longer imprisonment corresponds with incremental deterioration in employment prospects" (p. 422).

*Reference:* Ramakers, Anke, Robert Apel, Paul Nieuwebeerta, Anja Dirkzwager, and Johan Van Wilsem (2014). Imprisonment Length and Post-Prison Employment Prospects. *Criminology*, 52(3), 399-427.