Differential Effects of Adult Court Transfer on Juvenile Offender Recidivism

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Realignment of statutes nationwide over the last 15 years
- Statutory exclusion of juvenile court jurisdiction
- Expansion of set of eligible offenses
- Juvenile court discretion replaced with prosecutorial discretion
- Current climate: rethinking wisdom of this movement

Current research: transfer is counterproductive

If transfer is an enduring option, the question becomes *who to transfer*
Longitudinal study of serious juvenile offenders in PA and AZ

- Age 14-17 at the time of study offense
- Found guilty of a serious offense
- Capped males found guilty of a drug charges at 15% of total sample (if they remained in the juvenile system)
- Took all females and all youth who were transferred to adult court

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Total $N = 1,354$
- 16 years old on average
- 86% male
- Average of two prior court appearances
- About half appearing for a felony against a person
- Ethnically diverse

Interview schedule
- Baseline interview
- Time-point interviews (10)
  - every 6-12 months (through 84 months)

Recall-level and monthly calendar data

Multiple sources of data

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### Sample Characteristics

<table>
<thead>
<tr>
<th></th>
<th>PA</th>
<th>AZ</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Juvenile (n=649)</td>
<td>Adult (n=51)</td>
</tr>
<tr>
<td><strong>Age</strong></td>
<td>16.5</td>
<td>17.6</td>
</tr>
<tr>
<td><strong>Prior petitions</strong></td>
<td>3.1</td>
<td>4.6</td>
</tr>
<tr>
<td><strong>Age at first petition</strong></td>
<td>14.9</td>
<td>15.0</td>
</tr>
<tr>
<td><strong>Offense</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Person</td>
<td>41%</td>
<td>86%</td>
</tr>
<tr>
<td>Property</td>
<td>26%</td>
<td>0%</td>
</tr>
<tr>
<td>Weapon</td>
<td>12%</td>
<td>12%</td>
</tr>
<tr>
<td>Other</td>
<td>21%</td>
<td>2%</td>
</tr>
</tbody>
</table>
Do youth who are transferred to adult court fare better or worse than youth with similar characteristics who remain in juvenile court?
Sample: AZ adolescents transferred to adult court (N=193) and adolescents retained in the juvenile court (N=461)

Outcome: rate of re-arrest over the follow-up period
  - Follow-up to four years after enrollment
  - Exclude probation violations
  - Incorporate time on street from life event calendars to get a rate of re-arrest

Method: Propensity Score Matching
More about propensity score matching...

- **What is it?**
  - **Two step process:**
    - A propensity score is calculated for each case. It is the predicted probability that you get transferred given all of the background characteristics considered.
    - Take each transferred case and match it to one or more non-transferred case with similar propensity score.
  - We then can look to see if the transferred group looks similar to the non-transferred group on a variety of characteristics that might affect the outcome.
  - If the groups look alike, we can attribute the difference in the outcomes to the fact that they were transferred.
More about propensity score matching...

- **Benefits**
  - Allows for consideration of a wide range of characteristics on which to match
  - Subjects with similar propensity scores can be expected to be similar on the background characteristics
  - If we match subjects in adult court to cases with a similar propensity score who stayed in juvenile court, we can more closely mimic random assignment to one system or the other

- **Problem**
  - Certain cases in the “serious violent” crime group are not anything like those in the juvenile system
    - Some are excluded from the matching process
    - These cases will probably be transferred anyway due to legislative guidelines
### Group Balance Before and After Matching

<table>
<thead>
<tr>
<th>Variables</th>
<th>Prior to Matching</th>
<th>After Matching</th>
<th>p &lt; .05</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>adult</td>
<td>juvenile</td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td>17.00</td>
<td>16.22</td>
<td>*</td>
</tr>
<tr>
<td>White</td>
<td>.23</td>
<td>.36</td>
<td>*</td>
</tr>
<tr>
<td>Prior Arrests</td>
<td>3.46</td>
<td>2.89</td>
<td>*</td>
</tr>
<tr>
<td>Exposure to Violence</td>
<td>5.70</td>
<td>4.74</td>
<td>*</td>
</tr>
<tr>
<td>Costs of Punishment</td>
<td>10.72</td>
<td>7.05</td>
<td>*</td>
</tr>
<tr>
<td>Certainty of Punishment</td>
<td>5.21</td>
<td>5.73</td>
<td>*</td>
</tr>
<tr>
<td>Risk/Need Scores</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mood Problems</td>
<td>0.18</td>
<td>0.20</td>
<td>-</td>
</tr>
<tr>
<td>Substance Use</td>
<td>0.87</td>
<td>0.97</td>
<td>-</td>
</tr>
<tr>
<td>Antisocial Peers</td>
<td>0.11</td>
<td>0.04</td>
<td>*</td>
</tr>
</tbody>
</table>

Variables in balance: 37 of 52

Variables in balance: 45 of 52
Results

- When matched, the transferred group and those retained in juvenile court have the same rate of re-arrest (.91 vs. .94 arrests per year)

- Transfer does differentially affect youth
  - types of offense charged
  - prior offenses
Re-arrest rates by referring charge group (matched samples)

Rate of re-arrest

- Serious Violent Felonies
  - Juvenile: .84
  - Adult: .47

- Property/Felony-not Part I
  - Juvenile: 1.00
  - Adult: 1.32
Conclusions

- Variability in outcome among adolescents transferred to adult court
- No effect of transfer on overall rate of re-arrest
- "local" effects by offense type, number of prior petitions
  - Impact of transfer on drug and sex offenders not addressed
- Relevant for rewriting legislation for lower threshold for inclusion
Study website:  www.pathwaysstudy.pitt.edu

This presentation is based on two papers which are available online at *Law & Human Behavior*

- **Predicting outcomes for youth transferred to adult court** (Schubert, Mulvey, Loughran, Fagan, Chassin, Piquero, et al; DOI: 10.1007/s10979-009-9209-5)

- **Differential effects of Adult Court Transfer on Juvenile Offender Recidivism** (Loughran, Mulvey, Schubert, Chassin, Steinberg, Piquero, et al; DOI: 10.1007/s10979-009-9210-z)
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