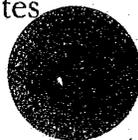


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# Evaluation of the Habitual Serious and Violent Juvenile Offender Program

**Final Report:  
Executive Summary**

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Blair B. Bourque  
Frances E. Gragg  
Jane M. Mell  
Alison A. McGrady*

NCJRS

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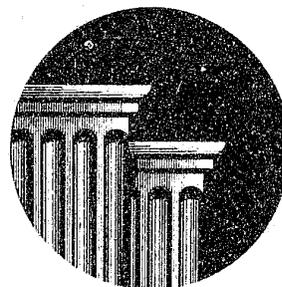
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U.S. Department of Justice  
National Institute of Justice

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## EXECUTIVE SUMMARY

### Background

The Habitual Serious and Violent Juvenile Offender Program (HSVJOP) was inaugurated in 1984 by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) of the United States Department of Justice. Its purpose was to provide selective prosecution and treatment of serious, repetitive juvenile offenders.

Modeling itself partly after career criminal programs developed for prosecution of adult chronic offenders, the HSVJOP approach called for the assignment of experienced prosecutors to serious juvenile cases, vertical prosecution (that is, one prosecutor to handle each case from start to finish), accelerated prosecution, and limits on plea and sentence bargaining. The initiative also called for improved notification, consultation, and assistance for victims of these chronic offenders, and encouraged greater use of victim impact statements. On the correctional side, the programs were to incorporate special services, including enhanced diagnostic assessment, planning for treatment, and continuous case management for the offenders.

The program was designed for youth with at least one prior adjudication for a serious offense and a current charge involving a serious felony such as residential burglary, robbery, aggravated assault, sexual assault, or murder. Each project established its own selection criteria within these general guidelines.

The two-year program was implemented by prosecutor's offices in 13 jurisdictions nationwide, ranging in population from 460,000 to over five million. The American Institutes for Research (AIR), with the support of the National Institute for Juvenile Justice and Delinquency Prevention, conducted a three-year evaluation of HSVJOP. This report describes the results of our intensive evaluation of project performance in four of the participating jurisdictions -- Miami, Milwaukee, Seattle, and Washington, D.C. An

earlier report<sup>1</sup> describes the implementation process at all 13 sites and presents a comprehensive description of the types of the cases and offenders handled by each, the characteristics of the jurisdictions that hosted the program, and the reactions of local staff and observers.

Compared to the full set of 13 jurisdictions that implemented HSVJOP, the four sites selected for intensive study were average to above average in size and tended to have selection criteria that were more stringent than the typical project. Each jurisdiction had a juvenile prosecution unit consisting of several attorneys, but only one (Washington, D.C) had experimented with systematically targeting serious offenders in the past. On average, these four sites were somewhat less successful in achieving vertical prosecution, and unlike several of their counterparts, none included an investigator as part of its staff. In other respects, the sites provided a good cross-section of the participants in the HSVJOP initiative. They were demographically diverse and presented a variety of statutory and procedural environments for the program. Since the federal funding expired, three of the four sites have institutionalized part or all of the prosecution and victim-witness assistance components and one picked up the correctional component. In this, the four sites also were typical of their counterparts at other sites. In general, the HSVJOP correctional program had been slow getting started, sometimes difficult to integrate with the prosecution services, and often too small to serve all of the eligible offenders.

In each of these four jurisdiction, we examined the effects of the project on the decision to file charges, case processing, and case outcomes. The study used a multiple cohort design, which permitted comparisons between cases processed during a baseline and a program period, and between target cases prosecuted by project attorneys and by other attorneys in the office. The cases compared across time periods were of two types, habitual offender cases that met the project's official criteria ("qualifiers") and non-habitual offender cases ("nonqualifiers") that did not. Changes over time and

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<sup>1</sup>Roberta C. Cronin, Blair B. Bourque, Jane M. Mell, Frances E. Gragg, and Alison A. McGrady. Evaluation of the Habitual Serious and Violent Juvenile Offender Program: Interim Report, Year 2. Washington, D.C.: American Institutes for Research, 1987. An Executive Summary of the interim report was published by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, in January 1988 (NCJ 105230).

between project and nonproject cases were examined using both bivariate and multivariate statistical techniques.

## Findings

Depending on the site, we found that from one-fourth to nearly one-half of the cases eligible for the project actually were prosecuted by other attorneys in the juvenile division. The most plausible explanations are that the projects sometimes used additional subjective criteria to control caseloads and rule out cases of borderline seriousness, and/or that the screening procedures were flawed.

However, project handling made a significant difference for those cases that were exposed to it. The effects of project handling on various performance measures are summarized in Table 1. The data indicate that project intervention had an effect on each of the following:

### The Filing Decision

- Changes in the number of charges referred by the police (Miami, less likely to increase the number of charges; Milwaukee, more likely to increase the number of charges).
- Increases in the seriousness of the top charge referred by police (Miami).

### Case Processing

- Increased vertical prosecution (all sites).
- Speedier disposition times (Milwaukee, Seattle).
- Decreases in continuances by the defense (Milwaukee).

### Case Findings

- Changes in the proportion of transfers to adult court (decreases in Miami, increases in Milwaukee).
- Higher conviction rates (Miami, Seattle, Washington, D.C.).
- Lower dismissal rates (Seattle, Washington, D.C.).
- Increased convictions on the top charge, for all cases and for cases resolved by plea (Miami, Seattle).

### Sentencing

- Increased correctional commitments (all sites).

Table 1. Summary of Relationships Between Project Prosecution and Case Process and Outcome Variables<sup>1</sup>

	<u>Miami</u>	<u>Milwaukee</u>	<u>Seattle</u>	<u>Washington, D.C.</u>
<u>Decision to File</u>				
Proportion of cases filed	0	0	0	0
Filed more charges	-	+	0	0
Filed higher top charge	+	0	0	0
<u>Case Processing</u>				
Number of case events	0	0	0	0
Proportion of trials	0	0	0	0
Number of state continuances	+ <sup>2</sup>	0	0	0
Number of defense continuances	0 <sup>2</sup>	-	0	0
Number of continuances by all parties	0 <sup>2</sup>	0	0	0
Vertical prosecution 1st thru final event	0 <sup>2</sup>	+	+	+ <sup>2</sup>
Vertical prosecution 2nd thru final event	+ <sup>2</sup>	+	+	+ <sup>2</sup>
Speed of prosecution	0	+	+	0
<u>Transfers to Adult Court</u>				
Waivers	0	+	0	NA
Direct Files	-	NA	NA	NA

<sup>1</sup>Unless otherwise indicated, all findings reported are based on multivariate analyses.

Table 1. (continued). Summary of Relationships Between Project Prosecution and Case Process and Outcome Variables

	<u>Miami</u>	<u>Milwaukee</u>	<u>Seattle</u>	<u>Washington, D.C.</u>
<u>Findings</u>				
Dismissals	0	0	-	-
Convictions	+	0	+	+
<u>Conviction Strength</u>				
Convictions on Top Charge	+	0	+	0
Convictions on Top Charge, by Trial	0	0	0	0
Convictions on Top Charge, by Plea	+	0	+	0
<u>Sentences</u>				
Correctional Commitments	+	+	+	+
Correctional or Detention Commitments	NA	NA	+	NA
<u>Sentence Length</u>				
Corrections	NA	0	0	0
Probation	NA	0	0	0

Key: + Project handling is associated with an increase  
 0 No association with project handling  
 - Project handling is associated with a decrease  
 NA = Not Available

Footnotes

1. Unless otherwise indicated, all findings reported are based on multivariate analyses.
2. Based on bivariate analysis only, because there were insufficient data for multivariate analyses.

No effects on the decision to accept cases for prosecution, the proportion of cases resolved by trial, or sentence length were observed. A relationship between project prosecution and increased state continuances was observed in the bivariate analyses for one site (Miami), but could not be examined with multivariate techniques because of small sample sizes.

Looking at individual sites:

- In Miami, there is some evidence that the project affected nearly all categories of case outcomes -- transfers to adult court, convictions, conviction strength, and correctional sentences. The exception is dismissal rates. Project handling also is associated with some changes in filing decisions. Aside from increases in vertical prosecution and a possible increase in state continuances, the other aspects of the prosecution process are unaffected.
- The Milwaukee project is associated primarily with two types of outcomes -- increases in transfers to adult court and the imposition of more correctional sentences. At the point of filing, the number of charges was more likely to be increased in project cases. Project cases also reached disposition earlier, involved fewer defense continuances, and were more likely to be vertically prosecuted.
- In Seattle, the effects on outcomes are similar to Miami's with a couple of exceptions. Seattle's efforts had no effect on adult transfers (nor intended any), but Seattle did reduce dismissal rates. As for the prosecution process, both vertical prosecution and disposition speed increased.
- Finally, the Washington, D.C. project is associated with higher conviction rates and lower dismissal rates, as well as more correctional sentences. Except for increases in vertical prosecution, changes in the process measures were not observed.

While the case processing characteristics that we measured -- number of charges filed, vertical prosecution, speed of disposition, and number of continuances -- are linked to successful prosecution in some locations, they alone do not account for the projects' effects on case findings and sentences. Data collected for earlier reports suggest that the involvement of more experienced attorneys, the quality of case preparation, the quality of information presented at sentencing, and additional victim/witness support also may have played a significant role.

## Conclusions

From the research findings detailed in this report, as well from data on the implementation process that are documented more completely in the earlier report, we offer the following conclusions:

- Prosecutor's offices can successfully implement programs to target youth defined as habitual serious and violent juvenile offenders.
- Key elements of targeted prosecution programs include the involvement of more experienced prosecutors, increased resources for case preparation, continuity of prosecution in serious cases, and greater interaction with victims and witnesses.
- In some locations, targeted prosecution programs can result in speedier prosecution of habitual, serious juvenile offender cases.
- In some locations, targeted prosecution programs can reduce the use of plea bargaining in habitual, serious juvenile offender cases.
- Targeted prosecution programs can produce different findings and sentences -- especially more convictions and more correctional sentences -- in cases that involve habitual, serious juvenile offenders.
- Mechanisms for screening and identifying cases appropriate for targeted prosecution should receive careful attention during program design and implementation.
- Linking targeted prosecution projects together with special correctional efforts for the youth they prosecute, while an appealing notion in theory, faces obstacles in practice.

The limitations of these findings and conclusions are discussed in detail in the final chapter of the report.