

Automated phone call and cognitive behavioural therapy for juvenile offenders

The origins of the Juvenile Justice can be traced to the 1820s when New York established the first "House of Refugee" for minors who committed crimes. Despite establishments moving away from the 18th-century notion of retributive justice, they did not clearly achieve their aims to reform and deter juvenile offenders from a life of crime. The offenders were subject to sleeping in their own solitary units, and staff restricted their interactions in class with other fellow offenders during the day. There was a belief that offenders could influence each other to commit crimes and hence kept separate.¹ Further, life in these reform houses was strict, with deficient meals and limited external communications to deter crime and pauperism (both being linked together in the 19th century).²

Towards the later 19th century, reforms in Chicago moved to stimulate a familial life for juvenile offenders. Instead of separating them from familial communication and intervention, they were granted "care... of a parental sort." Hence, we see a move towards genuine rehabilitation of minors towards the end of the century though many of these programs were limited to those committing petty crimes like theft.³

In California, there had been a need to realign the Division of Juvenile Justice (DJJ) as identified in *Farrell v. Beard* (previously known as *Farrell v. Cate*). While the DJJ has made great strides in the DJJ since the 19th century, the judiciary identified significant deficiencies in the system when it comes to reducing recidivism and violence within the facilities. Since the case, there has been a move to seek alternatives to sending minors to the DJJ. Legislation such as Senate Bill 81 has reduced the amount of time a minor can be sent to a DJJ facility and has redirected probationers and non-violent offenders to alternative programs.⁴ The analysis given by Barry Krisberg indicates that the state is in the process of meeting many of the goals laid down by the *Farrell* consent decree in 2004. However, reduction of recidivism has only seen a modest fall from 56% to 53% between 2004 and 2008, indicating a slower pace of change.⁵

Recommendations

A study by Bert Burraston et al. focused on a program conducted in a western US where 39 participants had the opportunity to receive six weekly cognitive behavioral therapy sessions that lasted 90 minutes accompanied by phone calls twice a day that lasted for one-year period post-therapy.⁶ The therapy culminated in setting some long-term goals. Automated phone calls reinforced the motivation behind developing such a goal and exposed them to pre-recorded messages of encouragement from family and friends. 11 of the 76 study participants

¹ Sanford J. Fox, "Juvenile Justice Reform: An Historical Perspective," *Stanford Law Review* 22, no. 6 (1970): 1192-1196, <https://doi.org/10.2307/1227960>.

² Fox, "Juvenile Justice," 1198.

³ Fox, "Juvenile Justice," 1208-1211. Quote on 1211.

⁴ Barry Krisberg, "Reforming the California Division of Juvenile Justice," *Federal Sentencing Reporter* 25, no. 4 (2013): 281, <https://doi.org/10.1525/fsr.2013.25.4.281>.

⁵ Krisberg, "Reforming the California," 283; *Margeret Farrell v. Mathew Cate*, 27 S.W. (2004). Accessed August 14, 2022. <https://prisonlaw.com/wp-content/uploads/2015/09/OSM27.pdf>.

⁶ Bert O. Burraston, Stephen J. Bahr, and David J. Cherrington, "Reducing Juvenile Delinquency with Automated Cell Phone Calls," *International Journal of Offender Therapy and Comparative Criminology* 58, no. 5 (March 12, 2013): 521, <https://doi.org/10.1177/0306624X13480947>.

choose not to partake in the phone call. 31 participants were in the control group, while 6 left the study midway because they permanently moved out-of-town.⁷

The study discovered that **participants who received *both* the therapy and answered the automated phone calls in high numbers saw a re-arrest rate the year following completion of treatment of 39%, whilst those in the control groups saw a rate of 90%. Regressions indicate a robust correlation between the full realization of the program and a fall in recidivism.** Note that these figures controlled for variables like race, sex, pre-existing motivation levels, etc., to establish such a relationship. Those who only participated in the cognitive therapy witnessed poorer outcomes. The program utilizes the psychological theory that building a new, stronger support system with family & friends helps create change and recognizes that individuals have the rational capacity to foster such change.⁸

A study conducted by Stephen Bahr et al. on the effects of goal setting and cell phone calls produced similar results, further affirming the study by Burraston et al. The study took place in a “intermountain” state with much larger sample size of 256 and also considers arrests that occurred as an adult.⁹ **It found that therapy and automated phone calls have a substantial effect in countering re-arrest for felony acts – for every 100 phone calls, the felony re-arrest was reduced by 36%.**¹⁰

Conclusion

Cognitive behavioural therapy supplemented with phone calls should be adopted widely in California to reduce recidivism and to better meet the guidelines posed by *Farrell*.

⁷ Burraston, Bahr, and Cherrington, "Reducing Juvenile," 526.

⁸ Burraston, Bahr, and Cherrington, "Reducing Juvenile," 531 & 523.

⁹ Stephen J. Bahr, David J. Cherrington, and Lance D. Erickson, "An Evaluation of the Impact of Goal Setting and Cell Phone Calls on Juvenile Rearrests," *International Journal of Offender Therapy and Comparative Criminology* 60, no. 16 (July 28, 2016): 1820-1821, <https://doi.org/10.1177/0306624X15588549>.

¹⁰ Bahr, Cherrington, and Erickson, "An Evaluation," 1824.

Bibliography

- Bahr, Stephen J., David J. Cherrington, and Lance D. Erickson. "An Evaluation of the Impact of Goal Setting and Cell Phone Calls on Juvenile Rearrests." *International Journal of Offender Therapy and Comparative Criminology* 60, no. 16 (July 28, 2016): 1816-35. <https://doi.org/10.1177/0306624X15588549>.
- Burraston, Bert O., Stephen J. Bahr, and David J. Cherrington. "Reducing Juvenile Delinquency with Automated Cell Phone Calls." *International Journal of Offender Therapy and Comparative Criminology* 58, no. 5 (March 12, 2013): 522-36. <https://doi.org/10.1177/0306624X13480947>.
- Fox, Sanford J. "Juvenile Justice Reform: An Historical Perspective." *Stanford Law Review* 22, no. 6 (1970): 1187-239. <https://doi.org/10.2307/1227960>.
- Krisberg, Barry. "Reforming the California Division of Juvenile Justice." *Federal Sentencing Reporter* 25, no. 4 (2013): 281-85. <https://doi.org/10.1525/fsr.2013.25.4.281>.
- Margeret Farrell v. Mathew Cate, 27 S.W. (2004). Accessed August 14, 2022. <https://prisonlaw.com/wp-content/uploads/2015/09/OSM27.pdf>.
