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INTRODUCTION

The primary goal of this book is to offer a synthesis of recent research and policy development on adolescent offenders and to provide state-of-the-art guidance to clinicians who want to conduct disposition and transfer evaluations. In the past decade, a large body of literature has accumulated on the risk assessment of young people. In addition, research pertaining to the treatment amenability of adolescent offenders has expanded. An area that has perhaps seen the greatest growth is that of the *developmental maturity* of adolescents. This line of research was sparked by advocates and scientists concerned with the increasingly harsh treatment of children in the legal system. Scholars publishing in the developmental maturity literature have attempted to show the connections between adolescent (im)maturity and criminal behavior. Some of this research has suggested that because of their immaturity, adolescent offenders may be more prone to, and less culpable for, antisocial behavior than adults (Moffitt, 1993; L. Steinberg & Scott, 2003). Developmental maturity has subsequently been considered in recent

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U.S. Supreme Court rulings and state-level mandates (Bonnie, Johnson, Chemers, & Schuck, 2012; Scott & Steinberg, 2008). Examples include *Roper v. Simmons* (2005), which abolished the death penalty for juveniles; *Graham v. State of Florida* (2010); and *Miller v. State of Alabama* (2012), which held that juveniles cannot be sentenced to life without the possibility of parole for nonhomicide and homicide offenses. (The term *juvenile* generally refers to youth under age 18 years, although legal definitions of the term may vary from state to state.) The wave of change in the manner in which juveniles are treated is also reflected in New York State's movement toward the provision of treatment for young offenders in designated communities rather than in detention centers and residential facilities.

In addition to developmental maturity concerns, recent research has also shown the very high levels of mental health problems and mental disorder in juvenile offenders, especially those in detention (Becker, Kerig, Lim, & Ezechukwu, 2012; Kang, Wood, Eno Louden, & Ricks, 2014; Teplin, Abram, McClelland, Dulcan, & Mericle, 2002; Teplin, Welty, Abram, Dulcan, & Washburn, 2012), underscoring the need for a more developmentally sensitive and psychologically informed approach to the treatment of juveniles. Advancements in the research base for understanding key juvenile concepts, as well as significant changes in policy and law, highlight the pressing need for a book on the very best practice regarding juvenile forensic evaluation and treatment.

It is this confluence of rapid change in research and policy that led to the writing of this monograph. Through science and practical experience, it became increasingly clear to me that five vital factors should be examined in juvenile offenders when conducting disposition and transfer evaluations. These elements include the (a) truthfulness of youth and parent report, (b) youth personality and pathology, (c) risk for dangerous behavior (d) developmental maturity, and (e) treatment amenability. These five broad issues are at the heart of juvenile evaluations because they provide the necessary psychological fuel to write detailed and comprehensive psychological reports for the courts. Because of the high importance of these constructs and what they signify for the developing juvenile, they are covered in considerable detail in this book (*Kent v. United States*, 1966; Rogers, 2008; Salekin & Grimes, 2008).

Although juvenile evaluations are difficult in many respects, this book provides a clear road map for how to conduct them. In these chapters, I demonstrate how tests can be combined to develop a sound psychological battery that will facilitate a better understanding of relevant psycholegal constructs. In the pages that follow, readers will find information on how traditional and structured interviews can facilitate clinical judgment and better guide analysis, report writing, and testimony. Also discussed are various self-report, behavioral rating scales, and even projective tests (e.g., the Thematic

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Apperception Test; H. A. Murray, 1937) and their links to pertinent legal concepts. This volume covers specific forensic assessment tools, such as the Risk–Sophistication–Treatment Inventory (Salekin, 2004), the Structured Assessment of Violence Risk for Youth (Borum, Bartel, & Forth, 2005), and the Youth Level of Service/Case Management Inventory (Hoge, 2005), that can facilitate clinical decision making as it pertains to disposition. Using accurate assessment technology leads to increasingly precise information and clearer clinical formulations. Accurate evaluations will have a favorable net effect on the youngest members of U.S. society as well as young people in other countries by directing them toward adequate treatment programs early in their development while their ability to change still holds so much promise.

This book is divided into 10 chapters. In Chapter 1, I define disposition and transfer evaluations, discuss the juvenile justice system and the legal process, and provide an overview of the different potential placements for young people within the system. Forensic clinicians will learn when they might be called on to conduct juvenile evaluations as well as where such evaluations may occur. In the second chapter, I review juvenile characteristics, political climate, and transfer. I highlight the demographic contours of juvenile offenders as well as underscore the need to be cognizant of the political atmosphere in the United States. Next, in Chapter 3, readers will find a review of the forensic mental health concepts that apply to juvenile offenders and their placement. I address issues related to veracity of children's reporting; personality and pathology; and three key constructs that pertain to juvenile evaluation cases: (a) risk, (b) developmental maturity, and (c) treatment amenability. Chapter 4 concerns the science behind the forensic mental health concepts, and in Chapter 5, I discuss factors concerning preparation for evaluations and general practice guidelines with young offenders. In Chapter 5, I also delineate what will be required from clinicians before mental health professionals can ethically and competently conduct juvenile evaluations. In Chapter 6, I cover data collection methods and specify what information is needed for the evaluation itself and how to comprehensively obtain such information. Given that this material is the needed content for the evaluation, I offer details on how to search for, and uncover, key pieces of psychological information that can lead to the very best clinical decisions. The focus of Chapter 7 is on interpretation and on providing readers with further guidelines for both collecting and interpreting their data.

I offer in Chapter 8 information on report writing and testimony, and I delineate how forensic clinicians can collate the psychological material they obtain from multiple sources into a clear and comprehensive report. This chapter also contains information on how to testify in juvenile and adult courts. Further, the chapter details how psychologists can continue to help to shape policy, improve adolescent forensic evaluations, and provide opportunities

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to rehabilitate young people within the justice system. Chapter 9 covers the topic of treatment and offers new insights into what forensic clinicians can look for in treatment programs in order to make recommendations that facilitate improved youth conduct and well-being. Last, in Chapter 10, I summarize the information covered in the preceding chapters and highlight several new directions for psychological evaluations of young people involved with the legal system.

Over the past 10 years, while conducting workshops on the topic of the assessment and treatment of juvenile offenders, I have become increasingly aware that there existed no one book that specifically provided detailed and focused guidance on disposition and transfer evaluations. This volume is intended to fill that void. The book is designed for use by psychologists, psychiatrists, social workers, and other allied mental health professionals working in the juvenile justice system. It will likely also be of value to upper level undergraduate students wanting to learn about forensic assessment of juveniles for the first time and for graduate students wishing to obtain training in juvenile forensic assessment and treatment. Indeed, many social and behavioral science doctoral programs require a practicum or internship for which it is expected that trainees step out of their offices and conduct live evaluations with young individuals involved with the law.

Although I wrote this book for forensic clinicians at various levels of the profession, it is also meant to be valuable to lawyers, judges, criminologists, and legal scholars who would like an insider's view into the thinking and science behind juvenile psychological evaluations, their interpretation, report writing, and end-point testimony. Such knowledge will likely assist attorneys in the preparation of their cases and will certainly aid juvenile and adult court judges in their construal of psychological reports. In short, this book is intended for those who work with young people within the juvenile justice system and especially for professionals or upcoming professionals who have a keen interest in learning more about forensic clinical practice and who want to promote, wherever possible, the healthy psychological development of young people who have come into contact with the law.