A Developmental Framework for Juvenile Cases

Dr. Marty Beyer
# A Developmental Framework for Juvenile Cases

**Roper/Graham/Miller**

- **Developmental immaturity mirrors brain anatomical immaturity**
  - Frontal lobe—responsible for impulse control, judgment, decision-making—develops slowly until early 20’s.
  - Rely on amygdala, primitive emotion center of brain when adults process similar information through frontal cortex.
  - Prone to risk-taking; it is statistically aberrant to refrain from risk-taking in adolescence.
  - More susceptible to stress, which further distorts already poor socio-emotional analysis.
  - Most adolescent delinquent behavior occurs on a social stage where immediate pressure of peers is the real motive.
  - More vulnerable to peer pressure. Importance of approval makes already risk-averse child even more so.
  - Trauma makes youth hypervigilant in response to threat.
  - Character is not fully formed, and adolescents’ signature qualities—including their susceptibility to peer influence and weaknesses in self-regulation—reflect their incompleteness.
  - Normal adolescents cannot be expected to operate in maturity, judgment, risk aversion or impulse control of an adult, even who has suffered brain trauma, dysfunctional family, abuse or violence cannot operate at standard levels for adolescents.
  - The vast majority of adolescents who engage in delinquent behavior do not do so as they mature.
  - Even the highest risk youth can be rehabilitated effectively.
  - Youth crime participation may be necessary to avoid threat.
  - Adolescents are far less able than adults to assess their course of action and make important legal decisions.

## IMMATURE

- **Immature thinking**
  - Unable to anticipate
  - Unable to see choices
  - Minimizes risk

- **Immature identity**
  - Not successful
  - Unstable self-definition
  - Wants acceptance
  - Can’t function independently

- **Moral reasoning**
  - Fairness fanatic
  - Empathy
  - Fragile moral reasoning

## OFFENSE

- Did not plan: “It happened.” Impulsive
- Had weapon with no plan to use
- No danger in street activities, getting high
- “It’s just talk.” Setting up social interactions
- Sensitive to being picked on. Bullied
- Does not ask for adult help
- Wants to belong even with negative peers
- Needs supervision. Influenced by older kids
- May have been a righting wrong
- Did not realize there would be a victim
- Under stress, can’t use usual moral beliefs
- Can’t walk away, especially when high, even though knows right from wrong

## POLICE QUESTIONING

- “It was a mistake. It was an accident.”
- Can’t look ahead to statement in court
- “Only way to go home is say what they want”
- “Can always take back what I said”
- Can’t see magnitude of situation

## SERVICES

- Must be tailored to each youth’s unique needs, but should include services in a facility or the community
  - Instruction in anticipating consequences
  - Instruction in how to see choices and post-case
  - Instructions in decision-making before acting
  - Learning how to manage stress
  - Being successful at something or opportunities to show it
- Guided process for defining self. Becoming a leader.
- Instruction in how to think without being influenced.
- Improved social skills to be acceptable to positive peers.
- Preparation for work, gain talents and disabilities.
- Developing job skills; support on the job for good decisions.
- Learning positive ways to deal with unfamiliar situations;
- Practicing good moral reasoning under stress;
- Victim empathy awareness.

Specialized instruction to:

- **Processing problems (digesting information)**
  - “Things happened too fast”
  - Poor communication, stories out of order
  - Poor planning, organizing difficulties
  - Couldn’t envision what would happen next
  - Became agitated under stress

- **Executive function deficits**

- **Expressive/receptive language**

- **Impaired sequencing**

- **Difficulty concentrating**

- **TRAUMA (causes delayed development)**

- **Over-reacts to threat**

- **High anxiety**

- **Depressed**

- **Numb feelings with substances**

- **If victim aggressive, responds as if a repeat of past maltreatment (reafferent reaction)**

- **Controlling, reactive to change. Can’t soothe self.**

- **Foul, worthless, self-destructive**

- **Lowered inhibitions, poor judgment if high during offense**

- **Scared of police, especially 2-on-1**

- **Easily pressured by overwhelming evidence**

- **Tearful, exhausted, little eye contact, slow thinking, highly overstimulated**

- **High, coming down during question**

- **Help with family when there is conflict or substance abuse**

• *Amici Curiae* briefs include findings of scientific studies.

• Even older teens are less mature & prone to risky behavior.

• Teen brains are physiologically underdeveloped – impulses, consequences, emotions.
A DEVELOPMENTAL FRAMEWORK FOR JUVENILE CASES

**IMMURITY**
- Ineffective thinking
- Ie to anticipate
- Ie to see choices
- Mires risk

**OFFENSE**
- Did not plan: “it happened.” Impulsive
- Had weapon with no plan to use
- No danger in street activities, getting high
- “It’s just talk.” Setting social balance

**POLICE QUESTIONING**
- “It was a mistake, it was an accident.”
- Can’t look ahead to statement in court
- “Only way to go home is say what they want”
- “Can always take back what I said”
- Can’t see magnitude of situation

**SERVICES**
- Must be referred to each youth’s unique needs but could include services (in a facility or the community)
- Such as instruction in anticipating consequences
- Instruction in how to make choices & pest & cost
- Instruction in decision making/think before acting
- Learning how to manage stress
- Being successful at something & opportunities to show it
- Guided process for defining self: becoming a leader
- Instruction in how to think without being influenced
- Improved social skills to be acceptable to positive peers
- Preparation for work, gain talents and disabilities
- Developing job skills; support on the job for good decisions
- Learning positive ways to deal with sadness
- Practicing good moral reasoning under stress
- Victim empathy awareness
- Specialized instruction to:
  - Improve reading by learning how to decode words
  - Improve comprehension
  - Improve self-talk & communication skills
  - Improve sequencing; seeing cause & effect
  - Practicing comprehending instructions
  - Improve organization; learn how to prioritize
  - Learn how to concentrate & manage distractibility
- Trauma treatment to:
  - Help in writing complete trauma history
  - Use connections between triggers, feelings & actions
  - Learn to respond differently
  - Separate past maltreatment from present provocation
  - Learning not to blame self, stop self-destructive acts
  - Not assume others are hostile; not act like a victim
  - Learning to anticipate less of control & how to manage Learning to soothe self when agitated
  - Learning to soothe self when agitated without substance
  - Positive view of self in future
  - Help with family where there is conflict or substance abuse

**DISABILITIES**
- Processing problems (digesting information)
- Expressive/receptive language
- Executive function deficits
- Impaired sequencing
- Difficulty concentrating

**TRAVMA (causes delayed development)**
- Over-reacts to threat
- High anxiety
- Depressed
- Numba feelings with substance

- Can’t comprehend others’ intentions
- “Things happened too fast”
- Poor communication, stories out of order
- Poor planner: organizing difficulties
- Couldn’t envision what would happen next
- Became agitated under stress
- Scared of police, especially 2-on-1
- Easily pressured by overwhelming evidence
- Fearful, exhausted, little eye contact; slow thinking, gives in easily, overwhelmed
- High, coming down during questioning

**DEVELOPMENT**
- Developmentally delayed
- Developmentally slow
- Difficulties with understanding
- Developmental delay
- Ie to function independently
- Ie to social acceptance
- Ie to self-definition
- Ie to social awareness

**RESPONSE TO THREAT**
- Character is not fully formed, and adolescents’ signature qualities—excluding their susceptibility to peer influence and weaknesses in self-reflection—reflect their incomplete identity.
- Normal adolescents cannot be expected to operate at maturity, judgment, risk perception or impulse control of an adult, teen who has suffered brain trauma, dysregulatory family, abuse or violence cannot operate at standard levels for adolescents.
- The vast majority of adolescents who engage in delinquent behavior desert from home as they mature.
- Even the highest risk youths can be rehabilitated effectively.
- Youth crime participation may be necessary to avoid threat.
- Adolescents are far less able than adults to resist their course or make important legal decisions.
A DEVELOPMENTAL FRAMEWORK FOR JUVENILE CASES

DEVELOPMENT

IMMATURE

- Immature thinking
  - Unable to anticipate
  - Unable to see choices
  - Minimizes risk

- Immature identity
  - Not successful
  - Unstable self-definition
  - Wants acceptance
  - Can’t function independently

MORAL DEVELOPMENT

- Fairness fanatic
- Empathy
- Fragile moral reasoning

DISABILITIES

- Processing problems (digesting information)
- Expressive/receptive language
- Executive function deficits
- Impaired sequencing
- Difficulty concentrating

TRAUMA (causes delayed development)

- Over-reacts to threat
- High anxiety
- Depressed
- Numbs feelings with substances

OFFENSE

Immature thinking: Did not plan; “it happened.” Impulsive, had weapons with no plans.
No danger in street activities, getting high.

“ itr’s just talk.” Setting/social milieu/harmless.

“only to go home is say what they want.”

POLICE QUESTIONING

“it was a mistake, it was an accident.”
“Can’t look ahead to statement in court.”

“Only to go home is say what they want.”

SERVICES

Must be made to honor the legal needs but could include services (in a facility or the community) such as:

- Instruction in anticipating consequences
- Instruction in how to see choices (pros & cons)
- Instruction in decision-making: think before acting
- Leaning how to manage stress
- Being successful at something & opportunities to show off
- Guided process for defining self becoming a leader
- Instruction in how to think without being influenced
- Improved social skills to be acceptable to positive peers
- Preparation for work, given talents and disabilities
- Developing job skills; support on the job for good decisions
- Learning positive ways to deal with unfairness
- Practicing good moral reasoning under stress
- Victim empathy awareness

Specialized instruction to:

- Improve reading by learning how to decode words
- Improve comprehension
- Improve self-talk & communication skills
- Improve sequencing; seeing cause & effect
- Practicing comprehension instructions
- Improve organization; learn how to prioritize
- Learn how to concentrate & manage distractibility

- Trauma treatment:
- Help in writing complete trauma history
- See connections between triggers, feelings, actions & learn to respond differently
- Separate past maltreatment from present provocations
- Learning not to blame self, stop self-destructive acts
- Not assume others are hostile, not act like a victim
- Learning to anticipate loss of control & how to manage Learning to soothe self when agitated without substances Positive view of self in future
- Help with family where there is conflict or substance abuse
## A DEVELOPMENTAL FRAMEWORK FOR JUVENILE CASES

<table>
<thead>
<tr>
<th>DEVELOPMENT</th>
<th>OFFENSE</th>
<th>POLICE QUESTIONING</th>
<th>SERVICES</th>
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<tbody>
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<td><strong>IMMATURE</strong></td>
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<td>Had weapon with no plan to use</td>
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<td>Minimizes risk</td>
<td>No danger in street activities, getting high</td>
<td>Only way to go home is say they want</td>
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<td>“It’s just talk.”</td>
<td>Can always take back what I said</td>
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<td>Immature identity</td>
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<td>Can’t see magnitudes of situation</td>
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<td>Not successful</td>
<td>Sensitive to being picked on. Bullied</td>
<td>Self-conscious about being “slow”</td>
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<tr>
<td>Unstated self-definition</td>
<td>Does not ask for adult help</td>
<td>Unsure of self, felt called a liar</td>
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<td>Wants acceptance</td>
<td>Wants to belong even with negative peers</td>
<td>Compliant, does what is asked</td>
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<tr>
<td>Can’t function independently</td>
<td>Needs supervision influenced by older child</td>
<td>Not really trust police, taught to tell truth</td>
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<td><strong>MORAL DEVELOPMENT</strong></td>
<td>May have been righting a wrong</td>
<td>Can’t believe police would manipulate, lie</td>
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<td>Fairness fanatic</td>
<td>Did not realize there would be a victim</td>
<td>Snitching “morally wrong”</td>
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<td>Empathy</td>
<td>Under stress can’t use moral beliefs</td>
<td>Does not understand right in shoot about offense, shame</td>
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<td>Fragile moral reasoning</td>
<td>Can’t walk away, especially when high, even though knows right from wrong</td>
<td>Believes police will help</td>
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<td><strong>DISABILITIES</strong></td>
<td>Can’t comprehend others’ intentions</td>
<td>Doesn’t comprehend meaning of Miranda</td>
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<td>Processing problems (digesting information)</td>
<td>“Things happened too fast”</td>
<td>Can’t follow questions doesn’t ask</td>
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<td>Expressive/receptive language</td>
<td>Poor communication, stories out of order</td>
<td>Difficulty explaining self-centered narrative</td>
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<td>Executive function deficits</td>
<td>Poor planner, organizing difficulties</td>
<td>Focuses on getting it over with</td>
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<td>Impaired sequencing</td>
<td>Couldn’t envision what would happen next</td>
<td>Thinking compromised by lack of sleep, cold, hunger, other conditions</td>
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<tr>
<td>Difficulty concentrating</td>
<td>Became agitated under stress</td>
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**TRAUMA (causes delayed development)**

- Over-reacts to threat
- High anxiety
- Depressed
- Numbs feelings with substances

If victim aggressive, responds as if a repeat of past maltreatment (reflex reaction). Controlling, Beets to change. Can’t trust self. Fools worthless, self-destructive. Lowered inhibitions, poor judgment if high during offense.

Scared of police, especially 2-on-1. Easily pressured by overwhelming evidence. Tearful, exhausted, little eye contact, slow thinking; given in easily, overwhelmed. High, coming down during questioning.

**ROPER/GRAHAM/MILLER**

- Behavioral immaturity primes brain anatomical immaturity
- Frontal lobe—responsible for impulse control, judgment, decision-making—develops slowly until early 20s.
- Rely on amygdala, primitive emotion center of brain when adults process similar information through frontal cortex.
- Prone to risk-taking; it is statistically aberrant to refrain from risk-taking in adolescence.
- More susceptible to stress, which further disturbs already poor cost-benefit analysis.
- Most adolescent delinquent behavior occurs on a social stage where immediate pressure of peers is the real motivator
- More vulnerable to peer pressure. Importance of approval makes already risk-prone impulsive even more so
- Trauma makes youth hyper vigilant in response to threat
- Character is not fully formed, and adolescents’ signature qualities—including their susceptibility to peer influence and weaknesses in self-regulation—reflect their incomplete identity
- Normal adolescents cannot be expected to operate at maturity, judgment, risk perception or impulse control of an adult, teen who has suffered brain trauma, dysfunctional family, abuse or violence cannot operate at standard levels for adolescents
- The vast majority of adolescents who engage in deviant behavior do not from crime as they mature
- Even the highest risk youths can be rehabilitated effectively
- Youth crime participation may be necessary to assist threat
- Adolescents are far less able than adults to assess their counsel or make important legal decisions

**SERVICES**

- Must be tailored to each youth’s unique needs but could include services in a facility or the community such as:
  - Instruction in anticipating consequences
  - Instruction in how to see choices & pros & cons
  - Instruction in decision-making: think before acting
  - Learning how to manage stress
  - Being successful at something & opportunities to show it
  - Guided process for defining self becoming a leader
  - Instruction in how to think without being influenced
  - Improved social skills to be acceptable to positive peers
  - Preparation for work, given talents and disabilities
  - Developing job skills; support on the job for good decisions
  - Learning positive ways to deal with unfairness
  - Practicing good moral reasoning under stress
  - Victim empathy awareness

**SPECIALIZED INSTRUCTION TO:**

- Improve reading by learning how to decode words
- Improve comprehension
- Improve self-talk & communication skills
- Improve sequencing: seeing cause & effect
- Practicing comprehending instructions
- Improve organization, learn how to prioritize
- Learn how to concentrate & manage distractibility

**Trauma treatment to:**

- Help in writing complete trauma history
- See connections between triggers, feelings, & actions & learn to respond differently
- Separate part maltreatment from present provocation
- Learning not to blame self, stop self-destructive acts
- Not assume others are hostile, act like a victim
- Learning to anticipate loss of control & how to manage learning to soothe self when agitated without substance: Positive view of self in future
- Help with family where there is conflict or substance abuse
Immaturity

**Immature Thinking**
- Unable to Anticipate
- Unable to See Choices
- Minimizes Risk

**Immature Identity**
- Not Successful
- Unstable Self-Definition
- Wants Acceptance
- Can’t Function Independently

**Moral Development**
- Fairness Fanatic
- Empathy
- Fragile Moral Reasoning
Immature Thinking

• Unable to Anticipate
• Unable to See Choices
• Minimizes Risk

Offenses:
• “It happened”
• Impulsive
• Weapon with no plan to use
• Street activities
• “It’s just talk”
Immature Thinking

- Unable to Anticipate
- Unable to See Choices
- Minimizes Risk

Police Questioning:
- “It was a mistake/accident”
- Can’t envision statement being used in court
- Say what police want so they can go home
- Assume they can “take it back”
- Don’t see magnitude of situation
Immature Identity

- Not Successful
- Unstable Self-Definition
- Wants Acceptance
- Can’t Function Independently

Offenses:
- Sensitive to being picked on or bullied
- Doesn’t ask adults for help
- Wants to belong, easily influenced
- Needs supervision
Immature Identity

- Not Successful
- Unstable Self-Definition
- Wants Acceptance
- Can’t Function Independently

Police Questioning:
- Self-conscious about being “slow”
- Unsure of self
- Hurt if called a liar
- Compliant
- Naively trusts police
Moral Development

- Fairness Fanatic
- Empathy
- Fragile Moral Reasoning

Offenses:
- May have been righting a wrong
- Didn’t realize there would be a victim
- Under stress
- Can’t walk away
Moral Development

- Fairness Fanatic
- Empathy
- Fragile Moral Reasoning

Police Questioning:
- Can’t believe police would manipulate
- Snitching = morally wrong
- Does not understand rights
- In shock about offense; shame
- Believes police will help
Disabilities

- Processing problems
- Expressive & receptive language
- Executive function deficits
- Impaired sequencing
- Difficulty concentrating
Disabilities

- Processing problems
- Expressive & receptive language
- Executive function deficits
- Impaired sequencing
- Difficulty concentrating

Offenses:
- Can’t comprehend others’ intentions
- “Things happened too fast”
- Stories out of order, organizing difficulties
- Couldn’t envision consequences
- Became agitated under stress
Disabilities

- Processing problems
- Expressive & receptive language
- Executive function deficits
- Impaired sequencing
- Difficulty concentrating

Police Questioning:
- Can’t comprehend Miranda
- Can’t follow questions, doesn’t ask for clarification
- Difficulty explaining self; confused narrative
- Focuses on getting it over
- Thinking is compromised by lack of sleep, cold and hunger
# A DEVELOPMENTAL FRAMEWORK FOR JUVENILE CASES

## DISABILITIES
- **Processing problems** (digesting information)
  - Can't comprehend others' intentions
  - "Things happened too fast"
  - Poor communication. Stories out of order.
  - Poor planner: organizing difficulties
  - Couldn't envision what would happen next
  - Became agitated under stress

- **Expressive/receptive language**
  - Doesn't comprehend meaning of Miranda
  - Can't follow questions-doesn't ask
  - Difficulty explaining self, confused narrative
  - Focuses on getting it over with
  - Thinking compromised by lack of sleep, cold, hunger, other conditions

- **Executive function deficits**
  - TRAUMA (causes delayed development)
  - Over-reacts to threat
  - High anxiety
  - Depressed
  - Numbs feelings with substances
  - If victim aggressive, responds as if a repeat of past maltreatment (ripple reaction)
  - Controlling. Reacts to change. Can't involve self.
  - Feels worthless - self-destructive
  - Lowered inhibitions, poor judgment if high during offense
  - Scared of police, especially 2- on 1
  - Easily pressurized by overwhelming evidence
  - Tense, exhausted, little eye contact, slow thinking, given in easily, overwhelmed

- **Impaired sequencing**
  - Trauma procedures: Given the need to perform tasks sequentially

- **Difficulty concentrating**
  - Trauma procedures: Given the need to perform tasks sequentially

## IMMATURE
- **Immature thinking**
  - Doesn't plan: "it happened." Impulsive
  - Had weapon with no plan to use
  - No danger in street activities, getting high
  - "It's just talk." Sexually/mentally harmless

- **Immature identity**
  - Not successful
  - Unstable self-definition
  - Wants acceptance:
  - Can't function independently

## DEVELOPMENT
- **Behavioral immaturity**
  - Prematurity:
  - Frontal lobe—responsible for impulse control, judgment, decision-making—develops slowly until early 20's

- **Relay on amygdala, primitive emotion center of brain when adults process similar information through frontal cortex

- **Prone to risk-taking; it is statistically aberrant to refrain from risk-taking in adolescence

- **More susceptible to stress, which further distorts already poor cost-benefit analysis

## OFFENSE
- **Immature thinking**
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- **Immature identity**
  - Not successful
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  - Wants acceptance:
  - Can't function independently

## POLICE QUESTIONING
- **Immature thinking**
  - "It was a mistake; it was an accident"
  - Can't look ahead to statement in court
  - Only way to go home is say what they want
  - "Can always take back what I said"

- **Immature identity**
  - Self-conscious about being "slow"
  - Unsure of self, hurt if called a liar
  - Complains: does what is asked
  - Naturally trusts police, taught to tell truth

## SERVICES
- **Guided process for defining self, becoming a leader**
  - Instruction in anticipating consequences
  - Instruction in how to see choices & pros & cons
  - Instruction in decision-making: think before acting
  - Losing how to manage stress
  - Being successful at something & opportunities to show it
  - Preparation for work, given talents and disabilities
  - Developing job skills, amount on the job for real

- **Must be tailored to each youth's unique needs, but could include services in a facility or the community**
  - Such as:
  - Instruction in anticipating consequences
  - Instruction in how to see choices & pros & cons
  - Instruction in decision-making: think before acting
  - Losing how to manage stress
  - Being successful at something & opportunities to show it
  - Preparation for work, given talents and disabilities
  - Developing job skills, amount on the job for real
Trauma

• Over-reacts to a perceived threat
• High anxiety
• Depressed
• Numbs feelings with substances
Trauma

• Over-reacts to a perceived threat
• High anxiety
• Depressed
• Numbs feelings with substances

Offenses:
• If victim aggressive, responds as if a repeat of past maltreatment
• Controlling, reacts to change
• Can’t soothe self
• Feels worthless, self-destructive
• Lowered inhibitions
Police Questioning:
• Scared of police, esp. 2-on-1
• Easily pressured by overwhelming evidence
• Tearful, exhausted, little eye contact, slow thinking, gives in easily
• High, coming down during questioning

Trauma

• Over-reacts to a perceived threat
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<td>• Can’t look ahead to statement in court</td>
<td>• Instruction in anticipating consequences</td>
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<td>• Unable to see choices</td>
<td>• No danger in street activities, getting high</td>
<td>• “Only way to go home is say what they want”</td>
<td>• Instruction in how to see choices &amp; pros &amp; cons</td>
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<td>• Minimizes risk</td>
<td>• “It’s just talk.” Sexting/social media</td>
<td>• “Can always take back what I said”</td>
<td>• Instruction in decision-making/stance before acting</td>
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<td>• Immature identity</td>
<td>• Sensitive to being picked on</td>
<td>• Can’t see magnitude of situation</td>
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<td>• Being successful at something &amp; opportunities to show it</td>
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<td>• Unstable self-definition</td>
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<td>• Wants acceptance</td>
<td>• Wants to belong with negative peers</td>
<td>• Complain, does what he is asked</td>
<td>• Instruction in how to think without being influenced</td>
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<td>• Can’t function independently</td>
<td>• Needs supervision influenced by older child</td>
<td>• Naively trusts police, taught to tell truth</td>
<td>• Improved social skills to be acceptable to positive peers</td>
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## Developmental Framework - Immaturity

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<td>• Mental development</td>
<td>• May have been righting a wrong</td>
<td>• Can’t believe police would manipulate, lie</td>
<td>• Preparation for work, doing tasks, and responsibilities</td>
</tr>
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<td>• Fairness and empathy</td>
<td>• Did not realize there would be a victim</td>
<td>• Switching—wrong is right</td>
<td>• Developing job skills, support on the job for good decisions</td>
</tr>
<tr>
<td>• Fragile moral reasoning</td>
<td>• Under stress can’t use usual moral beliefs</td>
<td>• Does not understand right</td>
<td>• Learning positive ways to deal with unfairness</td>
</tr>
<tr>
<td>• Can’t walk away, especially when high, even though knows right from wrong</td>
<td></td>
<td></td>
<td>• Practicing good moral reasoning under stress</td>
</tr>
</tbody>
</table>

## Developmental Framework - Disabilities

<table>
<thead>
<tr>
<th>Disabilities</th>
<th>Offense</th>
<th>Police Questioning</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Processing problems/digesting</td>
<td>• Can’t comprehend others’ intentions</td>
<td>• Doesn’t comprehend meaning of Miranda</td>
<td>• Victim empathy awareness</td>
</tr>
<tr>
<td>• Expressive/receptive language</td>
<td>• “Things happened too fast”</td>
<td>• Can’t follow questions—doesn’t ask</td>
<td>• Specialized instruction to:</td>
</tr>
<tr>
<td>• Executive function deficits</td>
<td>• Poor communication, stories out of order</td>
<td>• Difficulty explaining self-consulted narrative</td>
<td>• Improve reading by learning how to decode words</td>
</tr>
<tr>
<td>• Impaired sequencing</td>
<td>• Poor planner, organizing difficulties</td>
<td>• Focuses on getting it over with</td>
<td>• Improve comprehension</td>
</tr>
<tr>
<td>• Can’t envision what would happen next</td>
<td></td>
<td></td>
<td>• Improve self-talk &amp; communication skills</td>
</tr>
</tbody>
</table>

## Trauma (causes delayed development)

<table>
<thead>
<tr>
<th>Trauma</th>
<th>Offense</th>
<th>Police Questioning</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Over-reacts to threat</td>
<td>• If victim aggressive, responds as if a repeat of past maltreatment (reflex reaction)</td>
<td>• Scared of police, especially 2-on-1</td>
<td>• Name history, triggers, &amp; actions; shy from present provocations</td>
</tr>
<tr>
<td>• High anxiety</td>
<td>• Controlling, Reacts to change, Can’t soothe self</td>
<td>• Tired, exhausted, little eye contact slow thinking; gives in easily, overwhelmed</td>
<td>• Stop self-destructive acts</td>
</tr>
<tr>
<td>• Depressed</td>
<td>• Feels worthless, self-destructive</td>
<td>• High, coming down during questioning</td>
<td>• Be not act like a victim</td>
</tr>
<tr>
<td>• Numbs feelings with substances</td>
<td>• Lowered inhibitions, poor judgment if high during offense</td>
<td></td>
<td>• How to if aggressed</td>
</tr>
</tbody>
</table>
| | | | • If conflict or
## A DEVELOPMENTAL FRAMEWORK FOR JUVENILE CASES

### DEVELOPMENT

- **Immaturity**
  - Immature thinking
  - Unable to anticipate
  - Unable to see choices
  - Minimizes risk
  - Immature identity
  - Not successful
  - Unstable self-definition
  - Can’t function independently

- **Moral development**
  - Fairness fanatic
  - Empathy
  - Frail moral reasoning

- **Disabilities**
  - Processing problems (digesting information)
  - Expressive/receptive language
  - Executive function deficits
  - Difficulty concentrating

- **Trauma** (causes delayed development)
  - Over-reacts to threat
  - High anxiety
  - Depressed
  - Numbs feelings with substances

### OFFENSE

- Did not plan: “It happened.” Impulsive
- Had weapon with no plan to use
- No danger in street activities, getting high
- It’s just talk. Sex/international relations/harmless
- Sensitive to being picked on. Bullied
- Does not ask for adult help
- Wants to belong even with negative peers
- Needs supervision influenced by older offset
- May have been righting a wrong
- Did not realize there would be a victim
- Under stress, can use normal rational thinking
- Can’t walk away, especially when high
- Even though knows right from wrong

### POLICE QUESTIONING

- “It was a mistake. It was an accident.”
- Can’t look ahead to statement in court
- Only way to go home is say what they want
- “I can’t talk back what I said.”
- Can’t see magnitude of situation
- Self-conscious about being “slow.”
- Unclear of self, but it called a far
- Complain, does what is asked
- Navy building, police, taught to tell truth
- Can’t believe would manipulate, lie
- Switching mentally wrong
- Doesn’t understand right
- In shock about offense, shame
- Believes police will help

### SERVICES

- Must be told to each youth’s unique needs but could include services in a facility or the community
- Such as
  - Instruction in anticipating consequences
  - Instruction in how to see choices in peer & social settings
  - Instruction in decision-making: think before acting
  - Learning how to manage stress
  - Being successful at something: opportunities to show off
  - Guided process for defining self, becoming a leader
  - Instruction in how to think without being influenced
  - Improved social skills to be acceptable to positive peers
  - Preparation for work, given talents and disabilities
  - Developing job skills: support on the job for good decisions
  - Learning positive ways to deal with unfairness
  - Practicing good moral reasoning under stress
  - Victim empathy awareness

Specialized instruction to:
- Improve reading by learning how to decode words
- Improve comprehension
- Improve self-talk & communication skills
- Improve sequencing, seeing cause & effect
- Practicing comprehension instructions
- Improve organization; learn how to prioritize
- Learn how to concentrate & manage distractibility

Trauma treatment to:
- Help in writing complete trauma history
- Use connections between triggers, feelings, & actions & learn to respond differently
- Separate past maltreatment from present provocations
- Learning not to blame self, stop self-destructive acts

- Not assume others are hostile, not act like a victim
- Learning to anticipate loss of control & how to manage learning to soothe self when agitated without substances / Positive view of self in future
- Help with family where there is comfort or substance abuse
Services

• Craft unique service combinations for individualized needs.
• Outside-of-the-box thinking: Identify services that may not be commonly used for treatment purposes.
• Team input.
Example Cases
Sofia – 16 – Decline Hearing - Assault

• Sexually abused, CPS, foster homes.
• Pre-adoptive home 2 years.
• Residential treatment #1: marijuana, school performance, home behaviors.
• Hospitalized for suicide attempt.
• Group home, raped.
• Residential treatment #2: pushed staff who was restraining her.
# A Developmental Framework for Juvenile Cases

## Roper/Graham/Miller

### Development

<table>
<thead>
<tr>
<th>Immaturity</th>
<th>Offense</th>
<th>Police Questioning</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Behavioral immaturity primes brain anatomo-maturity</td>
<td>- Did not plan: &quot;it happened.&quot; Impulsive</td>
<td>- &quot;It was a mistake, it was an accident.&quot; Can't look ahead to statement in court</td>
<td>- Must be tailored to each youth's unique needs but could include services (in a facility or the community) such as:</td>
</tr>
<tr>
<td>- Frontal lobe—responsible for impulse control, judgment, decision-making, develops last until early 20s.</td>
<td>- Had weapon with no plan to use</td>
<td>- Only way to go home is say what they want.</td>
<td>- Instruction in anticipating consequences</td>
</tr>
<tr>
<td>- Rely on amygdala, primitive emotion center of brain when adults process similar information through frontal cortex.</td>
<td>- No danger in street activities, getting high</td>
<td>- Can always talk back what I said</td>
<td>- Instruction in decision-making: think before acting</td>
</tr>
<tr>
<td>- Proneto risk-taking, it is statistically difficult to keep from taking risks.</td>
<td>- &quot;It's just talk.&quot; Setting/social milieu/harmless</td>
<td>- Can't see magnitude of situation</td>
<td>- Learning how to manage stress</td>
</tr>
<tr>
<td>- More susceptible to stress, which further distorts already poor cost-benefit analysis</td>
<td>- Immature identity: - Not successful</td>
<td>- Self-conscious about being &quot;slow&quot;</td>
<td>- Being successful at something &amp; opportunities to show off.</td>
</tr>
<tr>
<td>- Most adolescent delinquent behavior occurs on a social stage where immediate pressure of peers is the real motivator</td>
<td>- Unstable self-definition</td>
<td>- Unsure of self, hurt if called a liar</td>
<td>- Guided process for defining self, becoming a leader. Instruction in how to think without being influenced</td>
</tr>
<tr>
<td>- More vulnerable to peer pressure - Importance of approval makes already risk-prone impulsive even more so.</td>
<td>- Does not ask for adult help</td>
<td>- Wants to belong with negative peers</td>
<td>- Improved social skills to be acceptable to positive peers</td>
</tr>
<tr>
<td>- Trauma makes youth hyper-vigilant in response to threat</td>
<td>- Needs supervision, Inflamed by older conflict</td>
<td>- Can't believe police would manipulate, lie</td>
<td>- Preparation for work, given talents and disabilities</td>
</tr>
<tr>
<td>- Character is not fully formed, and adolescents' signature qualities—including their susceptibility to peer influence and enervation in self-regulation—reflect their incomplete identity</td>
<td>- May have been righting a wrong</td>
<td>- Switching wrongly, wrong</td>
<td>- Developing job skills; support on the job for good decisions</td>
</tr>
<tr>
<td>- Normal adolescents cannot be expected to operate with maturity, judgment, risk, or impulse control of an adult, even when substance abuse or alcohol use have led to an out-of-control reaction.</td>
<td>- Did not realize there would be a victim</td>
<td>- Does not understand rights</td>
<td>- Learning positive ways to deal with unfairness</td>
</tr>
<tr>
<td>- Despite known right from wrong</td>
<td>- Under stress, can't use usual moral beliefs</td>
<td>- In shock about offense, shame</td>
<td>- Practicing good moral reasoning under stress</td>
</tr>
<tr>
<td>- Trauma makes youth hyper-vigilant in response to threat</td>
<td>- Can't walk away, especially when high, even though known right from wrong</td>
<td>- Believes police will help</td>
<td>- Victim empathy awareness</td>
</tr>
<tr>
<td>- Character is not fully formed, and adolescents' signature qualities—including their susceptibility to peer influence and enervation in self-regulation—reflect their incomplete identity</td>
<td>- Can't comprehend others' intentions</td>
<td>- Doesn't comprehend meaning of Miranda</td>
<td>- Specialized instruction to:</td>
</tr>
<tr>
<td>- Normal adolescents cannot be expected to operate with maturity, judgment, risk, or impulse control of an adult, even when substance abuse or alcohol use have led to an out-of-control reaction.</td>
<td>- &quot;Things happened too fast.&quot; Poor communication. Stories out of order.</td>
<td>- Can't follow questions doesn't ask</td>
<td>- Improve reading by learning how to decode words</td>
</tr>
<tr>
<td>- Despite known right from wrong</td>
<td>- Poor planning; organizational difficulties</td>
<td>- Difficulty explaining self-centered narrative</td>
<td>- Improve comprehension</td>
</tr>
<tr>
<td>- Can't comprehend others' intentions</td>
<td>- Couldn't envision what would happen next</td>
<td>- Focuses on getting it over with</td>
<td>- Improve self-talk &amp; communication skills</td>
</tr>
<tr>
<td>- Trauma makes youth hyper-vigilant in response to threat</td>
<td>- Becomes agitated under stress</td>
<td>- Thinking compromised by lack of sleep, cold, hunger, other conditions</td>
<td>- Improve sequencing, seeing cause &amp; effect</td>
</tr>
<tr>
<td>- Character is not fully formed, and adolescents' signature qualities—including their susceptibility to peer influence and enervation in self-regulation—reflect their incomplete identity</td>
<td>- Overreacts to stress</td>
<td>- Separately part way from present provocations</td>
<td>- Practicing comprehension instructions</td>
</tr>
<tr>
<td>- Normal adolescents cannot be expected to operate with maturity, judgment, risk, or impulse control of an adult, even when substance abuse or alcohol use have led to an out-of-control reaction.</td>
<td>- High anxiety</td>
<td>- Separately part way from present provocations</td>
<td>- Improve organization; learn how to prioritize</td>
</tr>
<tr>
<td>- Despite known right from wrong</td>
<td>- Depressed</td>
<td>- Learning not to blame self, stop self-destructive acts</td>
<td>- Learn how to concentrate &amp; manage distractibility</td>
</tr>
<tr>
<td>- Trauma makes youth hyper-vigilant in response to threat</td>
<td>- Numbs feelings with substances</td>
<td>- Don't assume others are hostile, not act like a victim.</td>
<td>- Trauma treatment to:</td>
</tr>
<tr>
<td>- Character is not fully formed, and adolescents' signature qualities—including their susceptibility to peer influence and enervation in self-regulation—reflect their incomplete identity</td>
<td>- If victim aggressive, responds as if a repeat of past maltreatment. (false reaction) Controlling. Reacts to change. Can't tolerate self. Fools worthless, self-destructive Lowered inhibitions, poor judgment if high during offense</td>
<td>- Scared of police, especially 2-on-1</td>
<td>- Help in writing complete trauma history</td>
</tr>
<tr>
<td>- Normal adolescents cannot be expected to operate with maturity, judgment, risk, or impulse control of an adult, even when substance abuse or alcohol use have led to an out-of-control reaction.</td>
<td>- Easily pressured by overwhelming evidence Tense, exhausted, little eye contact, slow thinking, gives in easily, overwhelmed</td>
<td>- See connections between triggers, feelings, actions, &amp; learn to respond differently</td>
<td></td>
</tr>
<tr>
<td>- Despite known right from wrong</td>
<td></td>
<td>- Help in writing complete trauma history</td>
<td>- Separate part way from present provocations</td>
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<td>- Character is not fully formed, and adolescents' signature qualities—including their susceptibility to peer influence and enervation in self-regulation—reflect their incomplete identity</td>
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<td>- Don't assume others are hostile, not act like a victim. Learning to anticipate loss of control &amp; how to manage Learning to soothe self when agitated without substances Positive view of self in future</td>
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<tr>
<td>- Normal adolescents cannot be expected to operate with maturity, judgment, risk, or impulse control of an adult, even when substance abuse or alcohol use have led to an out-of-control reaction.</td>
<td></td>
<td></td>
<td>- Help with family where there is conflict or substance abuse</td>
</tr>
</tbody>
</table>

### Disabilities

<table>
<thead>
<tr>
<th>Processing problems (distorting information)</th>
<th>Executive function deficits</th>
<th>Impaired sequencing</th>
<th>Difficulty concentrating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Can't comprehend others' intentions</td>
<td>Poor planning; organizational difficulties</td>
<td>Couldnt envision what would happen next</td>
<td>Becomes agitated under stress</td>
</tr>
</tbody>
</table>

### Trauma (caused delayed development)

- Overreacts to stress
- High anxiety
- Depressed
- Numbs feelings with substances

### Services

Must be tailored to each youth's unique needs but could include services (in a facility or the community) such as:
- Instruction in anticipating consequences
- Instruction in decision-making: think before acting
- Learning how to manage stress
- Being successful at something & opportunities to show off
- Guided process for defining self, becoming a leader. Instruction in how to think without being influenced
- Improved social skills to be acceptable to positive peers
- Preparation for work, given talents and disabilities
- Developing job skills; support on the job for good decisions
- Learning positive ways to deal with unfairness
- Practicing good moral reasoning under stress
- Victim empathy awareness

### Specialized instruction to:

- Improve reading by learning how to decode words
- Improve comprehension
- Improve self-talk & communication skills
- Improve sequencing, seeing cause & effect
- Practicing comprehension instructions
- Improve organization; learn how to prioritize
- Learn how to concentrate & manage distractibility
Sofia – Services

1. Trauma treatment: learn to calm herself, respond to triggers, develop trusting relationships.
2. Support for positive identity – excel at something.
3. Develop skills for evaluating options and communicating reasonably.
• Raised by grandmother, mother incarcerated, dad = little contact.
• Public housing, high crime neighborhood, gang activity.
• Special education, struggles with reading.
• Boys and Girls Club, good athlete.
• Neighborhood friends offered ride home.
# A Developmental Framework for Juvenile Cases

## Development

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
</tr>
</thead>
</table>
| Immaturity | - Immature thinking  
- Unstable behavior  
- Risk-taking  
- Immature judgment  
- Difficult concentrating  
- Executive function deficiencies  
- Expressive/receptive language  
- Processing problems  |

## Offense

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
</tr>
</thead>
</table>
| Delinquent behavior  
- Illegal acts  
- Impulsive  
- Poor impulse control  
- Impaired judgment  
- High anxiety  
- Depressed  
- Numb feelings with substances  
- Sexual misconduct  |

## Police Questioning

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
</tr>
</thead>
</table>
| "It was a mistake, it was an accident."  
- Can't look ahead of statement in court  
- "Only way to go is home is say what they want."  
- "Can't always take back what I said."  
- Can't see magnitude of situation  
- Self-conscious about being "slow"  
- Unsure of self, if hurt, called a liar  
- Compliant, what's asked is asked  
- Nervous, feels like police are not to be trusted  |

## Services

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
</tr>
</thead>
</table>
| Must be tailored to each youth's unique needs  
- Must include services (in a facility or the community) such as  
- Instruction in anticipating consequences  
- Instruction in how to see choices (e.g., pros & cons)  
- Instruction in decision-making (think before acting)  
- Learning how to manage stress  
- Being successful without something else  
- Opportunity to show off  
- Guided process for defining self  
- Becoming a leader  
- Instruction in thinking without being influenced  
- Improved social skills  
- Be acceptable to positive peers  
- Preparation for work  
- Given talents and disabilities  
- Developing job skills  
- Support on the job for good decisions  
- Learning positive ways to deal with unfairness  
- Practicing good moral reasoning under stress  |

## Disabilities

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
</tr>
</thead>
</table>
| Processing problems  
- Digesting information  
- Expressive/receptive language  
- Executive function deficits  
- Impaired sequencing  |

## Trauma

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
</tr>
</thead>
</table>
| Developmental trauma  
- Overwhelmed to change  
- High anxiety  
- Depressed  
- Numb feelings with substances  
- If victim aggressive, responds as if a repeat of past maltreatment (defensive reaction)  
- Controlling, Resists to change  
- Can't relate self  
- Feels worthless, self-destructive  |

## Other resources

- Scared of police, especially 2-o-1
- Easily pressured by overwhelming evidence
- Tearful, exhausted, little eye contact, low thinking given, in easily overwhelmed
- High coming down during questioning

## Supportive resources

- Help with family where there is conflict or substance abuse
Markel – Services

1. Individual & group instruction on peer pressure.
2. Adult supervision and support for his grandmother.
4. Special education.
5. Trauma-responsive counseling.
Questions?
References

• National Child Traumatic Stress Network
• Pew Research Center, Teens, Social Media and Technology Overview, 2015.
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