Toward a Tailored Model of Youth Justice: A Qualitative Analysis of the Factors Associated with Successful Placement in a Community-Integrated Facility

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Abstract
Community-integrated facilities provide security and care for justice-involved youth, minimizing risks, while allowing youth to build on protective factors within their community. Literature on the specific factors that determine appropriate placement in a community-integrated facility, versus a more restrictive high-security setting, is scarce. Current screening and assessment tools for youth are mostly applied after placement and mainly focus on the reoffending risk. The current paper explored which youth, who would previously have been placed in a high-security setting, could be successfully placed in a less secure community-integrated facility. Through qualitative analysis, based on the perspectives of professionals, youth and parents, the current paper identified six distinct domains to guide appropriate screening and outlines guidelines for policy and practice. These domains include: motivation to comply, short and long-term perspective, current offense context, crime history, safety and support from youth’s network, and mental health and intellectual abilities.

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Introduction

Effective rehabilitation and reintegration of justice-involved youth requires tailored placements and programming to minimize risk, but also employing the least restrictive setting to achieve this goal, permitting youth to build on protective factors within their community (Austin et al., 2005). To move toward a tailored model of custodial settings the current paper explores the appropriate factors that may guide assessment for placement in semi-open community-integrated youth justice facilities, based on the perspectives of professionals, youth and their parents or caregivers (further indicated as parents). These facilities provide security and structure for justice-involved youth in close proximity to their home environment and support, so that their criminogenic and developmental needs can be more effectively targeted.

For effective rehabilitation of justice-involved youth it is essential that interventions target the criminogenic needs that are functionally related to the delinquent behavior (i.e., dynamic risk factors), as outlined in the ‘need principle’ of the Risk-Need-Responsivity model (RNR; Andrews & Bonta, 2010). The Good-Lives-Model (GLM; Ward & Stewart, 2003) further stresses that interventions should focus on protective factors and strengths. Evolving from longitudinal research (e.g., Sampson & Laub, 2003; Stouthamer-Loeber et al., 2004) a number of factors have been identified that build resilience against adverse events and foster desistance: structural day time activities, leisure time activities, support from professional and informal networks, and stable living conditions. In consonance with the GLM, positive youth development should be a core focus of the youth justice system. The promotion of developmental competencies, strengths and resources should be emphasized, within the individual (e.g., self-esteem, autonomy) as well as within the environment (e.g., stable employment positive peer group, stable housing) (Benson & Scales, 2009; Lerner et al., 2015). Hence, youth justice interventions need to be tailored to the unique challenges that youth face during adolescence.

The setting of a high-security youth justice facility limits both the options of properly addressing dynamic risk factors (i.e., criminogenic needs) as to build on protective factors and strengths. High security and a large distance from the home environment diminish the possibility to continue preexisting structures of education, work or support or to initiate this in the youngster’s community (Lambie & Randell, 2013). Likewise as youth are predominantly removed from the environment in which the delinquent behavior occurs it is challenging to properly address underlying risk factors of the delinquent behavior. At the same time it is impracticable for the institutions to provide all the necessary specialist education services and individualized package of care, as youth in youth justice facilities constitute a heterogeneous population, displaying a large variety of cognitive, psychological, and social problems.
(Hillege et al., 2017; Mulder et al., 2012). Also logistical limitations for high-security youth justice facilities (e.g., limited visiting hours) make it often difficult to involve the youth’s family and broader (professional) support network (Simons et al., 2019), while systemic interventions have proven to be essential in preventing future offending (Sawyer & Borduin, 2011; Van der Pol et al., 2017). High-security confinement further strongly limits possibilities to learn new ways of forming and maintaining appropriate social and sexual relationships and achieving autonomy (Dmitrieva et al., 2012; Lane et al., 2002), both important tasks of adolescent development (Hartwell et al., 2010). Finally, given the, often stark, contrast between the high-security facility and the community, the transition of youth back into the community is often difficult (Anthony et al., 2010).

It is thus important that justice-involved youth are not placed under higher levels of security than necessary to reasonably ensure public and institutional safety, permitting them to build on protective factors and maintain a positive relationship with the local community when possible (Austin et al., 2005). In this respect, the literature points to semi-open community-integrated youth justice facilities, which bridge the gap between non-residential programs (like parole) and high-security youth justice facilities (e.g., McCarthy et al., 2016). These facilities provide security and structure for justice-involved youth who do not necessarily need the high security measures of a traditional high-security facility, in close proximity to their social environment and support. By building on existing structures of support and resources, these facilities allow for protective factors (school or work, leisure time activities, and structures of care and support) to be continued or initiated in the community during the course of confinement (Souverein et al., 2019).

Strategically matching justice-involved youth with the appropriate setting requires structured assessment, classification and placement of youth. Austin et al. (2005) state that the decision for the appropriate level of security should be based ‘on the seriousness of the youth’s current offense, prior system involvement, history of escape, and other factors shown to be related to risk posed to public safety’. They, however, do not further specify these factors, nor is it clear whether the mentioned factors emanate from scientific research. For youth literature is scare on factors guiding assessment to appropriately match care and security needs to subsequent placement in different facilities. The literature mainly focuses on screening and risk assessment tools (like the Structured Assessment of Protective Factors for violence risk Youth Version; De Vries Robbé et al., 2015), that are mostly applied after placement in a youth justice facility or after release in the setting of parole and that are aimed at the risk for reoffending (Baird et al., 2013).

Research highlights the importance of critically assessing the applicability of current tools to different contexts, as studies report substantive differences in the predictors of outcomes at different stages in the justice system: ‘the assessment of dynamic risk factors in prison may require context specific measures that operationalize concepts that are related to poor institutional adjustment’ (Makarios & Latessa, 2013, p. 1466). Specifically, it is unclear whether current tools may be applied to determine appropriate placement in a youth justice facility with
a community-integrated model. In the recent literature, practically no empirical studies exist for youth nor adults, covering the factors that should underlie appropriate screening and selection for a community-integrated facility; whereas differential issues of institutional safety and adjustment may exist compared to traditional high-security models of youth justice facilities.

To move toward a tailored model of youth justice, based on a continuum of security and care needs, it is important to identify the appropriate factors guiding assessment for placement in semi-open community-integrated facilities. The current study explores how to select those youth who—typically placed in a high-security setting—could be successfully placed in a semi-open community-integrated facility. Thus selecting those youth who are appropriately matched to the level of security (i.e., youth that do not withdraw or cause major incidents resulting in transfer to a higher security facility) and who can profit from the opportunities the community-integrated facility offers (i.e., continuation or initiation of protective factors in the community). Two research questions were explored: (1) What are the factors related to successful placement in a semi-open community-integrated facility; according to the professionals involved in the screening process, youth placed in the facility and their parents? (2) What are the factors related to premature termination of trajectories in the semi-open community-integrated facility and subsequent transfer to a high-security facility? Exploring these questions is considered to be the first step in uncovering the factors that may ultimately guide (further) development of screening and assessment tools; so that security and care needs can be appropriately matched with a model of community-integrated youth justice facilities. Given the exploratory nature of this research it was executed in a real-life setting using qualitative research methods. The authors had the unique opportunity to execute this research in a pilot facility in Amsterdam: in a consensus building process based on progressive insight from practical experiences youth justice agencies determined the criteria for placement in a community-integrated facility versus a high-security facility. The current study carefully monitored this process.

**Method**

First, to explore the factors associated with successful placement in a semi-open community-integrated youth justice facility the authors conducted semi-structured interviews. Second, all trajectories that resulted in a premature termination and subsequent transfer to a higher security facility, were carefully explored in a single case study. A case study design was applied as—in concordance with Yin’s (2014) principles for appropriate application of the case study—the aim is to answer *why* some trajectories were prematurely terminated, the setting cannot be manipulated, and contextual conditions are believed to be relevant to the phenomenon under study.

**Setting**

The study was performed in a semi-open continuously supervised community-integrated facility in Amsterdam, the Netherlands. The facility accommodates eight youth (only
males) on remand, with an average duration of custody of 5 weeks. The facility is located directly within the community and daytime activities, such as school, are organized outside the facility. Security is established through relational security, which is formed through a constructive alliance between staff and youth in which youth are actively stimulated to take responsibility for their trajectory and autonomy and human agency are explicitly promoted (Souverein et al., 2019); staff is trained to take a coaching role and refrain from coercive and repressive measures (e.g., solitary confinement). A few conventional security measures may be applied (e.g., drugs testing and room searching), but high fences, strip searches, physical restraint are not applied in this facility. Youth have free access to the communal area’s during the day with their personalized room key; during the night (between 22:00 and 7:00) all doors in the facility are locked. The facility, that now has a permanent character, was introduced as a pilot facility by the Dutch Ministry of Justice as an alternative for placement in a high-security youth justice facility. This research was carried out throughout the whole duration of the pilot (September 2016–January 2019).

Sample

Semi-structured interviews. A method of source triangulation was applied to increase validity of the results, including the perspective of professionals, youth and their parents. As part of the pilot, all relevant stakeholder organizations in the youth system determined the factors to be included in the screening for placement in the facility (instead of placement in a high-security facility). This consensus building process started with a predetermined list of (contra-)indication criteria for placement, based on theoretical- and practical knowledge. Over the course of the pilot the discriminating factors in the screening process for placement in this less secure setting were continuously evaluated and redefined, based on progressive insight from practical experiences.

For the duration of the pilot—from the start in September 2016 until January 2019—professionals were interviewed in three rounds: in June 2017, June 2018, and in November 2018. All professionals that were approached to participate agreed to do so. A total of 18 interviews was conducted representing all organizations involved in the screening and placement process: child care and protection board, youth probation services, community-integrated facility, lawyers, public prosecution office, youth court, and the custodial institutions agency. Screening and assessment after arrest is foremost executed by the child care and protection board, who prepares a report for the prosecutor and magistrate. This report includes an overview of risk and protective factors, concluding with an advise on the appropriate measure to be taken. To complete this report, the youngster, the parents and involved professionals (like the youth probation service) are consulted. When a positive indication for placement in the community-integrated facility is considered, the child care and protection board always consults the facility on the specific case. All youth are appointed a youth justice lawyer to represent them during the hearing and in each case the public prosecutor informs the magistrate on their formal claim before the hearing. During the formal hearing the magistrate occupies a central role, leading the dialog with the youngster; based on all
information the magistrate decides whether the youngster should be placed in custody and indicates placement in either a high-security facility or in the community-integrated facility. The custodial institutions agency formalizes the placement on behalf of the Ministry of Justice and Security.

Throughout the duration of the pilot, a total of 116 youth (34% of all youth from Amsterdam placed on remand) were placed in the community-integrated facility. Through a combination of opportunistic (guided by the process of data collection and analysis) and availability sampling a total of 13 youth were interviewed in three rounds: January to May 2017, October to December 2017, and May to December 2018. Sample selection was guided by the first author to ensure a heterogeneous sample, representing the diversity of youth in the facility with regard to age and offense severity. The age of the participating youth varied between 14 and 18 years (the age varied between 13 and 18 years in the total sample); they were taken into custody as a suspect of either a violent (21% in the total sample of placements), property (24% in the total sample of placements) or a violent property crime (53% in the total sample of placements).

Of these 13 youth, the involved parent or caregiver was approached to participate in the research resulting in eight interviews (response rate of 62%). In most cases the biological mother participated. Reasons the parent did not participate varied: one did not agree to participate, two could not be reached by the research team, in one case the youngster was older than 18 and objected for the research team to approach his parent to participate in the research, and in one case the parent did not speak Dutch while an interpreter was not available.

Case study. A single case study was conducted to explore the factors related to premature termination and transfer to a higher-security setting. The case included all trajectories, in the context of the facility in Amsterdam, that resulted in premature termination and transfer of the youth to a higher security setting. Data were collected between the start of the pilot in September 2016 and January 2019, in this timeframe 16 trajectories (14% of all placements) were prematurely terminated.

Data Collection

Semi-structured interviews. The current study was conducted as part of a large-scale research project: a research team of the Academic Workplace for Forensic (at risk) Youth (Academische Werkplaats Risicojeugd; AWRJ, www.awrj.nl) carefully monitored each aspect of the pilot involving qualitative (interviews, onsite observations) as well as quantitative (file analysis, questionnaires) methods. The AWRJ was been granted permission to perform this study by the Medical Ethical Review Committee of the VU University Medical Centre (VUmc). A carefully trained and supervised research team, including the first author, conducted the interviews. All participants were personally approached by a member of the research team explaining the nature and objective of the study. Preceding participation, all participants provided verbal and written informed consent; in case of a minor (age below 16 years) verbal and
written consent was also obtained from a parent/caregiver. The interviews lasted approximately 1 hr; as the study was part of a larger research project during the interviews a number of topics (not all relevant for this paper) were discussed.

To explore the factors that are related to successful placement and discriminate between placement in either the community-integrated or a high-security facility, each participant (professional, youth, parent) was first asked to elaborate on the ideal target population for the community-integrated facility. Second they were asked to describe which youth should not be placed in the facility and elaborate on why these youth should be placed in a high-security setting. Additionally, the youth participants were asked to reflect on whether they themselves were appropriately placed in the community-integrated facility. By using open questions as a starting point, the interviews were designed to allow the participants freedom to follow their train of thought. To avoid omissions and digressions the interviewer guided the interview by asking more detailed questions on specific themes. At the start of the research, the themes were based on the list of (contra-)indication criteria for placement in the community-integrated facility drawn by the professionals prior to the start of the pilot. During the course of the study, phases of data collection and data analysis were alternated; as specific factors emerged from the data, the concurring themes were highlighted in following interviews for more in-depth investigation. In addition, new factors emerged that were not included in the initial list; these were discussed in subsequent interviews. All interviews were tape recorded, transcribed verbatim, and uploaded into a data analysis program MAXQDA.

**Case study.** For the case study, the main source of data contained semi-structured interviews about youth who were transferred to a high-security facility. After each transfer, an interview was conducted with the project manager of the community-integrated facility, as he was responsible for the transfer of each youth. Each interview started with an open question on why the youngster had been transferred to a high-security facility. The interview also focused on what would be the most appropriate setting for these youth given their individual needs. As with the other interviews, during the course of the study phases of data collection and data analysis were alternated. For the case analysis, structured notes from the interviews were obtained. These notes were combined with individual file information, resulting in a detailed description of each youth that was transferred and the circumstances that led to the transfer. In addition, throughout the course of the pilot, the first author conducted frequent onsite observations to explore relevant contextual factors as plausible rival explanations (Yin, 2014).

**Data Analysis**

**Semi-structured interviews.** The verbatim of each interview was coded by the first author employing a method of ‘thick analysis’ (Evers, 2015). Thematic coding was applied to the themes based on the predetermined (contra-)indication criteria at the start of the pilot. The interviews were further read word by word and open codes were sorted, interrelated and grouped to build categories. An axial analysis was applied to integrate categories of the thematic and open coding techniques, to induce the factors
related to successful placement in the community-integrated facility. The analyses were performed through constant comparison within each interview, between participants in the same participant group and between participants groups (Boeije, 2014). In the last round of interviews data saturation occurred (Boeije, 2014); no new themes emerged from the participants’ narratives in subsequent interviews.

Case study. For the case study, each case description was analyzed by the first author through inductive analyses, employing an explanatory analytic technique as a form of pattern matching (Yin, 2014). The case study data were examined, explanatory propositions were revised, and the data were examined again from a new perspective in an iterative process. Through this process, the factors associated with the transfer were obtained and integrated for each trajectory to uncover group patterns within and between the trajectories.

For both the interviews and the case study, each step of the analysis and reflection were carefully noted in a logbook by the first author. To increase the reliability of the study, the steps and result of the analyses were discussed with a senior researcher (the second author) through peer debriefing (Evers, 2015). Also member validation (Birt et al., 2016) was applied: after each cycle of analyses the preliminary results were presented to the representatives from each professional organization for feedback and the new cycle of data collection and analysis was altered accordingly.

Results

Interviews: Factors Related to Successful Placement in the Community-Integrated Facility

According to the professionals involved in the screening process, youth and parents, six domains were related to successful placement in the community-integrated facility (1) Motivation to comply, (2) Short- and long-term perspective, (3) Offense context, (4) Crime History, (5) Safety and support from network, (6) Mental health and intellectual abilities. Successful placement in the community-integrated facility was defined as placing youth who are appropriately matched to the level of security (i.e., youth who do not withdrawal or cause major incidents resulting in transfer to a higher security facility) and who can profit from the opportunities the community-integrated facility offers (i.e., continuation or initiation of protective factors in the community). Besides these six domains three practical issues required for placement in the community-integrated facility and four non-discriminatory factors (i.e., factors not considered to be related to successful placement in the community-integrated facility) emerged from the data

Motivation to comply with the regulations and responsibilities. Foremost, professionals, youth and parents state that, in order to be placed in the community-integrated facility, youth should be motivated to comply to the regulations and responsibilities that apply to the facility. Youth should, at least to some extent, be susceptible for care and willing to accept support and guidance from staff. In line with this, all interviewees stress that
it is important that youth experience placement in the community-integrated facility as a wake-up call to get their lives back on track. Youth: “Youth who want to change[. . .] Here you get the chance to go to school [. . .] If you do want to get your life back on track, I would rather give this chance to someone else.”

To determine whether youth are motivated, the professionals state that it is important to explain to youth what is expected of them and assess their volitional state. Youth who explicitly and in all sincerity state that they are motivated to participate and state why (e.g., to stay in school) are expected to more likely be successfully placed. To validate this, the interviewees stress one should identify what intrinsically or extrinsically motivates the youngster. According to the professionals, it should further be considered whether the youngster has shown willingness to change in the past and if the network (both formal and informal) considers it likely that the youngster is sincerely motivated. Professional: “If a mother tells me that he breaks the rules at home and withdraws from his parental supervision. I will [ask the youngster], so ok, what does that mean that I heard your mother say this…” Youth who are known to show extreme self-determining behavior are expected to not be willing to comply to the regulations that apply to the facility; nor is expected that they will profit from the opportunities the facility offers. Youth who show self-determining behavior are also expected to have a negative influence on the group dynamic and negatively influence other youth. Interviewees stress the importance to consider youth’s attitude and behavior toward the offense, the arrest and proceedings (see further).

Finally, it is important to note that all interviewees recognize that motivation is a dynamic concept that can change over time; one should seize any opportunity to get youth in motion and stimulate their readiness for change. In line with this, professionals stress that it is important to look beyond labels and behavioral display, but try to understand what vulnerabilities underlie youth rejecting support. Professional: “We need to be creative and think outside of the box. How can we approach these youth and connect with them.”

Short- and long-term perspective. The interviewees stress that youth need to have a positive outlook on a short- and long-term perspective: beside risk factors, there should be protective factors that one can utilize and build on. The youngster’s perspective needs to be aligned to the youngster’s interests and that what is inherently important to him. Youth: “It is not about what you have done in the past, but what you want to do in the future”. This is also related to youth’s motivation to comply as it is essential that youth experience that by placement they have ‘something to win’, like keeping their job or continue to go to their sport practice.

In collaboration with the youngster’s school or employer it should be ensured that the youngster can continue to go to school or work during the course of custody. The professionals state that, during the indication process before placement, they also check the track records of youth to see whether they actually participate in school or work. At the same time it is stressed that placement in a structured environment can also be seen as an opportunity to prompt youth to attend school or work. If there is no perspective on realizing a structural daytime activity for youth in the local community
at all, placement in the community-integrated facility is no option as the facility does not offer any internal education or work. Parent: “We called school, who indicated that he could not return to school, but that he was able to remain at his internship and that the school could provide his homework. For the school is was also important that he got his degree in the summer [. . .] We extended his internship to 5 days a week and I collect his homework and deliver this to him [at the facility]. The facility assists him with his homework.”

For the long-term it is important that, if youth can’t go home after their release, proper housing or a care facility can be arranged. According to the professionals, if there is no perspective for youth after their release, they are less likely motivated to turn their live around and comply to the regulations of the facility.

**Offense context.** There is consensus among interviewees that the severity of the alleged crime should not be a discriminating factor in determining whether youth should be placed in the community-integrated or high-security youth justice facility. Parent: “It doesn’t matter what they have done, it can be an incidence, and [even is offense is very severe] youth may still get their lives back on track.” In this respect it should be noted that for some (alleged) crimes (i.e., murder and violent sex offenses) the impact on the victim or society is so severe that placement in the community-integrated facility is not considered. This also goes when individual cases are widely covered by the media and placement in a more secure setting might be indicated to protect the youngster. At the same time, the professionals stress that all youth in the facility are on remand (pre-trail) and thus have not been convicted of the alleged offense. In general, rather than the offense severity, the offense circumstances (e.g., motive, role, provocations) are considered to be indicative of the severity of the youth’s actions and whether youth ‘deserve’ a chance to be placed in a less secure community-integrated setting. For example, if the offense occurred in a group, it is important to consider the youngster’s share in the offense and to what extent he may have been susceptible to negative peer influences. Also it should be considered to what extent youth are able to oversee the consequences of their actions. It is also weighted to what extent youth provide full disclosure about the offense, take responsibility for their actions, or show remorse in court. Youth who appear extremely callous or don’t show any self-reflection or regret in court are expected to be less willing to comply to the facilities regulations. Hence, placement of these youth in the community-integrated facility is expected to be less successful than placement of youth who for example cry at the police station and display great remorse in court. Interviewees also state that youth who are polite and respectful during the proceedings are expected to be more likely to comply to the facilities regulations. The professionals do note that if youth deny the suspected offense or appeal to the right to remain silent in court, this should not be a discriminating factor, as youth are still on remand and are presumed innocent until proven guilty. Professional: “One boy had committed a very serious violent robbery [. . .] He had just received a €100 fine, while his mom is in depth and he panicked. He really regretted what he had done, what immediately makes a difference for me. That boy was balling his eyes out. Despite the fact he was
repeatedly arrested, he was not a hardened criminal, he really wanted to do things differently. For me that is also an important argument [to place him].”

**Crime history.** At the start of the pilot, the professionals assumed that mostly first- and second-time offenders would be placed in the community-integrated facility. During the course of the pilot this shifted, as the professionals realized that in practice the offense history is not necessarily related to youth’s current motivation to get their life back on track and subsequent successful placement. Professional: “It should be a wake-up call, but this must not be confused with first offenders. We also have boys that have a lot more on their plate.” All interviewees do state that if there is a (nearly) clean official crime record youth ‘deserve’ the chance of being placed in the community-integrated facility, allowing them to prove that they want to get their life back on track. According to all interviewees first- and second-time offenders are more likely to experience confinement as a ‘wake-up call’. Parent: “Youth who make one mistake [. . .] You know we all make mistakes. These are horrible mistakes and you don’t want this to happen to anybody. But I think it is fair that they [first offenders] get this chance.”

However, there is consensus that if youth show an extensive record of placement in high-security youth justice facilities they will less likely experience the effect of a ‘wake-up call’. Youth: “Look, this is a wake-up call, you get it? Most boys who have been in a youth prison don’t give a shit. They often don’t comply with the rules and talk back to staff. Youth who are new to this, they have respect and behave themselves”

Finally interviewees state that it is important to consider the current suspected offense in context of the previous crime and conviction history. If youth show a record of relatively severe crimes reoccurring at a quick rate with the current suspected offense on top of that, interviewees state that it might be better to temporarily remove youth from their environment and place them in higher secured facility. Interviewees also follow this line of thought in case youth have an extensive crime history and the current offense appeared under the circumstances of parole after recent release from a youth justice facility. Interviewees wonder whether youth with a recent extensive and intensive record experience placement in the semi-open facility as wake-up call. Professional: “One boy [previously] recidivated a few times and was incarcerated three times [. . .]. After his release he recidivated within 3 days. Then you have to ask yourself why you would place him in the [community-integrated] facility”.

**Safety and support from youth’s network.** The professionals stress that it is important to consider the safety and support from the network. The informal network constitutes of the parents or caregivers, but also the broader social network including peers or other involved adults (e.g., a soccer coach). If the network (family, violent peer group, gang or criminal organization) poses direct or potential severe safety risks, placement in the community-integrated facility might be problematic as youth go to a structural daytime activity in the local community. In some extreme cases—considering the vulnerability of youth—it may be better to remove youth from their network and place them in a more structured and secure facility for their own safety. Professional: “It is also about how susceptible youth are. What if there are severe concerns about his peer group and
it is very hard to separate him from this group. Then you may wonder if he will go to school or hangout with his peers [...]. At the same time youth will most likely return to where they come from after their release. They will have to find a way to deal with this.”

Support and cooperation from the informal network are considered to be related to successful placement. As one of the main objectives of the facility is to involve and strengthen the prosocial informal network, professionals state that it is important that the prosocial informal network, especially the parents, provide some sort of support and cooperation. However, professionals do stress that it should not be considered a contra-indication if there is no support or cooperation from the informal network as the period of confinement can also be utilized to enhance this.

**Mental health and intellectual abilities.** All interviewees stress that due to severe mental health problems (e.g., psychosis) and intellectual disabilities youth may be unable to comply with the regulations and responsibilities of the community-integrated facility. Professional: “Most ideal are those youth who have an good structural daytime activity, school or work, and not to many concerns about their susceptibility [to negative peer influence] and disabilities [...] Youth need to be able to handle the amount of autonomy in the facility.” Professionals stress that for youth with mental health problems it is important that they know what is expected of them and it is discussed whether they think they can reach these expectations. This should be done before placement. Professional: “What kind of behavior is displayed? Is his behavior proper? Can you easily communicate with him and does he react in a coherent way.” The same accounts for severe addiction, where a line is drawn at abuse of ‘hard drugs’ (e.g., cocaine, crystal meth, opioids); abuse of ‘soft drugs’ (e.g., cannabis) is very common among the youth justice population and is not considered a contra-indication. To increase the chance of successful placement it is important that youth fully disclose the frequency and magnitude or their abuse, that they are motivated for indicated treatment, and that clear agreements can be made to regulate their use during custody (e.g., by drugs testing). Further, youth with a mild or severe intellectual disability might be less able to meet the amount of responsibility and autonomy that is expected of them. The parents and professionals do however consider it very undesirable to place these youth in a high-security youth justice facility as they are very susceptible to negative peer influence and victimization. So even if there is a chance that, due to their intellectual disability, they are unable to meet the responsibilities of the facility, the professionals state that they often ‘take the risk’ and place them in the community-integrated facility anyway providing extra support if they can.

In this regard, according to the professionals, the group composition (the degree and combination of mental health problems) within the community-integrated facility should be considered at the moment of assessment. Given that the staff is qualified, the professionals stress that it might be challenging to manage a group of eight youth of which, for example, three have a mild intellectual disability; as youth with a mild intellectual disability or psychiatric problems require more attention and support for placement to be successful. In that case, a forth youth with a mild intellectual disability will not be placed. The same issue is raised in the case of youth who display
much self-determining behavior. At the same time the professionals stress that this creates a certain arbitrariness and inequality.

**Practical requirements for placement.** Three practical issues emerged from the data that are required for placement in the community-integrated facility: (1) youth’s home environment and support structures need to be within reasonable range, so that youth can travel back and forth between the facility and for example their school, (2) youth need to have a valid status of residence for practical matters to be arranged, and (3) placement should not obstruct the criminal investigation of their involvement with the alleged offense. In light of the criminal investigation for some youth contact with others may be restricted to their lawyer or in the case of multiple suspects joint defendants cannot placed in the facility together. The professionals do stress that these practical objections should be upheaved as soon as possible followed by a transfer of the youth to the community-integrated facility.

**Non-Discriminating Factors**

Finally, the interviewees explicitly mentioned four factors that are not considered to be related to successful placement in the community-integrated facility. Placement in the community-integrated facility should be indicated regardless of gender, age (in the Netherlands youth justice law may apply to youth between the ages of 12 and 23), and whether youth are convicted or awaiting trial. Further, given the fact that is important that youth regard placement in the community-integrated facility as a ‘wake-up call’ and a chance, the professionals were at first reluctant for youth to be placed in the facility for a second time. However, desistance is a process, a transition from offending to non-offending, and it is expected that some youth relapse in antisocial behavior. If youth are arrested after their release from the facility on the suspicion of a new offense or need appear in court because of breaking their parole conditions, they may be placed in the facility for a second time. This is also in line with the results from the interviews with youth and their parents. The professionals do state that if youth are considered to be placed for a second time, the degree to which youth complied with the regulations and responsibilities of the facility during the first placement should be taken into consideration.

**Case Study: Individual and Situational Factors Related to Transfer to a High-Security Facility**

The direct incident that resulted in the transfer varied over the 16 trajectories, from an accumulation of rule breaking and aggression to (temporarily) withdrawal from supervision. Between the trajectories patterns could be identified in the interacting individual and situational youth related factors underlying these incidents. These patterns resulted in a qualitative grouping of trajectories based on similar pattern between the trajectories into three groups. Five trajectories could not be grouped, but did provide clear information on the factors leading up to the transfer.
The first group \((n=4, 25\% \text{ of total transfers})\) contains trajectories in which youth seemed not motivated to comply to the rules and regulations of the facility. These youth did not seem to experience placement as a ‘wake-up call’ to get their lives back on track. This was aggravated by the fact that the trajectories were characterized by a lack of a positive short- and long-term perspective; there were not enough protective factors to buffer against the risks on different life domains. During the course of the trajectory, these youth showed extreme self-determining behavior. They acted aggressive toward other youth or tried to provoke them into rule breaking behavior, exerting a negative impact on the group dynamic. This resulted in trajectories characterized by an accumulation of incidents with staff and other youth and a transfer to a high-security facility. Staff indicated that these transfers may have been inevitable as they believe that, considering the complete lack of motivation and perspective, these youth may initially need a more structured and secure setting.

The second group \((n=3, 19\% \text{ of total transfers})\) concerns trajectories characterized by youth constantly undermining staff authority and displayed aggression directed toward staff. Other than the first group this behavior did not seem to stem from a lack of youth’s motivation to comply, but rather youth’s attachment issues and a very unstable network or not that many other protective factors to build on. These youth have an extensive track record of (failed) treatment and out of home placements, resulting in distrust toward caretakers and people in general. During the course of the trajectories staff was therefore unable to build a constructive relationship with these youth. Further, all these youth have issues with substance abuse which seems to partly underlie their inability to adhere to the rules and responsibilities. Staff noted that for these youth it is not ideal to solely increase the security level by transfer, as their behavior might even further deteriorate in a setting in which more repressive measures are applied. According to staff, these unsuccessful trajectories are mainly related to a need for a more structured environment and higher intensity of care.

The third group \((n=4, 25\% \text{ of total transfers})\) contains trajectories that seemed promising at the start as these youth seemed like a good fit for the facility on most domains: they were motivated, seemed to experience placement as a wake-up call, there were protective factors to build on, and staff was able to build a constructive relationships with them. However during the course of the trajectories it showed that these youth were very susceptible for negative peer influences and vulnerable for victimization; this seemed to be related to the fact that these youth all had a mild intellectual disability. As an example, in one of the trajectories the youngster was provoked by another boy and they both withdrew themselves from supervision during the night. On return to the facility the next day he showed great remorse, but given the severity of the incidence transfer was considered inevitable. A few months later this youngster was considered again and placed in the facility successfully. Staff indicated that is very undesirable to transfer these youth to a high-security youth justice facility were the risks of deviancy training and victimization are even greater. The course of these trajectories seems to be related to a higher need for care, rather than a higher need for security.

Finally, there were five other trajectories (31% of total transfers) that could not be grouped. Two of these youth initially displayed a certain motivation to comply with
the rules and regulations, but during their trajectory these youth experienced a loss of perspective. In one of these trajectories, for example, the youngster was supposed to go home after release, but during custody his mother indicated that she could no longer take care of him. The course of the trajectory changed after this loss of perspective; in both cases resulting in a severe incidence of antisocial behavior (severe aggression toward staff and reoffending during leave) and subsequent transfer to a higher security facility. Staff indicated that these transfers probably could have been prevented if there had been more contextual protective factors to build on. With regards to the other three youth, one youth was diagnosed with addiction issues and severe emotion regulation problems. His short and long-term perspective was satisfactory and during the trajectory he seemed motivated to actively participate. However, the trajectory was characterized by a range of aggressive incidents that staff related to his emotion regulation issues and at one point staff felt like they could not ensure their own or other’s safety. Another trajectory seemed to be very successful at first, however for unknown reasons staff slowly saw the boy drifting away and displaying more and more rule breaking and aggressive behavior. It is still not known what led this boy to slip away. The last trajectory concerns a boy who had to be transferred due to external safety issues from his network, which were so severe that his safety could not be guaranteed in the semi-open facility.

Rival explanations. Besides the group composition, playing a role in the third group, no contextual factors could be identified in relation to youth’s transfer to a high-security facility. The ‘unsuccessful’ trajectories were quite equally spread over the course of the pilot: it was not the case that they occurred in a particular time frame, and transfer further did not seem to be related to the occupation density or turnover of the facility.

Discussion

According to the literature on effective rehabilitation and reintegration, placement and programming should be tailored to minimize risk, but also employing the least restrictive setting to achieve this goal, permitting youth to build on protective factors and maintain positive relationships with their community. Strategically matching the appropriate setting to individual security and care needs, requires structured assessment and classification (Austin et al., 2005). Through semi-structured interviews with professionals, youth and parents in a real-life setting, this article provides an overview of the factors related to successful placement of youth—who typically are placed in a high-security setting—in a semi-open community-integrated youth justice facility.

The interviews and case study yielded confirmative results increasing the validity of this research, by means of method triangulation (Evers, 2015). Six domains were identified that are related to placement of those youth who are appropriately matched to the level of security (i.e., youth who do no withdrawal or cause major incidents resulting in transfer to a higher security facility) and who can profit from the opportunities the facility offers (e.g., continuation of school). These domains
include: (1) Motivation to comply, (2) Short- and long-term perspective, (3) Current offense context, (4) Crime history, (5) Safety and support from youth’s network, and (6) Mental health and intellectual abilities.

Underlying these domains, two questions seem to be essential in determining whether youth may be successfully placed in a semi-open community-integrated facility: (a) Are youth willing (motivation) and (b) are youth able (responsivity) to comply to the regulations, rules and responsibilities that apply to the facility. In relation to the six domains, youth’s willingness to comply is directly assessed by determining youth’s volitional state of motivation to comply (the first domain) and indirectly by assessing factors that are considered to be related to youth’s motivation along the other domains: short and long-term perspective (what motivates youth to comply), offense context (do youth take responsibility for their actions and show remorse), crime history (how likely will youth experience placement as a wake-up call), network (to what extent are youth supported by their network). It is further essential that youth, considering their mental health (i.e., cognitive abilities, addiction, attachment and emotion regulation) and risk factors (e.g., external safety threats) are able to comply to the amount of responsibility and autonomy the facility requires. Protective factors on the different domains (e.g., school engagement) may buffer against risk factors and enable youth, despite the risks, to be successfully placed in the community-integrated facility.

These findings are in line with the scientific literature on effective rehabilitation and reintegration of justice-involved youth that highlights the importance of both motivation (e.g., Mulder et al., 2010; Olver et al., 2011) and responsivity: the style and mode of the intervention should be matched to the individual’s learning style and abilities (responsivity principle RNR; Andrews & Bonta, 2010). To provide a clear overarching framework, incorporating both motivation and responsivity, Ward and colleagues (2004) outlined the Multifactor Offender Readiness Model (MORM). ‘To be ready for treatment means that the person is motivated (i.e., wants to), is able to respond appropriately (i.e., perceives he can), finds it relevant and meaningful (i.e., can engage), and has the capacities (i.e., is able to) successfully enter the treatment’ (Ward et al., 2004). In their model they lay out the individual factors that are most closely related to an individual’s readiness, that fall into three domains: cognitive (some degree of problem recognition and attitudes toward the justice system), affective (feelings of guilt or remorse related to the offense and emotion regulation), behavior (skill and competencies). These factors are in line with our results: for example, in relation to successful placement the professionals, youth and parents highlight the importance of weighing youth’s attitude and behavior toward the offense, the arrest and proceedings. Youth who, for example, show remorse in court are considered more likely to be successfully placed. Further, besides individual factors, the results indicate that lack or loss of a long and short term perspective directly influences youth’s motivation and the chance of successful placement. This highlights the importance of focusing on factors that provide youth with a short- and long-term positive perspective such as school, work, stable living conditions and supportive social relationships. Not surprisingly these factors are identified as important protective factors that build resilience and foster desistance (Stouthamer-Loeber et al., 2004). This is also recognized by
the MORM, highlighting the importance of utilizing interpersonal support: ‘availability of individuals who wish the offender well and would like to see him or her succeed in overcoming their problems’ (Ward et al., 2004).

By identifying six distinct, but interrelated domains, the current study provides a valuable first step in uncovering the factors that may guide (further) development of screening and assessment tools for a tailored model of youth justice. It is important to further specify these domains in future research. Research should further explore the factors within these domains related to successful placement of youth in semi-open community-integrated youth justice facilities. Given the overlap with the domains found in the current study, the MORM might provide a theoretical framework to identify the factors that should ultimately be included in screening tools and procedures. Acknowledging the extensive amount of existing screening and assessment tools future research should hereby consider the applicability of these instruments.

Hereby a distinction should be made between need for security and need for care. The case study indicated that some youth were transferred to a higher security facility, not as a result of higher security needs, but as a result of more intensive care needs. To truly move toward a tailored model of youth justice we need to critically and separately assess both security as well as care needs, and be able to provide both in the best suitable way. The existing literature and current screening and assessment tools still fall short of a clear distinction between security and care and appropriate placement accordingly. To date, in many jurisdictions the existing range of youth justice facilities is still lacking facilities employing a diverse combination of levels of security and care. This also asks for a clear definition of what we consider a low, medium or high intensity of security and care in youth justice facilities, of which today’s literature still falls short. Further, security levels within and between youth justice facilities should be regarded in light of the three distinct, but interrelated elements of security: physical security, procedural security and relational security (Souverein et al., 2019; Tighe & Gudjonsson, 2012). The current study was conducted in a setting where security is mainly established through relational security: a constructive working alliance between staff and youth in which are actively stimulated to take responsibility for their trajectory (Souverein et al., 2019). One may argue that successful placement in a setting grounded in relational security, as opposed to physical and procedural security, puts more significance on specific factors within the identified domains. The case study for example showed that severe attachment issues may prevent staff from building a constructive alliance which obstructed a successful trajectory.

In designing a valid screening and indication process, a few practical implications can be derived from our results. First, it is important that youth are actively involved in this process: youth’s current volitional state of motivation, attitudes, and feelings, cannot simply be determined from a case file. Also, with regard to youth’s responsivity given their mental health, it is important that professionals explicitly explain all procedures and make sure youth know what is expected of them. Second, to validate youth’s information, this should be substantiated by information from third parties in youth’s formal (e.g., probation officer or therapist) and informal network (e.g., parents). Also properly assessing
youth’s ability to comply may require specialist knowledge on specific populations (e.g., youth with a mild intellectual disability). Hereby it is important to note that assessing youth’s responsivity requires and integrated assessment of different aspects as the results show that a mild intellectual disability in some cases – in interaction with other factors – was related to transfer to a higher security facility, but should not be considered a contra-indication criteria in all cases. Third, as youth’s perspective is related to successful placement, it is essential to directly contact their school, employee and support network to establish a concrete action plan for during custody and after release. Fourth, each professional assessment for placement constitutes a careful weighing of all above mentioned domains resulting in an integrated indication for each individual youth. At the same time the period for screening, between arrest and placement, is often limited to a few days or even hours (in the Netherlands there is a maximum of 3 days between arrest and placement). This limits the opportunity of conducting an extensive taxation. Screening for placement in a community-integrated facility should therefore focus on assessing a couple of key factors, that is motivation and responsivity. Fifth, not all aspects can be accounted for in the initial screening. The case study shows that over the course of the trajectory (sometimes due to changing circumstances) youth might not be as willing or able to comply with the rules of the facility as initially estimated. Indication should therefore be a continuous process of screening and assessment throughout the course of custody and up or down scaling in levels of security and care accordingly.

Finally, attention should be payed to the fact that screening may be guided by a certain amount of subjectivity and bias: there are differences in what one considers a ‘severe crime’ or ‘severe safety risks’ and in the interviews professionals as well as youth and their parents all made statements that some youth ‘deserve’ to be placed in the facility while others do not. It has been longer recognized that there is an unwarranted (mainly racial) disparity in the youth justice system as a result of covert or overt bias (Boon et al., 2019). Several studies indicate that there is a selection bias within justice processes (e.g., Müller, 2016; Veen, et al., 2011; Weenink, 2008.). A study in the Netherlands indicated that youth with a migration background, as opposed to Dutch youth with a non-migrant background, were less likely to be diverted and more likely to receive a custodial sentence (with Odd Ratios as high as 12.3; Boon et al., 2019). It is important to reduce these kind of biases as much as possible. To do so, awareness of possible subjective processes is a first step. Cabaniss and colleagues (2007) further highlight the importance of standardized screening and protocols; monitored by constant decision-point mapping and data review, for an objective outlining of factors influencing decision making. They also stress the value of awareness of intercultural communication issues and subsequent competency training of professionals and management.

**Limitations**

While multiple procedures were followed to increase the validity and reliability of the results (method and source triangulation, peer debriefing, member validation) one may question whether all results will transfer from this specific context to another youth justice
setting. Further, even though maximum diversity in the sample of youth and parent participants was sought, the study relied on their willingness to participate. Youth and parents who were not willing to participate could have had a different opinion on the topic addressed. Also with regard to the case study the main source of information (semi-structured interviews) was based on the sole perspective of the project manager of the facility. Guided by the domains found in the current study, future research should focus on multiple contexts and include both qualitative and quantitative measures.

Conclusion

The current study provides a comprehensive analysis integrating the perspective of three essential stakeholders (professionals, youth, parents) in a real life setting. Six domains and practical guidelines are outlined that may guide future research into and development of appropriate tools to determine placement of youth in different youth justice settings. Particularly, the current study provides a valuable first step toward objective classification and appropriate placement of youth in a community-integrated youth justice facility, as opposed to a high-security facility; so that their criminogenic and developmental needs can be more effectively targeted. Screening and indication, grounded in empirical research, enables youth justice agencies to maximize their use of resources, while enabling youth to fulfill their specific needs and to assure that the concerns of other stakeholders (i.e., staff, communities, and society as a whole) are met.

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Note

1. The Dutch youth justice system is grounded in the inquisitorial legal tradition in accordance with a welfare approach.

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