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## IN SEARCH OF PSYCHOSOCIAL VARIABLES LINKED TO THE RECIDIVISM IN YOUNG OFFENDERS

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### Abstract

Most of the literature on juvenile delinquency is aimed to the identification of the protective and risk factors of the antisocial and criminal behaviors. In this line, a study was carried out to assess whether the family setting, personal variables of the youngster and variables linked to the judicial measure execution mediate in recidivism. For this reason, all the closed judicial files of the young offenders from the Service of Juvenile Justice in Jaén (Spain) have been analysed. The results showed that such family setting variables as broken homes, large families, low incomes, deprived neighborhoods, criminal records, drug abuse, children protection records and crime legitimacy are linked to recidivism. As for personal variables of the youngster, the findings illustrate that re-offenders are characterized by external attribution, deficits in social skills, deficits in self-control, violent behaviors and low tolerance to frustration. In relation to the judicial measure execution variables, data support that the non re-offenders are defined in contrast to re-offenders, by a high compliance with rules and timetables and with the established objectives, as well as a high family involvement during the judicial measure execution. The implications of the results for prevention of recidivism are discussed.

**Keywords:** Young offenders; Criminal behavior; Antisocial behavior, Juvenile delinquency; Recidivism; Risk factors; Protective factors.

### Resumen

La mayoría de la literatura sobre la delincuencia juvenil está centrada en la identificación de los factores de riesgo y protección de la conducta antisocial y delictiva. En este sentido, se ha llevado a cabo un estudio con el objeto de evaluar si las variables del ámbito familiar, variables personales del/la menor y variables relacionadas con la ejecución de la medida judicial impuesta median la reincidencia delictiva. Para conseguir este objetivo, se han analizado todos los expedientes de menores infractores finalizados y archivados en el Servicio de Justicia Juvenil de Jaén (España). Los resultados mostraron que variables familiares como desestructuración familiar, antecedentes judiciales, de consumo de drogas, de protección de menores y normalización del delito en la familia están vinculadas a la reincidencia. Con respecto a las variables personales del/la menor, los datos muestran que los/las reincidentes se caracterizan por un locus de control externo, déficit en habilidades sociales, déficit en autocontrol, conductas violentas y baja tolerancia a la frustración. En relación con las variables de ejecución de la medida judicial, los datos señalan que los/las menores no reincidentes se caracterizan, a diferencia de los/las reincidentes, por un alto cumplimiento de las normas, horarios y objetivos establecidos, así como por una alta implicación familiar durante la ejecución de la medida judicial. Se discuten las implicaciones de los resultados para la prevención de la reincidencia.

**Palabras clave:** Menores infractores; Conducta delictiva; Conducta antisocial; Delincuencia juvenil; Reincidencia; Factores de riesgo; Factores de protección.

## Introduction

The phenomenon of delinquency is inherent to all societies and cultures. Although its diverse manifestations rest too much on the characteristics of the context where it happens, undoubtedly there is a great concern about this topical issue. This concern is bigger and generates more impact when deal with juveniles who commit antisocial and criminal acts.

In this sense, it has been paid great attention to juvenile delinquency, basically analyzing the main risk and protection factors linked to this kind of behaviors (Andrews & Bonta, 2006; Farrington, 1996; Lösel & Bender, 2003; Simoes, Matos, & Batista-Foguet, 2008). These factors refer to the family setting, to the youngster's individual variables, to his/her group of peers, to the drugs consumption and to variables linked to the school area. There has been a special interest in the analysis of those variables related with the family and the individual setting, but also the relation of these variables with the criminal recidivism.

With regard to the family variables, several studies support that an appropriate family setting contributes to the development of adapted behaviors in juveniles (e.g., Amezcua, Pichardo, & Fernández, 2002). In the other hand, other studies stress the importance of family problems in the development of the delinquent behavior (e.g., Pacheco & Hutz, 2009). Factors like a greater family-size or to belong to a broken home promote maladjusted behaviors and more delinquency in youngsters (Cano, 2006; Rodríguez & Torrente, 2003). A poor family affection and poor family cohesion, a high degree of family conflict and a permissive parenting style are connected with the children's problematic behaviors (Rodríguez & Torrente, 2003; Villar, Luengo, Gómez, & Romero, 2003). There also are some parents' factors that influence the children's antisocial behaviors, like the drug abuse, the alcohol consumption (Kofler-Westergren, Klopff, & Mitterauer, 2010) or criminal behavior (Farrington, Coid, Jeremy, & Murray, 2009; Rutter, Giller, & Hagell, 1998). With regard to the drug consumption in the family context, the drug consumption parental model is considered a great risk factor that results in the teenager children's more disposition to experiment and get used to the alcohol and illegal drugs (Moral, Ovejero, & Pastor, 2004). The violence at home and parent' maladjusted behaviors are too risk factors for the antisocial behaviors of youngsters (García, 2008).

With regard to the youngster's individual characteristics that seem to be connected to the criminal behavior, those that have received more attention are the internal locus of control, the search of sensations, high impulsivity and low internalizing of rules (López & López, 2003; Monahan, Steingberg, Cauffman & Mulvey, 2009; Sobral, Romero, Luengo, & Marzoa). These youngsters tend to have difficulties to delay the satisfaction of their needs and they want everything at the moment (López & López, 2003). In the same way, from the point of view of the social competence, it is considered that the deficits in aspects like to be tolerant, autonomous, emotionally confident, supportive person and to observe the social rules and the social values, increase the risk of social and personal maladjustments in the future (López, Garrido, Rodríguez, & Paño, 2002).

On the other hand, in addition to analyze the family variables and young offenders' psychological and behavioral peculiarities, it is also necessary to know the differential characteristics in these areas that have those juveniles who do not reoffend compared to those with a persistent criminal behavior. The recidivism rate is one of the aspects that can provide this information, and also indicate the effectiveness of the treatment applied to the young offender. In this sense, as it has been mentioned before, it is unquestionable the importance of the family and its involvement in the treatment with the young offender, as influential factors in this type of behaviors. In this line, various studies that connect the juveniles' recidivism with various family variables have been made (Álvarez, Balaña, & Becedóniz, 2008; Bravo, Sierra, & Del Valle, 2009; Giménez, Blatier, Paulicand, & Pez, 2008; Menéndez, Rodríguez, Becedóniz, Herrero, & Rodríguez, 2008; Mulder, Eddy, Bullens, & Van Marle, 2010). The results show that the greatest family problems appear in the case of young re-offenders, being the family support, with clear rules at home and a structured environment, factors highly linked to the not recidivism of young offenders (Carr & Vandiver, 2001). Connected with this, recent results affirm that, as regards to the lower probability of recidivism, the family collaboration and involvement is an especially important factor. Likewise, a high compliance with the established objectives in the treatment program is more present in those non re-offenders after the legal measure (Bravo et al., 2009).

So the main objective of this study is to analyze which variables are closely connected to the persistence or not persistence concerning offences through the differences between re-offenders and non re-offenders. Concretely, it is intended to exam variables in the family setting, variables linked to the judicial measure execution and young offender's individual variables.

## Method

### Protocols

All the closed judicial files of the young offenders from the Service of Juvenile Justice of Jaén (Spain) have been analyzed, since the moment when the current Organic Law 5/2000 of Juveniles' Criminal Responsibility came into effects to nowadays. The judicial files referred to 456 young offenders, 398 males and 58 females, with an average of 15.84 years ( $SD = 1.15$ ).

### Design and procedure

An archival study with judicial files of young offenders was performed. Thus, a total of 658 files were analyzed, and from those, 202 were excluded because they involved the implementation of extralegal measures, being the total 456 judicial files. These files contain the following documents: the report of the Technical Team of the Prosecutor Office, the measure execution's report, the treatment report and the final report.

From the contents of these documents the following information was drawn:

- *Family variables:* broken home (yes vs. no), family-size (large  $\geq$  than three, yes vs. no), the main educational figure (e.g., father, mother, both parents), parenting style (e.g., authoritarian, permissive, democratic, overprotective, ambivalent), intra-family relations (normalized vs. conflictive), mistreatment records (yes vs. no), children protection records (yes vs. no), criminal records (yes vs. no), drugs consumption records (yes vs. no), crime legitimacy in the family (yes vs. no) y, socioeconomic situation (low, high, normal) and neighborhood (deprived vs. normalized).

- *Variables linked to the intervention during the judicial measure execution:* compliance with the established rules and timetables (yes vs. no), compliance with the established objectives (e.g., high, normal, low, and null). These variables refer to the regular attendance to the planned visits to the technicians, to follow the suggestions or the established rules, to get home in an appropriate hour (in the case of an opened legal measure), or to attend to the formative activities with a good achievement. It is also included the family involvement (high, normal, low, null), that refers to follow the instructions given by the technicians in relation to the young offenders, to attend to the planned visits and to control and supervise the young offender's behavior.

- *Individual variables:* locus of control (internal vs. external), social skills (deficits vs. normal), self-control (deficit vs. normal), tolerance to frustration (high, normal, low, null), intra/extraversion and violent behavior (yes vs. no).

Although in general these documents offer information about all the variables, sometimes the information about some of them was not found.

Firstly, the descriptive analyses were made, which include the frequency and the percentage of all the variables. Then, the total of subjects was divided into two groups: re-offenders group ( $N = 85$ ) and non re-offenders group ( $N = 322$ ). The young offender is considered as a re-offender if he/she commits another crime during the execution of the judicial measure or when the measure has finished i.e., judicial and/or criminal recidivism. The follow-up time after the end of the judicial measure was two years.

## Results

### Family setting and recidivism rate

As regard to the family configuration, the results show that broken homes,  $\chi^2(1, N = 406) = 8.05; p < .01, \phi = .147$ , and large families,  $\chi^2(1, N = 403) = 4.53; p < .05, \phi = .113$ , differentiate the re-offender group (49.5% and 78.8%), (for broken homes and large family, respectively) from the non re-offender group (32% and 66%). In relation to the family economy and neighborhood, results illustrate a significant effect for the economical situation of the family,  $\chi^2(1, N = 404) = 7.95; p < .01, \phi = .147$ , showing lower incomes in re-offender families (62.7% vs. 44.5%, for re-offenders and non re-offenders, respectively), as well as a home localization  $\chi^2(1, N = 398) = 17.145; p < .001, \phi = .214$ , that it is deprived neighborhoods for re-offenders (51.8% vs. 26.6, for re-offenders and non re-offenders). No differences were observed between re-offenders and non re-offenders for the parenting styles,  $\chi^2(4, N = 364) = 9.17; ns, \phi = .159$ , the intrafamily relations,  $\chi^2(1, N = 395) = 3.53; ns, \phi = .102$ , and educational figure,  $\chi^2(2, N = 346) = 2.03; ns, \phi = .077$ . It is to highlight in relation to the educational figure, the practical absence of the father figure isolated (< 11%), resting on his/her mother exclusively or in both parents.

As for the family background, the highest percentage of these problems is localized in the re-offenders group, since it is significantly more frequent in the family the

criminal records,  $\chi^2(1, N = 402) = 10.92$ ;  $p < .001$ ,  $\phi = .172$ , drugs consumption records,  $\chi^2(1, N = 402) = 6.84$ ;  $p < .01$ ,  $\phi = .137$ , children protection records,  $\chi^2(1, N = 408) = 5.00$ ;  $p < .05$ ,  $\phi = .119$ , and crime legitimacy in the family,  $\chi^2(1, N = 405) = 9.40$ ;  $p < .01$ ,  $\phi = .160$ , compared to the non re-offenders group. No significant differences between re-offenders and non re-offenders were found in the mistreatment records,  $\chi^2(1, N = 412) = 2.20$ ; *ns*,  $\phi = .082$ .

### **Variables linked to the intervention during the legal measure execution and recidivism rate**

Variables referred to the overall assessment about the judicial measure execution and their relations with the recidivism rate were analyzed. In this sense, it has been found that the compliance with rules and timetables,  $\chi^2(1, N = 397) = 47.58$ ;  $p < .001$ ,  $\phi = -.355$ , compliance with the established objectives,  $\chi^2(1, N = 396) = 43.03$ ;  $p < .001$ ,  $\phi = -.336$ , and a high family involvement during the legal measure execution,  $\chi^2(1, N = 281) = 9.99$ ;  $p < .01$ ,  $\phi = -.197$ , (60.7%), is significantly higher in the non re-offenders group (91.5%, 74% and 60.7% for achievement of rules and timetables, achievement of the objectives, and family involvement, respectively) compared to the re-offenders group (40%, 33.8% and 37.1%).

### **Young offender's individual variables and recidivism rate**

Locus of control,  $\chi^2(1, N = 403) = 13.70$ ;  $p < .001$ ,  $\phi = -.202$ , social skills,  $\chi^2(1, N = 392) = 6.63$ ;  $p < .01$ ,  $\phi = .137$ , self-control,  $\chi^2(1, N = 362) = 12.58$ ;  $p < .001$ ,  $\phi = .194$ , violent behaviors,  $\chi^2(1, N = 391) = 6.82$ ;  $p < .01$ ,  $\phi = .140$ , and tolerance to frustration  $\chi^2(1, N = 403) = 13.92$ ;  $p < .001$ ,  $\phi = -.209$ , discriminate significantly re-offenders of non re-offenders. In short, re-offenders exhibit, in contrast with non re-offenders, a tendency to an external attribution (56.3% vs. 31.8%, for re-offenders and non re-offenders, respectively), deficits in social skills (41.5% vs. 26.1%), deficits in self-control (75.7% vs. 51.7%), violent behaviors (32.5% vs. 18.3%), and a low tolerance to frustration (51.5% vs. 22.9%). No differences,  $\chi^2(1, N = 345) = 0.00$ ; *ns*,  $\phi = .010$ , were found between re-offenders and non re-offenders in intra/extraversion variable.



## **Discussion**

An objective considered in this study was to identify the family characteristics closely connected to the persistence or non-persistence of offences, namely, variables which define families of both young re-offenders and non-re-offenders. In this line, the large families and a broken home are more common in the re-offenders group, results which agree with those that appear in the recent literature, since these variables promote maladjusted behaviors and more delinquency in juveniles (Cano, 2006; Rodríguez & Torrente, 2003). The main educational figure are both the parents and the mother alone in both groups, data which are similar to those obtained in other studies (e.g., Menéndez et al., 2008). On the other hand, the intra-family relations tend to be troubled in the re-offender group. It is also observed that the family with criminal records, drugs consumption records, any of the children's protection records and crime legitimacy is more frequent in this group, compared to the non re-offender group. These results ratify what other authors have reported in previous researches (e.g., Kofler-Westergren, Klopff, & Mitterauer, 2010; Menéndez et al., 2008; Mulder et al., 2010; Pacheco & Hutz, 2009). Finally, those in the re-offenders group have a lower economic situation and a home in a deprived neighborhood, unlike the non re-offender group, where most of them have a normal economic situation and a home in a non-deprived neighborhood. This stress the influence that community and neighborhood exert as protective or risk factor of delinquent behavior (Fariña, Arce, & Novo, 2008).

Therefore, it could be concluded that the obtained results confirm that the most serious problems appear in the juveniles' families with persistent criminal behavior (Álvarez et al., 2008; Bravo et al., 2009; Menéndez et al., 2008). However, it can not be associated exclusively the young offender's offenses with these variables, because a great number of juveniles from the total sample belong to families that have no special difficulties in the family dynamic and functioning (Álvarez et al., 2008). Nevertheless, these socio-familiar factors seem to be crucial in the young offenders' social rehabilitation once they are immersed in the criminal world. That is, these factors seem to show a considerable influence on the fact that the young offender neither accepts the offence nor accomplishes efficiently the imposed judicial measure, and also, on the fact that he/she commits a second offence. In this sense, the troubled family panorama that has been described is more usual in persistent young offenders. Logically, if the young offender

belongs to a broken home, with troubled relation and poor family supervision, and in a criminal context due to any family member has criminal records, it is easy to understand that this young offender does not consider the offence very important, because he/she perceives it like something both usual and familiar. Under these circumstances, the young offender probably will not find neither the necessary support nor the best environment to overcome the difficulties which caused that he/she involved in criminal activities.

It was also interesting to know the global assessment about the judicial measure execution and its relation with the recidivism rate. Results show that the compliance with rules and timetables, and with the objectives which were established in the sentence, is higher in the non re-offender group. The family involvement among non re-offenders tends to be high, whereas a low implication of the family in his/her rehabilitation is typical of the re-offender group. These data are very similar to those obtained by other authors (e.g., Bravo et al., 2009; Van Domburgh, Loeber, Bezemer, Stallings, & Stouthamer-Loeber, 2009). Thus, as expected, it seems that to fulfil the timetables, the rules and the established objectives, that is, the young offender has a responsible behavior with respect to the legal measure execution, is a very important factor to prevent him/her from re-offending. This responsible behaviors refer to the regular attendance to the planned visits to the technicians, to follow the suggestions or the established rules, to get home in an appropriate hour (in the case of an opened legal measure), or to attend to the formative activities with a good achievement. The same effect has been observed with the family involvement, that is, to follow the instructions given by the technicians in relation to the young offenders, to attend to the planned visits and to control and supervise the young offender' behavior, seem to be a critical factor to prevent the recidivism. In short, results highlight the fundamental role that the family plays in tertiary prevention.

Our study has verified, in the step from non re-offenders to re-offenders, the link established in the literature between antisocial and criminal behaviors with external locus of control, high scores in search of sensations, low self-control, low tolerance to frustration and a low internalization of rules (López & López, 2003; Monahan et al., 2009; Sobral et al., 2000). These characteristics, which inevitably lead to be an impulsive person, may be a determining combination of factors for the involvement in high risk behaviors, and finally, antisocial and criminal behaviors (e.g., Sobral et al., 2000), and, accordingly to our results, in re-offending.

Nevertheless, some limitations of the present study must be pointed out. In this respect, at least three circumstances, which could limit the results obtained from the recidivism data, should be taken into consideration: the youngster who commits another crime in a different province is not detected by this procedure (although this possibility is very low); the youngster reoffends but he/she is not caught, or the youngster reoffends when he/she becomes an adult. Likewise, as regards the generalization of the findings, they resemble to a great extent those obtained in other similar studies. Lastly, some data are not based on reliable and valid instruments or official records; thus, the validity of the technicians' criterion in the assessment cannot be guaranteed. However, these are the product of the agreement between two technicians and are based on administration and social categorization (i.e., deprived neighborhoods).

As a comprehensive conclusion, the results of this research verify that the family setting is an essential factor in juveniles' education and socialization, acting as a risk or a protection factor of the criminal behavior (e.g., Andrews & Bonta, 2006; Farrington & Welsh, 2003; Lösel & Bender, 2003; Patterson, Reid, & Dishion, 1992; Ross & Fabiano, 1985). It is necessary, on the one hand, to promote the prevention in this field, designing effective programs of detection and treatment with high risk families, and, by this way, to prevent as possible the involvement of children and teenagers in problematic behaviors in the future (Moffit, Caspi, Harrington, & Milne, 2002; Redondo, Pérez, & Martínez, 2007). On the other hand, it is recommended to aim a great part of the efforts to involve the family in the social rehabilitation of the young offenders during the educational intervention with them, as well as to try to drop the present risk factors and to increase the potential protection factors. In this line, several authors confirm that the parents' training is effective in reducing the juvenile delinquency (Piquero, Farrington, Welsh, Tremblay, & Jennings, 2009).

It is also interesting to continue deepening in the psychological aspects linked to the juvenile antisocial and antisocial behavior, as well as to look for new factors that can be in the base of these behaviors.

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