

Potential for Change: Public Attitudes and Policy Preferences for Juvenile Justice Systems Reform

Executive Summary

A Center for Children's Law and Policy Report

Introduction

New polling data on Americans' attitudes about youth, race and crime reveal strong support for juvenile justice reforms that focus on rehabilitating youthful offenders rather than locking them up in adult prisons. The public also believes that African American and poor youth receive less favorable treatment than those who are white or middle class.

The poll was commissioned by the Center for Children's Law and Policy as part of the John D. and Catherine T. MacArthur Foundation's Models for Change juvenile justice reform initiative, which supports juvenile justice reform in Illinois, Pennsylvania, Louisiana and Washington state. Prior to the poll, focus groups on the issues were held in Chicago, Pittsburgh, Baton Rouge and Seattle. The poll included oversampling in the four Models for Change states to determine attitudes by the public there.

Survey findings include:

- **The public recognizes the potential of young people to change.** Nearly nine out of 10 (89 percent) of those surveyed agreed that "almost all youth who commit crimes have the potential to change," and more than seven out of 10 agreed that "incarcerating youth offenders without rehabilitation is the same as giving up on them."
- **The public supports redirecting government funds from incarceration to counseling, education and job training programs for youth offenders.** Eight out of 10 favor reallocating state government money from incarceration to programs that provide help and skills to enable youth to become productive citizens.
- **The public views the provision of treatment and services as more effective ways of rehabilitating youth than incarceration.** Majorities saw schooling, job training, mental health treatment, counseling and follow-up services for youth once they leave the juvenile justice system to help them go back to school or find a job as "very effective" ways to rehabilitate young people. Less than 15 percent of those surveyed thought that incarcerating juveniles was a "very effective" way to rehabilitate youth.

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ModelsforChange
Systems Reform in Juvenile Justice

- **The public favors keeping nonviolent juveniles in small, residential facilities in their own communities rather than in large distant institutions.** More than three-quarters of the public favors juvenile justice policies that keep nonviolent youth in small facilities in their own communities, and six in 10 favor community supervision for nonviolent youth. Eight out of 10 favor keeping these youth in small residential facilities rather than in large institutions.
- **The public believes the juvenile justice system treats low-income youth, African American youth and Hispanic youth unfairly. Almost two-thirds of respondents said that poor youth receive worse treatment than middle-class youth who get arrested for the same offense.** A majority think that African American youth receive worse treatment than white youth who get arrested for the same offense. More than seven out of 10 favor funding programs that help Hispanic youth who get in trouble with the law overcome the language barriers they face in the juvenile justice system.

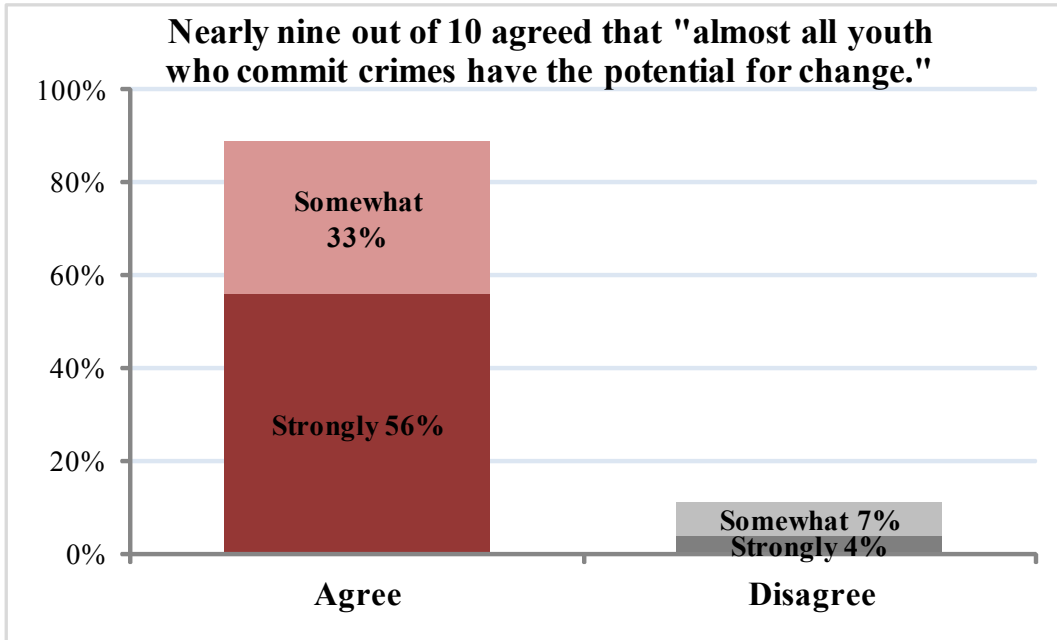
1. The public recognizes the potential of young people to change.

The juvenile justice system in the United States began a century ago in Chicago with the enlightened goal of providing individualized treatment, supervision and services to troubled and at-risk youth. In the 1990s, attitudes changed. A temporary rise in violent juvenile crime and a few spectacular cases fueled political calls for more punitive approaches: a shift away from rehabilitation and toward the implementation of harsher sanctions, reduced confidentiality of juvenile proceedings and increased incarceration of young people.

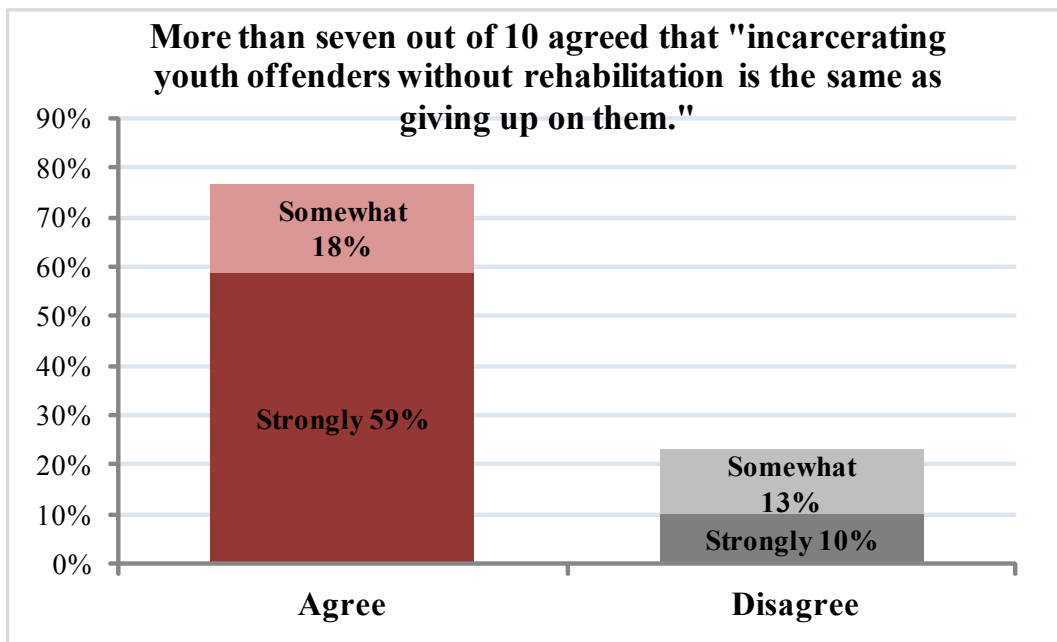
Today, the fallacies that drove the wave of punitive policies are being challenged and the space for new ideas to flourish is growing. A number of factors—falling crime rates, state budget crises, rigorous demonstrations of “what works” and new research on brain development in adolescents—are encouraging policymakers to reconsider the wisdom of “get-tough” policies. There is a large reservoir of public support that policymakers can draw upon to help shift the juvenile justice system back to the principles on which it was founded.

“The system seems to ignore the potential any child may have. The way the system seems to be set up, they seem to be written off rather than helping them become productive society members. I think they keep throwing these kids away.” — Focus group respondent, Chicago

The public believes that almost all young people who commit crimes have the potential to change. Nearly nine out of 10 people nationally (89 percent) agreed with the statement that “almost all youth who commit crimes are capable of positive growth and have the potential to change for the better.” In the Models for Change states, more than eight out of 10 agreed with the statement. Similarly, more than eight out of 10 disagreed with the statement that “there is not much you can do to change youth who commit crimes.” More than three out of four agreed that “incarcerating youth offenders without rehabilitation is the same as giving up on them.”



"Please tell me if you agree or disagree with each of the following statements. (Do you agree or disagree? Is that strongly or somewhat agree/disagree?) Almost all youth who commit crimes are capable of positive growth and have the potential to change for the better.



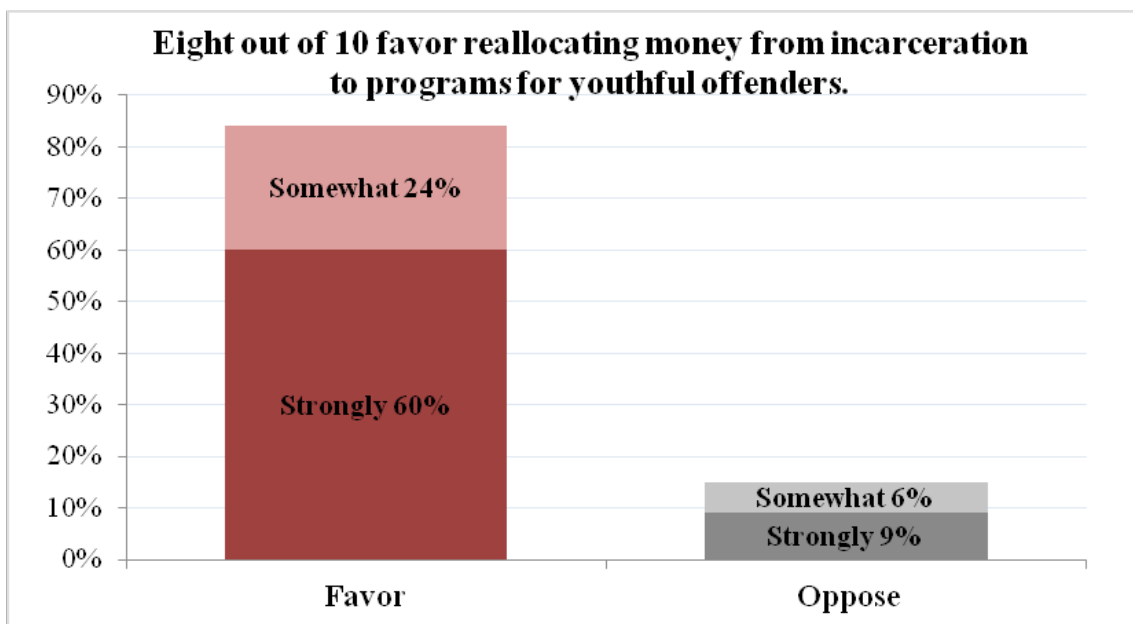
"Please tell me if you agree or disagree with each of the following statements. (Do you agree or disagree? Is that strongly or somewhat agree/disagree?) Incarcerating youth offenders without rehabilitation is the same as giving up on them."

2. The public supports redirecting government funds from incarceration to counseling, education and job training for youth offenders.

In Illinois, Pennsylvania, Louisiana and Washington, the legislatures have enacted policies that discourage incarcerating youth in large state facilities and encourage having more young people under community supervision or receiving services and treatment in their own communities. The public supports this change in policy.

A majority in the United States and in the four Models for Change states strongly favor taking away some of the money their state spends on incarcerating youth offenders and spending it instead on programs for counseling, education and job training for youth offenders. Eight out of 10 say they strongly favor or somewhat favor this policy choice.

“For nonviolent crimes, it would make more sense to take the money, x amount of dollars to keep an individual incarcerated for x amount of time—you could put that to programs to prevent them from being in jail to begin with.”—Focus group respondent, Baton Rouge



“Do you favor or oppose taking away some of the money your state government spends on incarcerating youth offenders and spending it instead on programs for counseling, education and job training for youth offenders. Is that strongly or somewhat favor/oppose?”

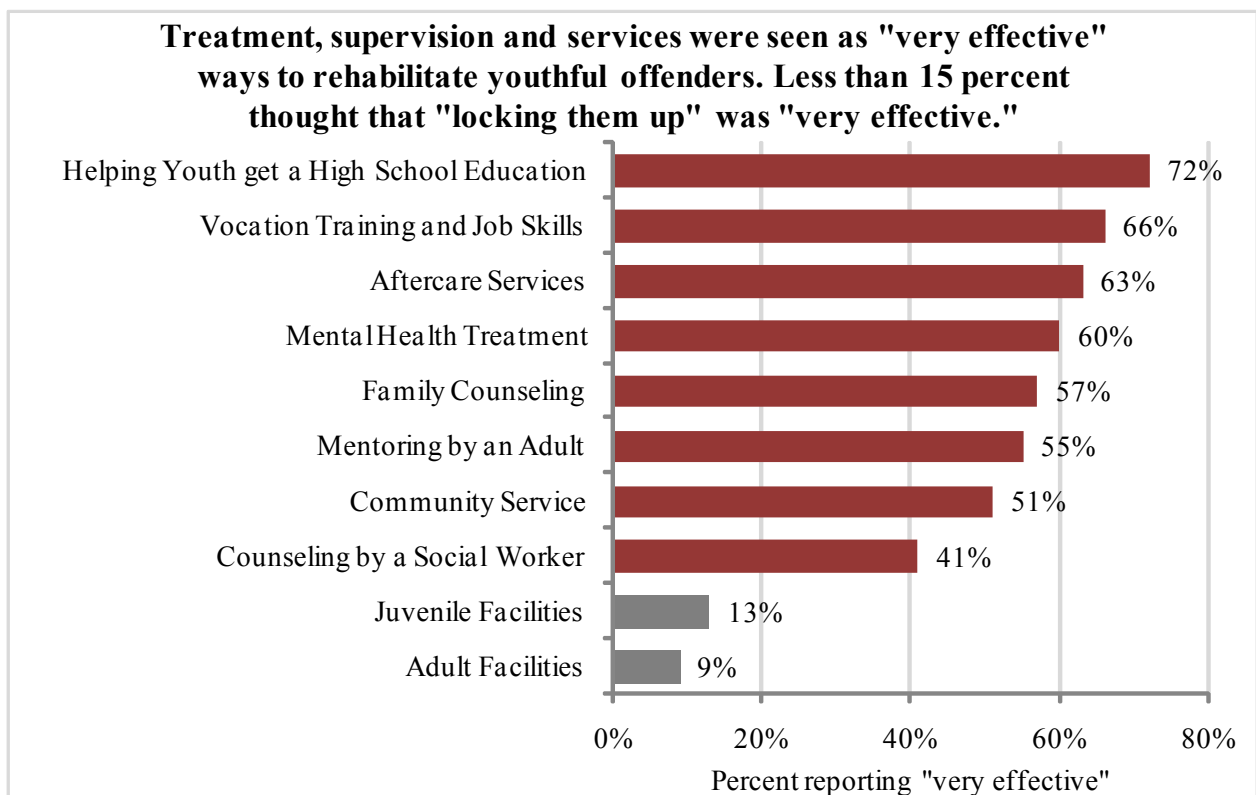
3. The public views the provision of treatment, services and community supervision as more effective ways of rehabilitating youth than incarceration.

Large majorities see providing treatment, services and community supervision as more effective ways of rehabilitating youth who commit crimes than punishment or incarceration in either an adult or juvenile facility.

“If you’re just going to throw them in a place where no one cares and nobody does anything, you’re just going to grow up an 18-year-old kid that still has nothing.”—Focus group respondent, Baton Rouge

A majority views family counseling, mental health treatment, vocational and job training and assistance with getting a high school education as “very effective” ways to rehabilitate young people who commit crimes. In contrast, less than 15 percent see incarcerating youth in either a juvenile or adult facility as being “very effective” at rehabilitating youth who commit crimes.

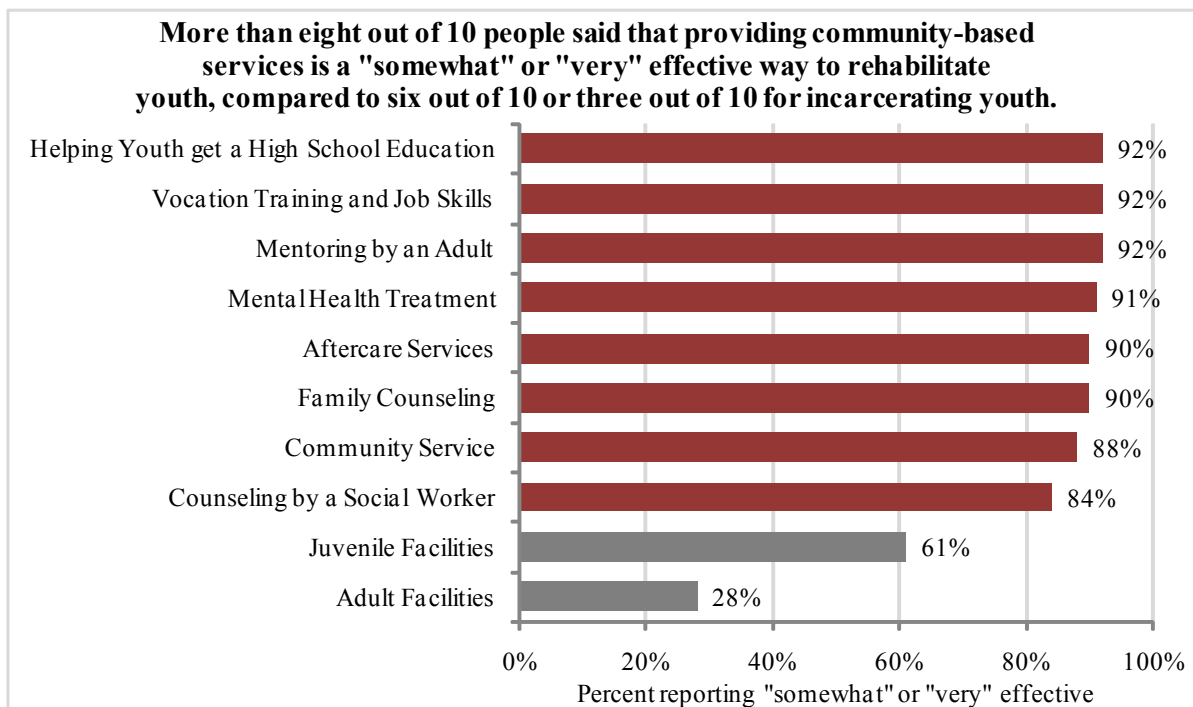
One of the biggest challenges facing communities is the development of effective “aftercare” services and plans for juveniles: the ability to connect juveniles leaving the system with the programs and services they need to adjust and succeed. More than six in 10 of those surveyed nationally said that “providing follow-up services once youth leave the juvenile justice system to help them go back to school or get a job” was a “very effective” way to rehabilitate young people who commit crimes.



“I am going to read you a list of things the juvenile justice system can do to help rehabilitate youth who commit crimes. In your opinion, please tell me how effective each of the following is in rehabilitating youth offenders: very effective, somewhat effective, not very effective, or not at all effective way to rehabilitate youth who commit crimes?”

Similarly, when responses of “somewhat effective” and “very effective” are combined, most respondents believe that non-incarceration options are productive ways to rehabilitate youth. Across all question items, about nine out of 10 see mentoring, job training, mental health treatment and other non-incarceration options as effective ways to rehabilitate youth who commit crimes.

By contrast, six out of 10 survey participants see incarcerating youth in a juvenile facility as “somewhat” or “very” effective. Few people think that incarcerating youth in adult jails and prisons is effective: less than three out of 10 see them as effective ways to rehabilitate youth.



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“Putting them in prison without even a thought to rehabilitation is pretty much the status quo and is not accomplishing anything. There’s a lot more options than just giving them a DCN [Department of Corrections number] and forgetting about them.” — Focus group respondent, Baton Rouge

“The problem is that we are punishment-focused rather than education-, rehab- and change- focused. The change I would make is to provide funding for mentor and group-based education and rehabilitation.” —Focus group respondent, Chicago

4. The public favors keeping nonviolent juveniles in small, residential facilities in their own communities rather than in large distant institutions.

Of all youth arrested each year, more than 90 percent are charged with nonviolent offenses. Of the youth subsequently held either in detention or juvenile corrections facilities across the country, more than six in 10 are held for nonviolent offenses.¹ Illinois and Louisiana recently made policy changes to increase the number of young people in “community-supervision,” which generally involves keeping nonviolent youth in their own homes under the close supervision of a caseworker or probation officer, where they are required to receive counseling services and attend school.

To help move more nonviolent youth to places more likely to reduce their reoffending, several states have embraced the “Missouri model” approach. In Missouri, young people were removed from large, distant state institutions and into small, “community-based” residential facilities that provide intensive services. Three-fourths of those committed to state care in Missouri are placed in open environments, such as nonresidential treatment programs, group homes or other non-secure facilities. In open environments, youth typically spend each weekday focused on both academics and counseling alongside 10 to 12 other youths who share a dormitory. Afterwards, residents participate in community service activities, tutoring, and individual and family counseling.² Statistics from the Missouri Department Youth Services found that in 2006, the recidivism rate was only 8.7 percent.³ It is difficult to compare that figure to other states’ recidivism rates because states use different measurement practices.⁴ In an effort to overcome these measurement differences, the Virginia Department of Juvenile Justice conducted a study in 2005 using the same definition of juvenile recidivism in 27 states.⁵ The study showed that 55 percent of juveniles released from facilities in Florida, New York and Virginia were rearrested within one year. Louisiana and Washington, D.C., have recently embraced the “Missouri model” approach.

Wherever young people are in the juvenile justice system, the public wants them to be held accountable. Eight out of 10 say that they want a stronger focus on accountability and that the system is not focused enough on “teaching youth who commit crimes to be accountable for their actions.” However, the public supports keeping nonviolent offenders, who comprise the majority of youth who enter the system and the majority of youth who are incarcerated, in community-based facilities or under community supervision.

¹ Sickmund, Melissa, T.J. Sladky and Wei Kang. 2005. Census of Juveniles in Residential Placement Databook. www.ojjdp.ncjrs.org/ojstatbb/cjrp/

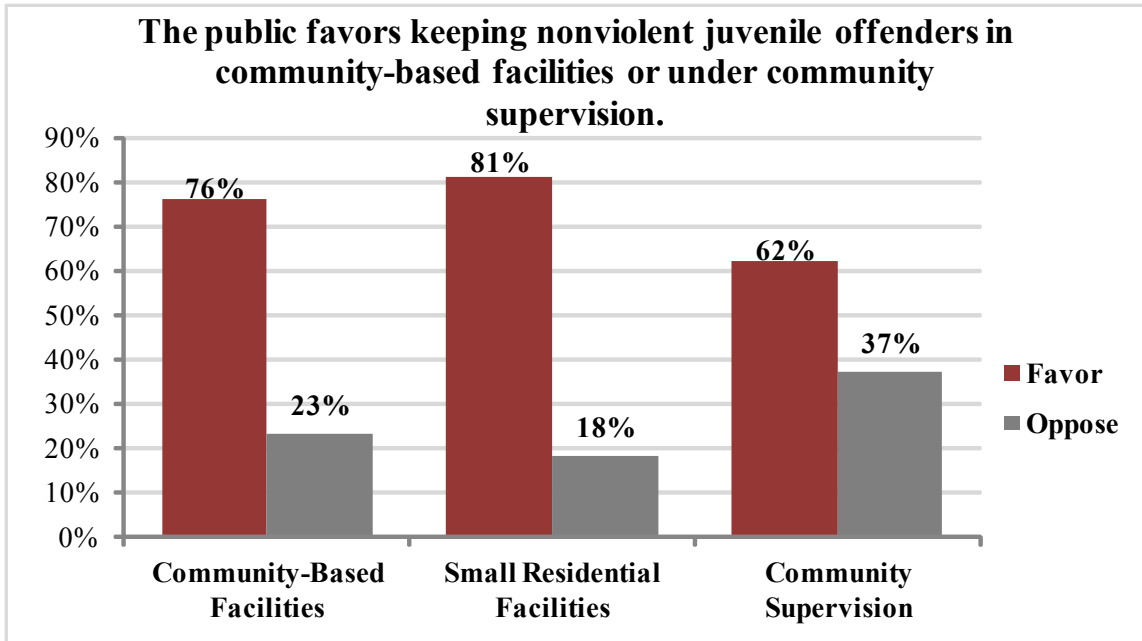
² Mendel, Richard A. 2001. Less Cost, More Safety: Guiding Lights for Reform in Juvenile Justice. Washington, D.C.: American Youth Policy Forum. www.aecf.org/upload/PublicationFiles/less%20cost%20more%20safety.pdf.

³ Missouri Department of Social Services. 2006. Division of Youth Services Annual Report: Fiscal Year 2006. www.dss.mo.gov/re/pdf/dys/dysfy06.pdf.

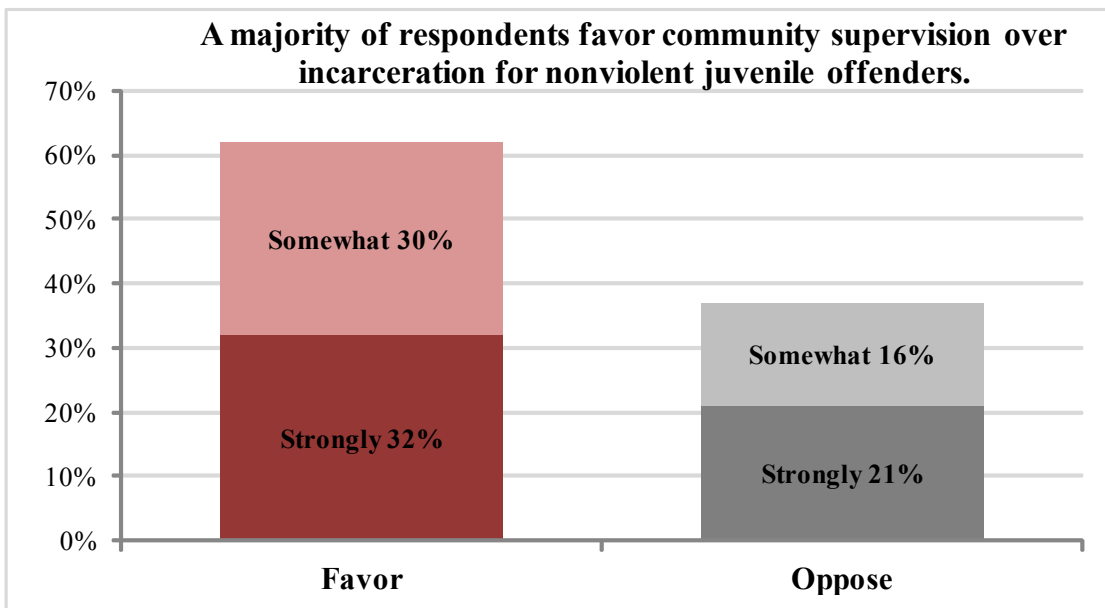
⁴ Snyder, Howard N. and Melissa Sickmund. 2006. Juvenile Offenders and Victims: 2006 National Report. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention. <http://ojjdp.ncjrs.gov/ojstatbb/nr2006/downloads/NR2006.pdf>.

⁵ Virginia Department of Juvenile Justice. 2005. Juvenile recidivism in Virginia. DJJ Research Quarterly. Richmond, VA: VDJJ; cited in Snyder, Howard N. and Melissa Sickmund. 2006. Juvenile Offenders and Victims: 2006 National Report. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention.

Seventy-six percent strongly or somewhat favor “placing nonviolent youth in facilities located in their own communities.” Eight out of 10 say they favor placing nonviolent youth “in a residential facility that holds a small number of youth” instead of incarcerating them in a large juvenile facility. Six out of 10 nationally say that instead of incarceration in a large juvenile facility, they favor assigning a nonviolent youth “to live in their own homes and receive counseling and other services under the close supervision of a caseworker.”



“Please tell me whether you favor or oppose each of the following proposals for dealing with youth convicted of NONVIOLENT crimes. Is that strongly or somewhat favor/oppose?”



“Please tell me whether you favor or oppose each of the following proposals for dealing with youth convicted of NONVIOLENT crimes. (Do you favor or oppose this? Is that strongly or somewhat favor/oppose?) Instead of incarceration in a juvenile facility, assigning youth to live in their own homes and receive counseling and other services under the close supervision of a caseworker.”

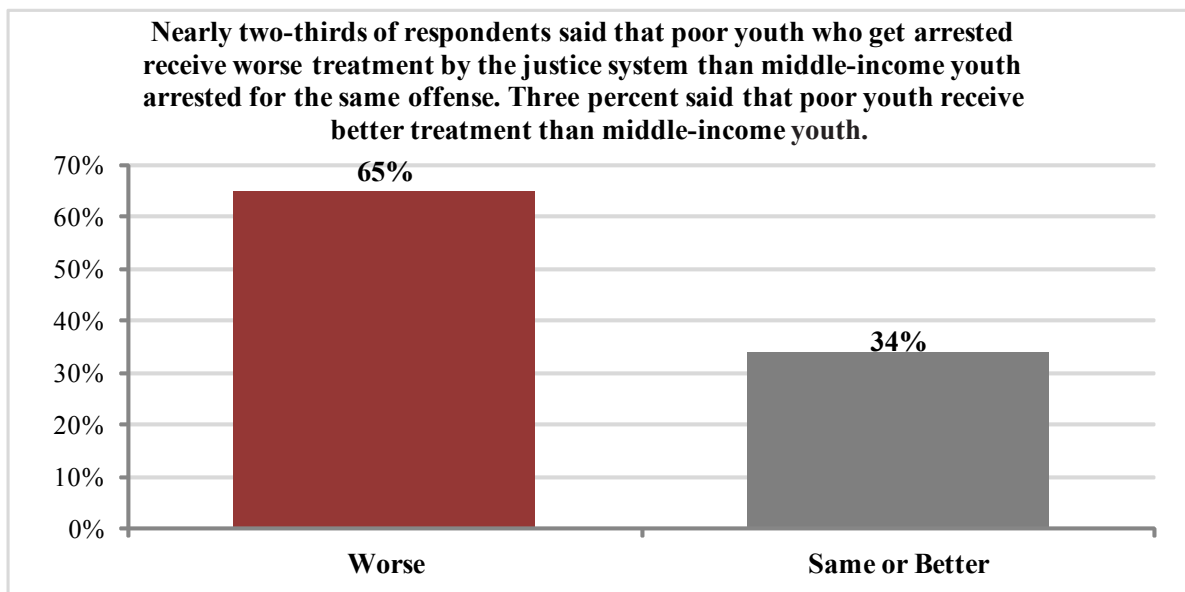
6. The public believes the juvenile justice system treats low-income youth, African American youth and Hispanic youth unfairly.

“It’s almost like that’s the face they expect to see.” —Focus group participant, Baton Rouge

“I’ve seen kids in white neighborhoods be picked out just for being black. I think there’s definitely an attitude. The attitude that cops have towards them is they’re guilty for walking down the street.” —Focus group respondent, Chicago

The public thinks that the system treats some youth—specifically, poor or low-income youth, and African American and Hispanic youth—unfairly and that the juvenile justice system or “programs” should be developed to help the system be more fair to youth of color.

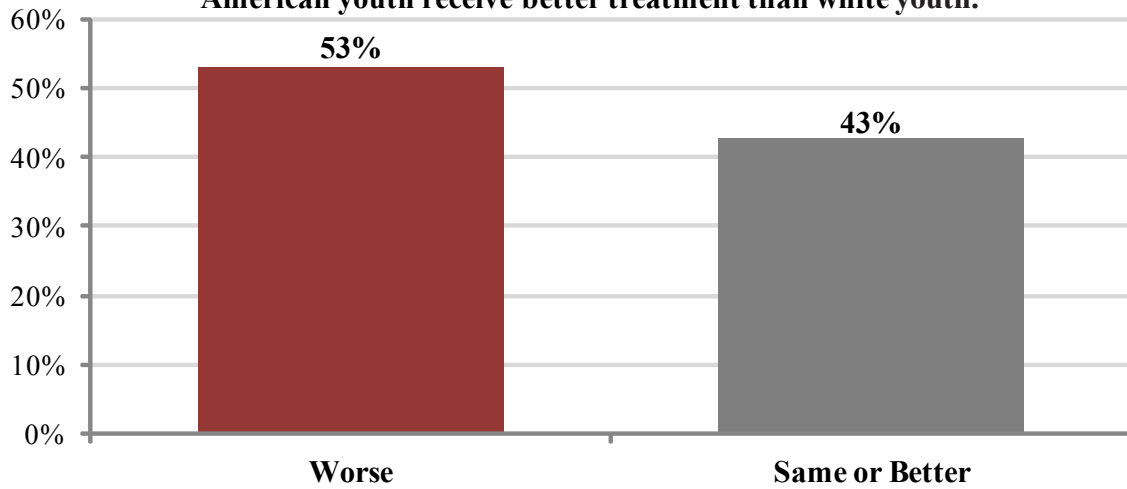
The public strongly believes that low-income youth receive worse treatment at the hands of the justice system. Nearly two-thirds of people polled nationwide (65 percent to 34 percent), and the majority of those surveyed in the Models for Change states think poor youth receive worse treatment than middle-income youth arrested for the same offense.



“In general, do you think a poor youth who gets arrested receives the same, better, or worse treatment by the justice system than a middle-income youth who gets arrested for the same offense?”

About half of those polled said that “an African American youth who gets arrested receives worse treatment by the justice system than a white youth who gets arrested for the same offense.” In each of the Models for Change states, a larger proportion of the public believe that African American youth receive worse treatment rather than the “same” or “better” treatment. At a time when the justice system is just beginning to learn the scale of Hispanic overrepresentation in the justice system, 47 percent of the public thought Hispanic youth receive worse treatment compared with white youth, with 41 percent saying they thought Hispanics received the same treatment as white youth.

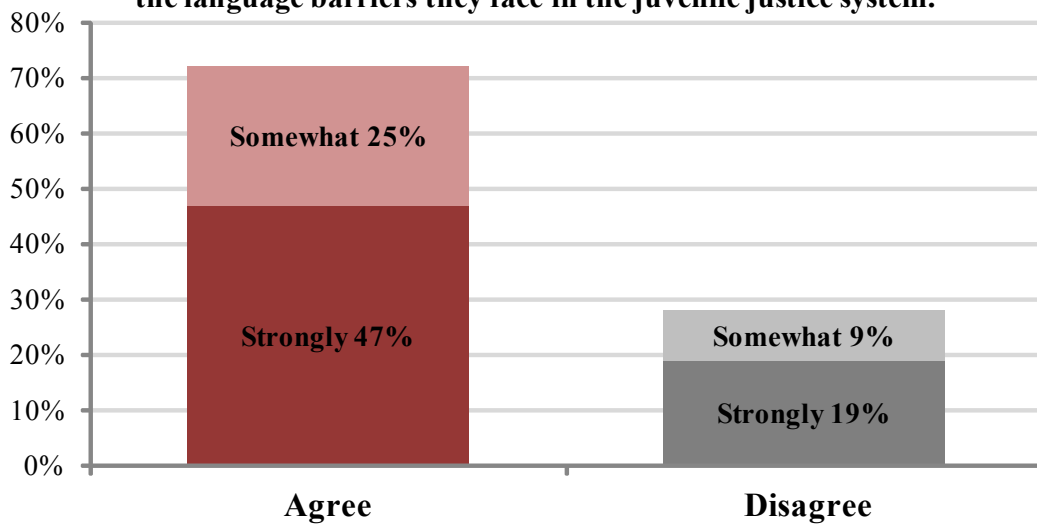
About half of those polled said that African American youth who get arrested receive worse treatment by the justice system than white youth arrested for the same offense. Three percent said that African American youth receive better treatment than white youth.



“In general, do you think an African American youth who gets arrested receives the same, better, or worse treatment by the justice system than a white youth who gets arrested for the same offense?”

The public recognizes the language barriers that Hispanic youth face in the juvenile justice system. More than seven out of 10 nationally, and more than six out of 10 in the Models for Change states, think “we should fund more programs to help Hispanic youth who get in trouble with the law overcome the language barriers they face in the juvenile justice system.” In addition, six out of 10 respondents agreed that “we should fund more programs that acknowledge and address the cultural backgrounds of Hispanic youth who get in trouble with the law.”

More than seven out of 10 think we should fund more programs to help Hispanic youth who get in trouble with the law overcome the language barriers they face in the juvenile justice system.



“Please tell me if you agree or disagree with the following statements. (Do you agree or disagree? Is that strongly or somewhat agree/disagree?) We should fund more programs to help Hispanic youth who get in trouble with the law overcome language barriers they face in the juvenile justice system.”

Conclusion: The public is ready to support juvenile justice reform.

The findings from the survey show that the public is ready to support juvenile justice reform. The public sees rehabilitation, services, treatment and community supervision as more effective ways to curb reoffending than incarceration in either juvenile or adult facilities. A majority of respondents support moving juveniles out of large institutions and into community-based facilities or into community supervision. And the public favors redirecting funds spent on incarceration to support these community-based services.

The public believes the juvenile justice system treats low-income youth, African American youth and Hispanic youth unfairly. The public thinks that poor youth, African American youth and Hispanic youth are more likely to receive worse treatment in the juvenile justice system than white youth charged with the same offense. More than seven out of 10 think that the system should fund more programs that help Hispanic youth overcome language barriers, and six out of 10 support measures to address their cultural backgrounds when they are in the justice system.

These results also show that Models for Change is implementing the kinds of reforms the public supports in Illinois, Pennsylvania, Louisiana and Washington. While the nature of the work varies from state to state, all are working toward reducing overrepresentation and racial and ethnic disparities, improving the delivery of mental health services, expanding community-based alternatives to incarceration, increasing the number of youth receiving services that have been proven effective, keeping young people out of adult facilities and helping young people return home after being in the juvenile justice system.

About the Poll and Methodology

As part of Models for Change, one of the initiative's grantees—the Center for Children's Law and Policy—asked a public opinion research firm to survey public attitudes on youth, crime, race and the juvenile justice system. In the summer of 2007, Belden Russonello and Stewart (BRS) conducted eight focus groups on the issues in Chicago, Pittsburgh, Baton Rouge and Seattle. Informed by the results from the focus groups, BRS conducted a national survey in September 2007.

Survey interviews were conducted September 17 to September 29 of 500 adults 18 years or older nationwide and approximately 300 adults in the four Models for Change states. The national survey of 500 people had a margin of error of ± 4.4 percent, and the individual state surveys had a margin of error of ± 5.7 percent.

For more information, contact Mark Soler, Executive Director, Center for Children's Law and Policy, at msoler@cclp.org or (202) 637-0377 ext. 104.

Models for Change is an effort to create successful and replicable models of juvenile justice system reform through targeted investments in key states. With long-term funding and support from the John D. and Catherine T. MacArthur Foundation, Models for Change seeks to accelerate progress toward a more rational, fair, effective, and developmentally appropriate juvenile justice system. Four states - Illinois, Louisiana, Pennsylvania and Washington - have been selected as core Models for Change sites. Other states participate in action networks targeting mental health and disproportionate minority contact in juvenile justice systems.

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