

Juvenile Justice

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**The Future
of Children**

PRINCETON-BROOKINGS



American juvenile justice policy is in a period of transition. After a decade of declining juvenile crime rates, the moral panic that fueled the “get-tough” reforms of the 1990s has waned, and with it the enthusiasm for the reforms that eroded the boundaries between juvenile and criminal court and exposed juvenile offenders to harsher punishments. More moderate policies are gaining favor as politicians and the public consider the high economic costs and ineffectiveness of the more punitive policies toward juvenile offenders.

Why Should We Care About Juvenile Justice Reforms?

In the same way that the upward trend in juvenile violence during the 1980s set the stage for the spate of punitive legislation during the 1990s, the downward trend since the mid-1990s has led to discussions about returning to more moderate policies. Emerging social science evidence has showed that adolescents lack the emotional and mental maturity of adults, that most juvenile offenders should be given a chance to benefit from rehabilitation, and, perhaps most important, that trying juveniles as adults is simply not cost-effective. Evidence of the high economic cost of incarcerating juveniles in adult facilities—together with studies finding that adolescents released from adult correctional facilities are more likely to re-offend than those sentenced to juvenile facilities—have influenced the public debate.

Although juvenile crime rates are falling, they may rise again in the future, and a few well-publicized cases of youth violence can trigger reactions that shape policy in counterproductive ways. It is important to ground the discussion about the future of juvenile justice in a solid evidence base rather than have it shaped by panic and outrage over a “crime of the month.”

Focus of the Volume

This volume examines juvenile justice policies and practices with the goal of promoting reforms to the justice system that are based on solid evidence that acknowledge that adolescents differ from adults in ways that policy ought to take into account, and that the antisocial acts that bring young people into contact with the justice system are often accompanied by other problems, most of which the justice system alone is ill-equipped to address.

Contributors to the volume address questions about policy and practice in the juvenile justice system including:

- What does current research on adolescent development suggest for policies towards young offenders?
- What tools do professionals in the justice system have to reliably assess a youth’s future behavior and reactions to sanctions and treatments?
- What are the roots of and concerns over disproportionate minority contact with the law and differences in outcomes of that contact?
- What are the reasons for and results of the increased movement of juveniles into the adult system? Has this movement been effective in reducing juvenile crime and recidivism?
- What are the special challenges posed by female offenders? Do they differ from male offenders in reasons for contact with the system or in services needed?
- What is known about the intersection of mental illness and juvenile crime? What services should be provided to this heterogeneous group?
- Are the substance-abuse services currently offered to juvenile offenders consistent with what is known about best practices? How can services be improved to continue serving youth once they leave the system?

What Reforms are Critical for Creating an Effective and Fair Juvenile Justice Policy?

Adolescents are Different from Adults in Ways that Need to be Reflected in Policy and Practice.

The juvenile justice system is not without its problems, but it is better equipped to respond to adolescents' antisocial behavior than the adult system is. Trying juveniles as adults should be an infrequent practice reserved for adolescent offenders who have clearly demonstrated that they are unlikely to benefit from the services available within the juvenile system. Raising the minimum age of criminal court jurisdiction to eighteen in states that now set it lower will keep hundreds of thousands of adolescents out of the adult system annually, likely reducing repeat offending and increasing young people's chances of making a successful transition into productive adulthood.

Maintaining a Separate Juvenile Justice System is not Enough; It Must also be Revamped.

Many practices in the current juvenile justice system are costly, wasteful, and ineffective. Solid empirical evidence confirms the best practices in sanctioning and treating adolescent offenders, but those practices are seldom used. It is unclear whether policymakers are simply not aware of these practices or are reluctant to implement them. One prime example is the excessive use of incarceration, especially with nonviolent offenders who can be effectively treated in the community.

Policymakers Must Better Coordinate the Juvenile Justice System with Other Institutions.

Coordination must improve between the juvenile justice system and other youth-serving institutions such as mental health, child protection, and education. Many juveniles who enter the justice system bring with them a host of other problems, some of which likely contributed to their antisocial activity, and virtually all of which will influence the effectiveness of any sanctions and interventions provided by the justice system. One reason the juvenile justice system has such a mixed track record in preventing recidivism is that many of the young people it is charged with rehabilitating have problems that are well beyond its own expertise and resources. Reforming juvenile justice policy will require changes not only within the justice system but in the relation between the justice system and other government agencies.

The “get-tough” reforms implemented during the past two decades—reforms that criminalized delinquency and ignored the developmental realities of adolescence—have been both unnecessarily costly and of questionable effectiveness. The good news is that the policies advocated in this volume are not just proven to be effective—they are proven to save taxpayer dollars as well. More carefully matching offenders with the programs that meet their specific needs, diverting offenders who are not dangerous into community-based programs to treat family problems, mental illness, and substance abuse, and minimizing the numbers of juveniles sent into the adult correctional system will save dollars, reduce rates of recidivism, and lead to more productive lives.