Mythbusters

The Juvenile Justice volume of *Future of Children* challenges some commonly held assumptions about delinquent youth and the system that deals with them.

**MYTH:** Adolescent offenders, particularly older ones, are able to think like adults and therefore should be treated like adult offenders.

**FACT:** Research has shown definitively that adolescents are generally less capable decision makers than adults for five reasons:

1. While older teenagers are similar to adults in their ability to reason and process information under ideal conditions, such as while taking a test in school, they are less able to apply these skills in real-world situations, such as when out on the street.
2. Teens are much more easily influenced by their peer group, both in terms of good and bad behavior, than adults.
3. Adolescents seem to lack what researchers have termed “future orientation.” That is, they focus on the here-and-now, rather than the long-term consequences of their actions.
4. In comparison to adults, adolescents are poor risk assessors—they weigh the reward of a given behavior, such as the thrill of driving fast, more heavily than the consequence, such as getting a speeding ticket, when making decisions.
5. Adolescents are less able than adults to control their impulses, supporting conventional wisdom that adolescents are more reckless than adults.

**MYTH:** Adolescent offenders act in much the same way as adult offenders—acting alone, acting with forethought, and specializing in certain types of crimes.

**FACT:** Unlike most adult criminals who act alone, most juveniles commit crimes in groups. Because they are relatively immature and like to experiment, most adolescent delinquents commit crime impulsively, motivated by immediate reward—the thrill of stealing a car, for example—with little regard for future consequences. Moreover, adolescent offenders do not specialize in a particular type of crime; rather the crime is often determined by opportunity and the behavior of their peer group. For example, an adolescent is more likely to be talked into engaging in a robbery by a group of friends who have impulsively decided to target a local convenience store.

**MYTH:** Harsh and punitive punishments such as “scared straight,” boot camps, and incarceration in adult prisons are effective in preventing youth from offending again and in reducing juvenile crime.

**FACT:** The theory behind these approaches is that once youth offenders experience harsh punishment, they will be so scared that they will put their days of crime behind them. In reality, research suggests that programs designed to instill fear in youth offenders are
largely ineffective in reducing crime. In fact, incarceration seems to have the opposite effect because it disrupts education (and later employability), exposes youth to an antisocial peer group, and negatively impacts psychological development by separating youth from social supports such as friends and family and increasing exposure to potential victimization. In contrast, effective prevention strategies, such as home-based models including the Nurse Family Partnership, prevent youth from engaging in criminal behavior in the first place. These programs begin early in the child’s life, some as early as during the mother’s pregnancy. They provide the family with the needed skills to avoid drug use, criminal behavior, and school drop out, increasing the child’s ability to become successful and avoid juvenile justice involvement.

**MYTH**: The strategy of lowering the age of majority and transferring juvenile offenders to adult court ensures that they receive harsher punishments, which in turn reduces crime and protects the public.

**FACT**: Instead of reducing crime and protecting the public, lowering the age of majority and transferring juveniles to adult court actually has the opposite effect. Comparisons of juvenile crime rates between states that have different ages of majority show that lowering the age of majority does not decrease juvenile crime. Moreover, juveniles who are transferred to adult court are not necessarily more likely to receive harsher punishment for their crimes than juveniles who remain in juvenile court. In fact, in some cases, youth offenders receive more lenient treatment in adult court than their counterparts in juvenile court. In addition, juveniles who are transferred to adult court have higher rates of re-offending and commit more violent crime than those who remain in juvenile court.

**MYTH**: Prevention and rehabilitation programs don’t work and are more costly than incarceration when it comes to reducing juvenile crime.

**FACT**: The evidence shows that prevention, intervention, and rehabilitation programs are less costly than incarceration. Over time, intervention and rehabilitation programs pay for themselves by reducing future crime—20 to 30 percent by some reports. Successful delinquency-prevention program models can save taxpayers seven to ten dollars for every dollar invested. In addition, a year of juvenile incarceration costs five times as much as a year-long rehabilitation program. While incarceration does reduce juvenile crime over the short term—it locks up those who might potentially recommit crimes—the cost-benefit ratio of incarceration remains positive only if juveniles who are at high risk for re-offending are jailed, while those at low risk are sent to alternative programs. In addition, incarceration has added long-term costs. Incarcerated juveniles often re-offend for various reasons—their education and social development have been disrupted and they are in the right place to learn really bad habits of criminal behavior.

**MYTH**: Juvenile offenders are “super predators” who are bound to become lifetime criminals and require harsh punishment in order to ensure public safety.
FACT: The concept of the juvenile “super predator”—a savvy gun-toting adolescent offender who commits serious crimes; is immune to reason, remorse, or rehabilitation; and is on a pathway to becoming a lifetime criminal—was introduced in the 1990s. This image created a moral panic, leading to the mantra “adult time for adult crime” and impacting the laws governing the punishment of juvenile offenders. Current research debunks the myth of the juvenile super predator:

- Rates of juvenile violent crime have steadily decreased since 1994, just when the idea of the super predator was gaining traction.
- Most crimes committed by juveniles are non-violent in nature, with drug-related and property offenses being by far the most common types of crimes committed by youth.
- While most adult criminals do begin offending during adolescence, it is also true that the vast majority of adolescent offenders do not go on to become “career criminals.” As youth mature, most “outgrow” their criminal behavior.
- Laws reformed to protect society from super predators—lowered age of majority and automatic transfer to adult court for some crimes—have actually had the opposite effect. Juveniles who serve sentences in adult correctional facilities are more likely to later re-offend than their counterparts who receive less harsh forms of punishment.

MYTH: Minorities are more involved in the juvenile justice system because they commit more crime.

FACT: Studies that measure offending suggest that the racial and ethnic differences in crime rates may not be as large as we once thought, if they even exist at all. Studies that survey youth using self-report measures of criminal behavior find that white youth and minority youth have similar levels of offending. Moreover, research shows that racial bias does exist at multiple levels of the juvenile justice system, leading minority adolescents to have a greater likelihood of and more prolonged contact with the justice system. Minority adolescents are more likely to be arrested, adjudicated, transferred to adult court, and given harsher sanctions than white adolescents who commit similar crimes. For example, several studies have shown that minority juvenile offenders are more likely to be transferred to adult court than white offenders for the same offense.

MYTH: Minorities are involved in the juvenile justice system disproportionately due solely to racial bias—they commit no more crimes than their white counterparts but get caught and arrested more.

FACT: In fact, minority adolescents may be more likely to commit violent crimes and to persist in their offending for longer periods of time than their white counterparts. This then leads to greater contact with the justice system because offenders are more likely to be arrested, processed, and adjudicated for a violent crime if they have a prior record. However, the extent to which differences in offending are due to race or ethnicity versus other environmental factors, such as poverty or living in a dangerous or high-crime
neighborhood, is unclear. More research on the causes of racial and ethnic differences in offending is sorely needed before firm conclusions can be drawn.

**MYTH:** Male and female juvenile offenders are very different and thus require different models for reform and rehabilitation.

**FACT:** Female and male offenders are more alike than they are different and often need the same type of rehabilitation. That said, female offenders can be distinguished from male offenders in a few important ways. Although the majority of risk factors for offending are the same for boys and girls, the impact of stressful life events, such as childhood abuse, may be more pronounced for female offenders. There is some evidence to suggest that female offenders are more aggressive and have higher rates of mental illness than male offenders. In addition, it appears that the long-term consequences of offending may be worse for female offenders, extending into adulthood and negatively impacting the next generation. However, despite these differences, research suggests that interventions that are effective in treating male offenders are also effective in treating female offenders. The difference lies in the extent to which male and female offenders utilize services. Female offenders are less likely than male offenders to access and complete treatment, although they are in need of more intervention, due to their higher rates of mental illness.

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