

Adolescent Development and Juvenile Justice Reform

Riding the Waves of Juvenile Justice Reform

Basic Principles of Reform

- **Hold young people accountable**
- **Treat them fairly**
- **Prevent reoffending**

Juvenile Justice Reform Comes in Waves



Four Waves of Reform

1. 1889 - First Juvenile Court
2. 1967 - *in re Gault* decision
3. 1990s - Punitive Backlash
4. 2005 - Present

Third Wave & Consequences

- **Nearly every state enacted harsh and punitive measures**
- **Transfer to adult criminal court**
- **Over-reliance on incarceration**
- **Financial costs**
- **Racial and ethnic disparities**
- **Social costs**

Role of Research – MacArthur Network on Adolescent Development and Juvenile Justice

- **Juveniles are much less competent than adults to deal with court proceedings;**
- **Juveniles are much less culpable for their actions due to a range of mitigating factors related to developmental immaturity; and**
- **Juveniles capacity for change**

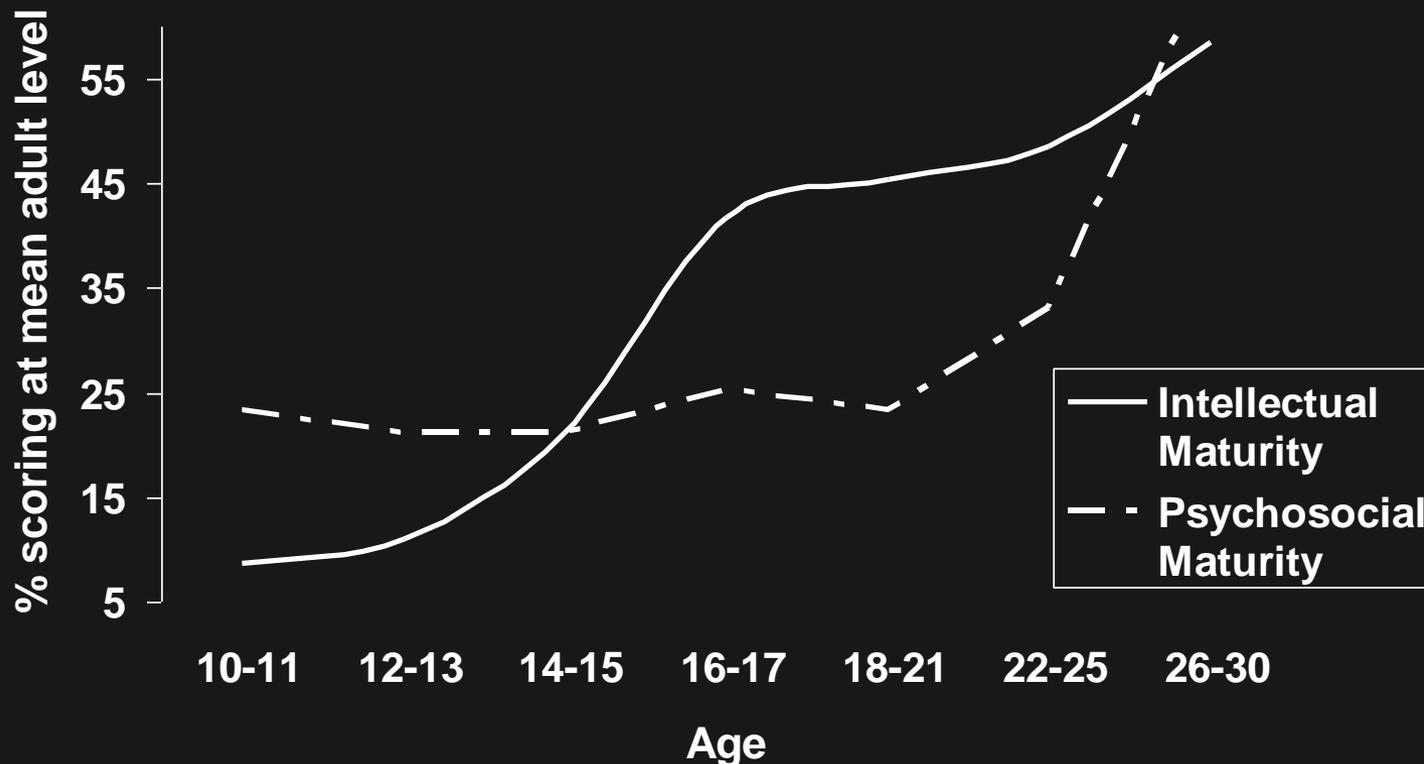
“It’s not just that adolescents don’t have the life experience to understand the system. It’s the way they think, and how they use information to make decisions.”

Laurence Steinberg

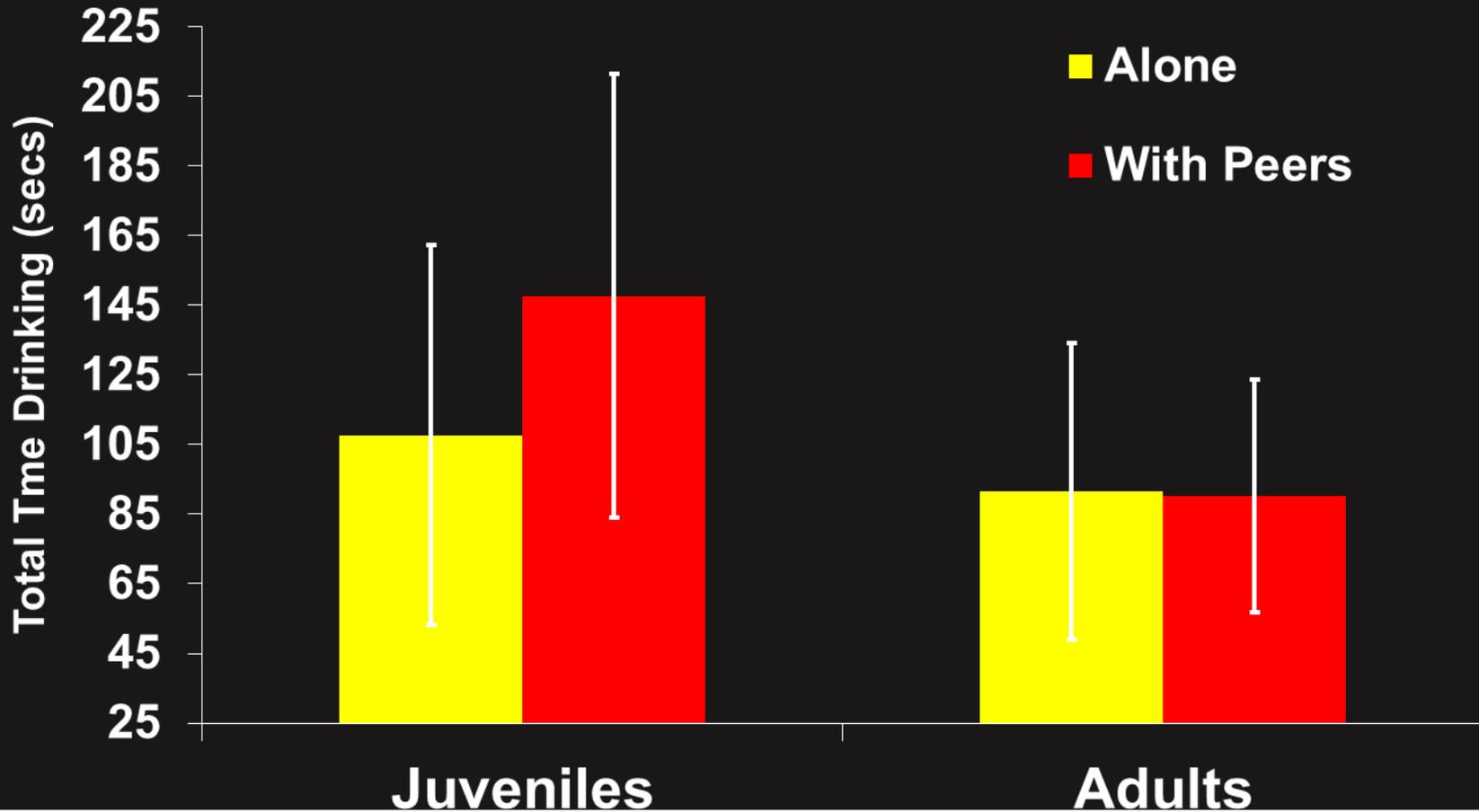
Brain Development in Adolescence: Four General Principles

- **Adolescence is a period of heightened brain plasticity**
- **Brain maturation continues until a later age than previously believed**
- **Different systems mature at different points in time and at different rates**
- **The different developmental timetables of different regions creates unique characteristics of adolescence**

Individuals Mature Intellectually Before They Mature Socially and Emotionally



Adolescent Mice Spend More Time Drinking Alcohol When With Peers



Landmark Cases Involving Science of Adolescence

***Roper v. Simmons* (2005)**

Abolished the juvenile death penalty

***Graham v. Florida* (2010)**

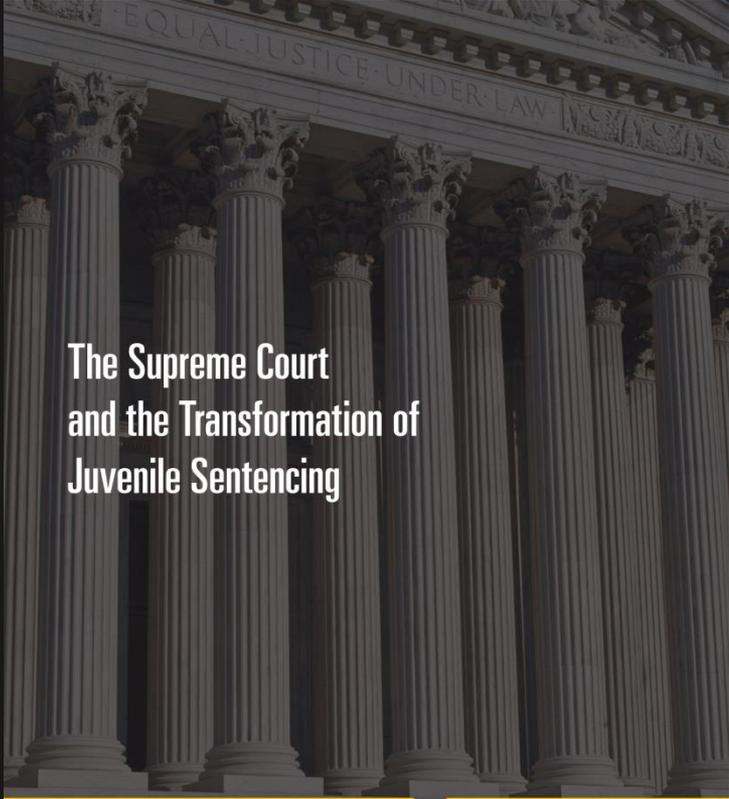
Prohibits JLWOP for crimes other than homicide

***Miller v. Alabama* (2012)**

Prohibits mandatory JLWOP for all crimes

***Montgomery v. Louisiana* (2015)**

Established that Miller is retroactive



The Supreme Court
and the Transformation of
Juvenile Sentencing

Elizabeth Scott, Thomas Grisso,
Marsha Levick, and Laurence Steinberg

ModelsforChange
Systems Reform in Juvenile Justice

ModelsforChange

Systems Reform in Juvenile Justice

www.modelsforchange.net

MACARTHUR
The John D. and Catherine T. MacArthur Foundation

Principles

- Fundamental fairness
- Juvenile-adult differences
- Individual differences
- Capacity for change
- Safety
- Personal responsibility
- Community responsibility
- System responsibility



Key System Indicators

1. *Fairness* – measured by reduced racial disparities and access to qualified counsel
2. *Recognition of Juvenile-Adult Differences* – measured by reduced transfer to adult criminal court
3. *Successful Engagement* – measured by increased participation in education, rehabilitation, and treatment services
4. *Community Safety* – measured by lower recidivism rates
5. *Diversion* – measured by reduced reliance on incarceration as well as increased use of community-based alternative sanctions

MacArthur
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VERA
INSTITUTE OF JUSTICE

Robert F. Kennedy
Children's
Action Corps

NJDC
NATIONAL JUVENILE DEFENDER CENTER

Mental Health and
Juvenile Justice
Collaborative
for Change

Resource
Center
Partnership
Models for Change

NATIONAL
LEAGUE
of CITIES

NCSL

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE
POLICE

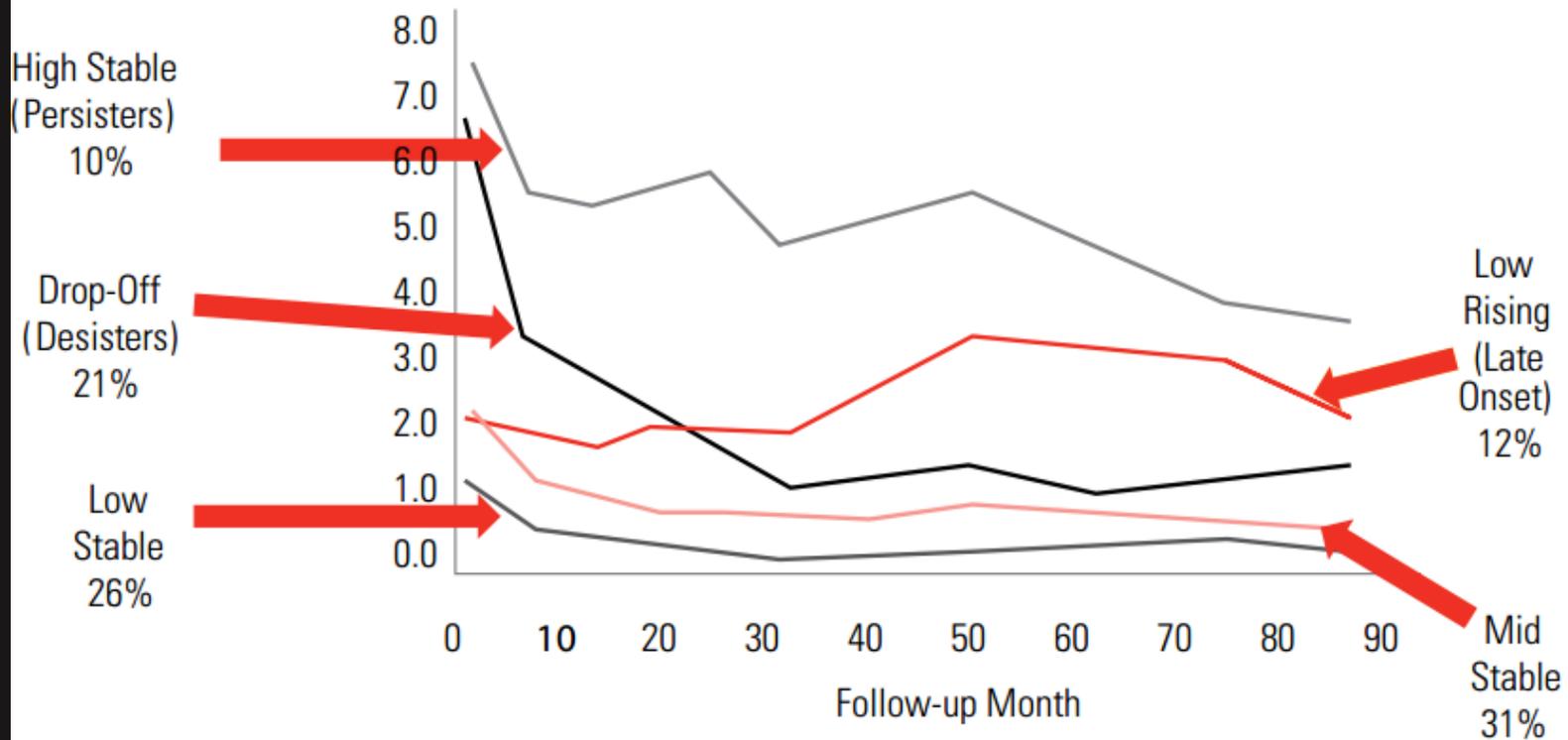
National Center for State Courts
1923

NACo NATIONAL ASSOCIATION of COUNTIES

JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS
Collaborative Approaches to Public Safety

Pathways to Desistance

Figure 1. Self-reported offending declines for the majority over time



Patterns of self-reported offending over seven years (males only-controlling for time on street)

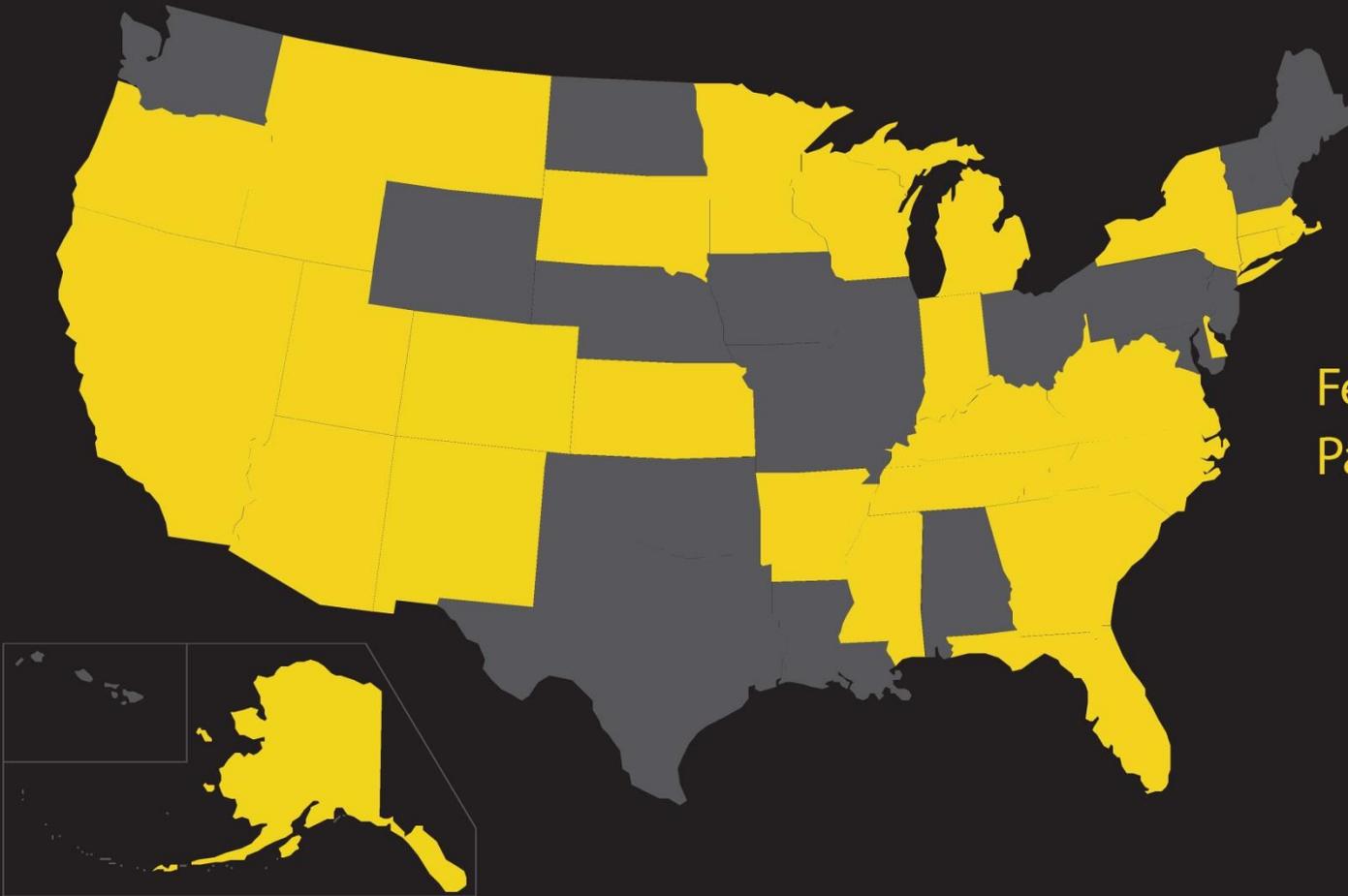
Pathways to Desistance

- **Most youth who commit felonies greatly reduce their offending over time. They age out.**
- **Longer stays in juvenile institutions do not reduce recidivism. Long sentences don't help**
- **In the period after incarceration, community-based supervision is effective for youth who have committed serious offenses.**
- **Substance abuse treatment reduces both substance use and criminal offending for a limited time.**

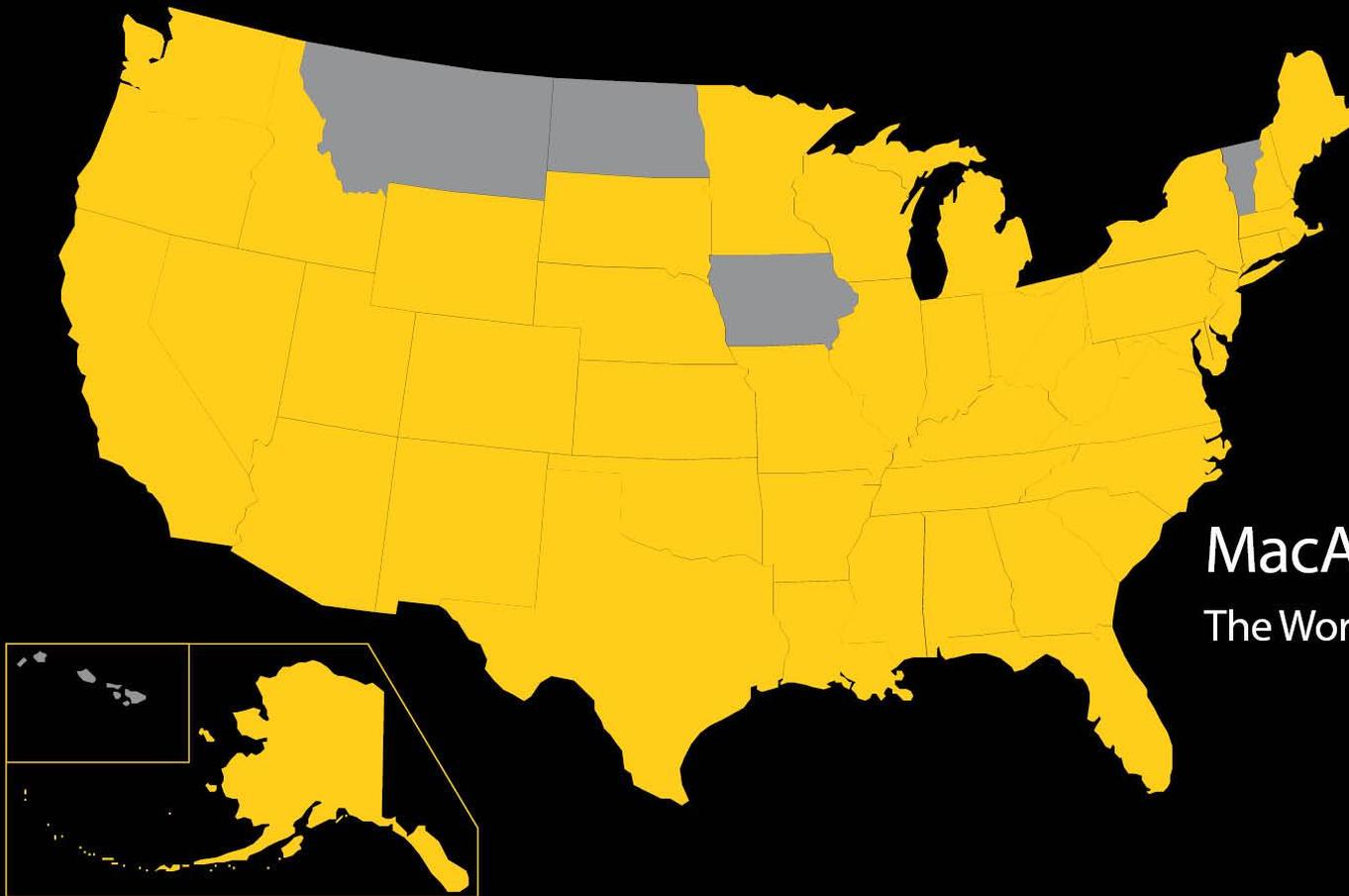
Crossroads Study

- **Formal versus informal processing of first-time juvenile offenders**
- **Establish an empirical basis for guiding juvenile justice decision-making**
- **Help juvenile justice professionals make decisions about delinquent adolescents that serve the best interest of the community, the taxpayers, and the youths themselves.**

Where are we now?



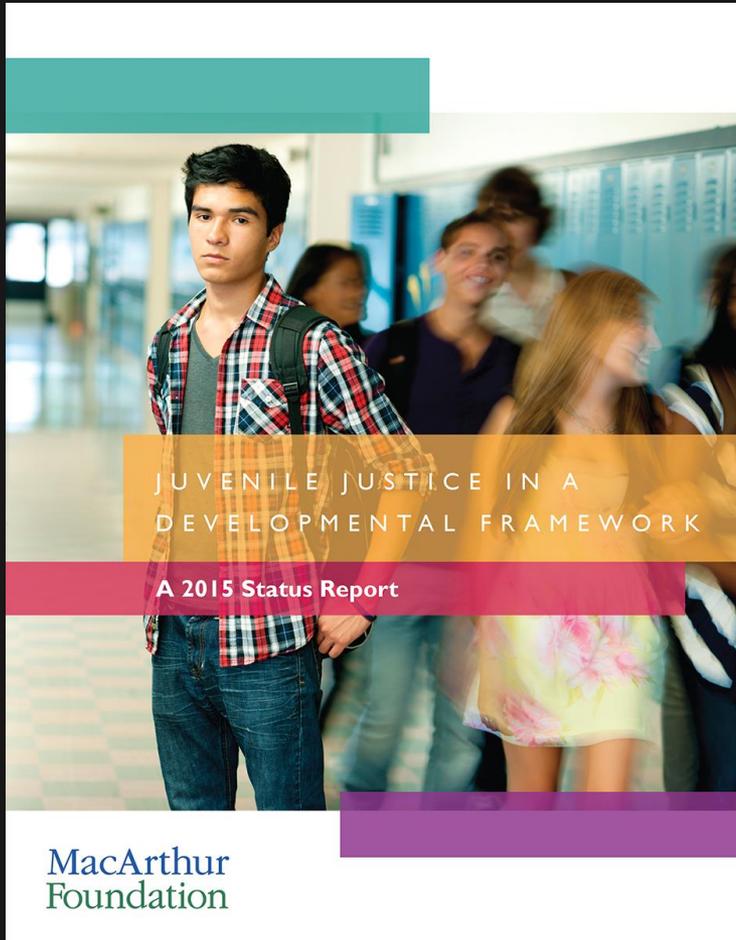
Federal-MacArthur
Partnerships



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The Work of Juvenile Justice Reform

Where are we now?



- **Every state in the union has taken steps in some policy area to legislate best practices.**
- **Progress on local level not yet reflected**
- **Better, but much left to do**

Opportunities and Threats in Juvenile Justice Reform?

- **Shallow roots – reforms not yet “culturally embedded”**
- **Fragmented field – no permanent reform structures**
- **Resistance to change**
- **Crime rate cycles**
- **Racial bias**
- **Trends in other social systems**

Riding the 4th Wave

