

# In Crime Prevention, What Is Best for Young People?

"Juvenile system processing appears not to have a crime control effect, and across all measures appears to increase delinquency," concludes the 2010 Campbell Collaboration report, *Formal System Processing of Juveniles: Effects on Delinquency*, coauthored by WestEd Senior Research Associate Anthony Petrosino and Research Associate Sarah Guckenbug (with Bridgewater State University professor, Carolyn Petrosino).

Based on a systematic review of the best existing evidence, the authors compared the crime-deterrent effectiveness of different paths by drawing on study data in which young offenders were randomly assigned to be processed through the official juvenile justice system or, instead, to be dealt with in an alternative way — either released outright or assigned to a formal diversion program. Drawn from 29 randomized experiments involving 7,304 low-level juvenile offenders (age 17 or younger) from 1973 through 2008, the data show that the young people who went through the system were more likely to commit subsequent crimes than those assigned to a diversion program with services.

Even those who were released outright were slightly less likely to commit subsequent offenses than those who had been assigned to the formal system — and that deterrent effect was achieved without the substantial costs of running young people through the formal system.

As Petrosino sees it, by formally processing young people who commit low-level crimes, "we are kicking ourselves twice. Removing kids from the system," he says, "is both cheaper and more effective for crime control."

The report authors conclude: "Given the financial costs associated with system processing (especially when compared with doing nothing) and the lack of evidence for any public safety benefit, jurisdictions should review their policies regarding the handling of juveniles."

## The Juvenile Justice System

To understand the report's findings, it is helpful to know how the formal juvenile justice system works. What happens when that 14-year-old is caught throwing a brick through a window? The answer is complicated because, from the moment a youth is apprehended and at every step thereafter, the law allows enormous discretion in how the system responds to this type of offense.

Officials at each step — including police officers, district attorneys, juvenile court intake officers, juvenile and family court judges, and others — can decide whether the young person should be

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officially processed (that is, sent further along the path to juvenile or family court), diverted to counseling or other services, or released altogether.

Different states and local jurisdictions have different rules and options, but generally the final possible step in the system is to appear before a juvenile or family court judge for adjudication, a process in which the judge reviews evidence, hears testimony and arguments, and determines whether the youth is guilty of the offense. If so, the judge then determines the disposition, or penalty.

Despite the sensationalized picture often painted by the media of violent juvenile crimes, most cases in juvenile court systems involve less serious offenses. The population in the Campbell Collaboration report included very few offenders accused of more serious personal offenses, like robbery. The population was largely made up of first- or second-time offenders, most likely involved in property or drug offenses.

"Kids like these are on the cusp," says Petrosino. "Their crimes are too serious for a slap on the wrist, but perhaps not serious enough to put through the system."

### **Impetus for the Research**

Given all the different potential paths through and out of the system, which ones lead to the best outcomes? "All along the way there are diversion points where kids can be kicked out of the juvenile justice system," notes Petrosino. "Whether these points are used enough or effectively is the question."

The question is not a trivial one. The National Center for Juvenile Justice reports that in 2005, 1.7 million delinquency cases were processed in the U.S. at the juvenile court intake stage, meaning the district attorney had brought charges. Sixty percent of those cases proceeded to formal processing, while 40 percent were removed from the system, either released or diverted to an alternate program.

One major impetus for the 2010 report was to provide feedback to juvenile court judges who want evidence-based guidance on how best to handle these kinds of cases, especially those involving "kids on the cusp." As a Research Fellow at the Academy of Arts and Sciences in Cambridge, MA, from 1999–2004, when Petrosino explored possible research projects to inform the juvenile court system, he learned that juvenile judges simply lacked strong evidence either from research or their own data-tracking instruments on the most effective ways to handle juvenile offenders.

Based on his extensive research and reports about programs like Scared Straight, Petrosino already had strong ideas about what doesn't work in the realm of crime prevention. Popular in the late 1970s, and still used in some regions, the Scared Straight program strives to frighten young people who are considered at risk for criminal behavior into leading law-abiding lives by putting these youth in face-to-face contact with convicts who talk about what led them to prison. But Petrosino's research revealed that, instead of serving as a crime deterrent, exposure to Scared Straight or similar programs actually increased participants' delinquency.

In his own work, and in the wider research about the criminal justice system, Petrosino sees a pattern: The more harshly people are treated in the justice system, the more likely the treatment



will backfire. “Scared Straight operates on the theory that if we scare kids — if we bring them to adult prison and have them interface with prisoners — the experience is going to have a deterrent effect on crime. And yet it seems to backfire. Similarly, when we officially process them, the power of the system also seems to have a backfire effect.” Petrosino also cites a recent Canadian review examining the relationship between the length of prison sentences and recidivism. That review captures a similar backfire effect. It seems that the harsher the sentence given to a convicted criminal, the worse its outcomes will be in terms of crime control.

“You have to ask yourself, is this a good use of our resources?” says Petrosino. “There have got to be smarter ways to do this.”

## Seeking Smarter Ways

The authors of the Campbell Collaboration study do not interpret their findings as an indictment of the juvenile justice system. “There will always be a percentage of kids who need to be dealt with more seriously,” says Petrosino. “But it is incumbent on jurisdictions to review their current policies. Jurisdictions can direct greater percentages of juvenile misdemeanors out of the system without risking public safety — and perhaps even save some money in the process.”

Some of Petrosino’s future work will likely focus on understanding “smarter ways” for handling youthful offenders. In a system that gives so much discretion to its officials, Petrosino sees a key role for empirically based instruments for assessing risk, which can contribute to sounder and more consistent decisions about the best course of action for individual young people. He believes key priorities should include pursuing research and development of risk-assessment tools and training officials in how to use them.

Research is also needed on alternatives to the formal juvenile justice system. For example, after reading the 2010 Campbell Collaboration report, Scott Peterson of Global Youth Justice approached Petrosino and his coauthors about evaluating the effectiveness of “youth court,” a non-system alternative program for low-level offenders. In this program, all key court positions — judges, jury members, prosecutors, and defense attorneys — are held by young people.

“If you are the kid who threw the brick through the window,” explains Petrosino, “you and your parents might be offered the opportunity to have your case handled by youth court instead of the regular system, provided that you agree to abide by the assigned punishment.”

Like many other alternatives to formal processing, youth courts are relatively untested. Petrosino and colleagues are enthusiastic about launching studies of such alternatives, in hopes that more effective programs can provide considerable payoffs by moving young people out of the formal juvenile system process, reducing future offenses, and costing society less.

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