

# Juvenile justice reforms should incorporate science of adolescent development

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Legal responses to juvenile offending should be grounded in scientific knowledge about adolescent development and tailored to an individual offender's needs and social environment, says a new report from the National Research Council. Accountability practices should not be carried over from criminal courts to juvenile courts; in particular, confinement should be used only in rare circumstances such as when a youth poses a high risk of harming others.

The specific aims of the [juvenile justice system](#) are to hold youths accountable for wrongdoing, prevent further offending, and treat offenders fairly. "Many jurisdictions are still operating under harsh laws passed in the 1990s that rejected the relevance of the developmental differences between adolescents and adults to justice policy," said committee chair Robert Johnson, dean of the New Jersey Medical School in Newark. "But adolescents' brains, behavior, and needs are different from those of adults, and states should align their laws and policies with that evidence."

Research shows that an imbalance in developing [brain systems](#) is linked to adolescents' lack of mature capability for [self-regulation](#), heightened sensitivity to external influences, and poorer ability to make decisions that require consideration of the future. Individual development and likelihood of offending are also strongly affected by youths' interactions with their environment, which includes parents, peers, schools, and communities, the report says. Much adolescent involvement in illegal activity is an extension of the kind of risk-taking that is part of the

developmental process, and most adolescents mature out of these activities.

Three conditions that are critically important to adolescent development are active involvement by a parent figure, [peer groups](#) that value positive socialization and [academic success](#), and activities that contribute to decision-making and critical-thinking abilities, says the report. [Juvenile justice](#) system practices that rely on containment, confinement, and control can deprive youth of these resources.

Well-designed, community-based programs are more likely than institutional confinement to reduce recidivism and facilitate healthy social and moral development for most young offenders, the report says. Even in the most serious cases of personal violence, criminal court sentences should avoid confining adolescents in adult prisons. The report adds that juvenile records should remain confidential to increase opportunities for an offender's successful transition into adulthood.

The juvenile justice system should eliminate interventions that research has found to be ineffective or harmful, while engaging an adolescent, his or her family, and the community to foster positive activities and law-abiding behavior. Many effective developmentally based interventions also result in substantial cost benefits, such as relatively low-cost programs that divert adolescents from the justice system by reducing risk factors or that intervene while an offender is confined or on probation. Conversely, programs such as wilderness challenges and bootcamps have large costs and have been shown to be ineffective.

Minorities are disproportionately represented in the juvenile justice system, especially during the arrest and detention stages and for certain crimes. The report notes that minorities are more likely to face harsh punishment for some crimes and remain in the system longer than white youths for the same crimes. While the juvenile justice system alone

cannot alter the underlying causes of racial and ethnic disparities, practices within the system that impact disparities could be addressed, for example setting guidelines for handling adolescents as they enter the juvenile [justice system](#) to avoid further processing. The committee calls for increasing the accountability of national, state, and local governments for reducing racial and ethnic disparities.

Juvenile courts should ensure that young offenders are represented by properly trained counsel, that legal decisions are not made unless the youth is competent enough to understand the proceedings and assist counsel, and that youths have an opportunity to participate in the proceedings, the report says. Evidence suggests that juveniles are more likely to accept responsibility if they perceive the proceedings to be fair and the sanctions to be appropriate to their offenses.

"Adolescents have a heightened sensitivity to perceived injustice, so being fair to juveniles is developmentally important as well as constitutionally important," said committee vice chair Richard Bonnie, professor of law and public policy at the University of Virginia, Charlottesville.

The immediate momentum for systemwide change will need to come from state, local, and tribal governments, the report says, but policymakers at all levels need to be engaged in the process and be transparent regarding the effectiveness and costs of current programs and policies. Federal research agencies should support research to continue to advance the science of [adolescent development](#), and new findings should be incorporated into policies and practice on a continuing basis.

Provided by National Academy of Sciences

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