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Contact: Preston M. Moretz  
[pmoretz@temple.edu](mailto:pmoretz@temple.edu)  
215-204-4380  
[Temple University](#)

## **New book offers proposals for dealing with juveniles who commit crime**

Prosecuting juvenile offenders as adults has become politically expedient over the past two decades. While such action is intended to reduce crime, evidence suggests it may be having the opposite impact, according to a new book co-authored by a Temple University developmental psychologist.

In "Rethinking Juvenile Justice" (Harvard University Press), Laurence Steinberg, Distinguished Professor of Psychology at Temple, and his co-author Elizabeth Scott, the Harold R. Medina Professor of Law at Columbia University, draw on the best available evidence in adolescent development to offer a new approach to criminal law as it pertains to juveniles.

"What Professor Scott and I try to do in this book is propose a system that holds kids accountable and protects public safety, yet treats kids in a way that maximizes their chances of being rehabilitated and being put back on the right track," said Steinberg, who is also the director of the John D. and Catherine T. MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice.

The book begins with the story of Lionel Tate, who at the age of 14 became the youngest American citizen ever sentenced to life in prison without parole. Tate was prosecuted in Florida as an adult for accidentally killing a 6-year-old girl with a wrestling move when he was 12.

After spending three years in prison, his lawyers won an appeal on the grounds that he should have been assessed for competence to stand trial and he was credited for time served and given a new sentence of probation. But he got into trouble again, including committing armed robbery, burglary and battery, and is back in prison serving a 30-year sentence.

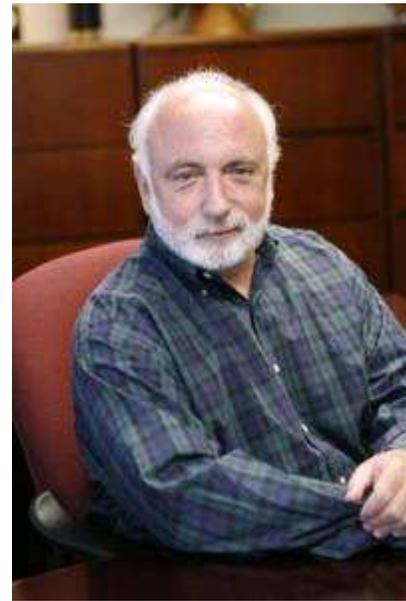
"We start with this case because I think it is a good illustration of how difficult it is to know what to do," said Steinberg, whose previous research has demonstrated that there's a risk of incompetence among kids Tate's age. "When the case came to trial, it did appear that this was just a 12-year-old who was rough-housing with somebody.

"I think a lot of people will look at the fact that he subsequently committed more crimes as indicating that it was the right decision to send him to prison for the rest of his life because he was dangerous," Steinberg added. "But what is not taken into account is the possibility that his experience in prison, for the three years he was there, could have turned him into a criminal."

Steinberg and Scott, who have collaborated for 10 years through the MacArthur Network, observe that the juvenile justice system long held that kids were fundamentally different from adults, with different procedures, different sanctions and different goals. But over the past 20 years, the juvenile justice system's policies toward kids have grown increasingly punitive, with a substantial increase in the prosecution of juveniles as adults and harsher sanctions for kids in the system.

This, says Steinberg, is not very good policy from both a public safety and a taxpayer point of view.

"There is evidence, from our work in the MacArthur Network as well as from others, that harsh punishments for kids do not serve the purpose that the people imposing them think they serve; that is, harsher punishments don't reduce crime," said Steinberg. "If anything, there is some evidence that they may increase crime."



Laurence Steinberg, distinguished professor of psychology at Temple University and director of the John D. and Catherine T. MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice.  
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He said that juveniles who have been prosecuted as adults and served time in adult correctional facilities are more likely to offend again, and sooner, when they leave incarceration and return to the community, than are juveniles with similar backgrounds who committed the same crimes but were not tried as adults. And he estimates that, depending on the state and level of confinement, it costs approximately \$50,000 per person, per year to keep someone incarcerated, a cost that can inflate to as high as \$100,000 in states where the cost of living is higher.

"It is an intuitively appealing idea; someone does something bad, you lock them up, they learn their lesson and they won't do it again," said Steinberg. "But the data doesn't support that at all; there is no evidence that harsh punishments deter other juveniles from committing crimes.

"In fact, we can treat kids in the community using different kinds of therapeutic approaches, most of which involve the family and not just the juvenile, for about a quarter of what it costs to imprison them," he added. "And the evaluations of these community-based programs show that they are more effective than harsher punishments, like boot camps." Steinberg and Scott conclude the book with two proposals:

1. The presumptive age for adult for the purposes of criminal law should be 18 nationwide. "That alone would probably keep 80 percent of juveniles out of the adult system."
2. No one under the age of 15 should ever be tried as an adult. "The risk of immaturity at that age is so high that it doesn't make sense for a court to allow it. If you think about other laws, we never draw the boundary between adolescence and adulthood at that young an age. Driving is probably the youngest we allow, at age 16."

Steinberg believes that the public would be supportive of the initiatives offered in the book. "Public opinion data on these issues is very clear. Most people think that juveniles deserve a second chance, and the vast majority believes that we ought to at least try to rehabilitate these juvenile," he said.

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SOURCE CONTACT: Laurence Steinberg, 215/204-7485 or [lds@temple.edu](mailto:lds@temple.edu)

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