

Introducing the Issue

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American juvenile justice policy is in a period of transition. After a decade of declining juvenile crime rates, the moral panic that fueled the “get-tough” reforms of the 1990s and early 2000s—reforms that eroded the boundaries between juvenile and criminal court and exposed juvenile offenders to increasingly harsh punishments—has waned. State legislatures across the country have reconsidered punitive statutes they enacted with enthusiasm not so many years ago. What we may be seeing now is a pendulum that has reached its apex and is slowly beginning to swing back toward more moderate policies, as politicians and the public come to regret the high economic costs and ineffectiveness of the punitive reforms and the harshness of the sanctions.

Several concrete indicators of this shift are noteworthy. First, in the wake of the Supreme Court’s 2005 *Roper v. Simmons* opinion abolishing the juvenile death penalty, several state legislatures have repealed, or are considering repealing, statutes imposing sentences of life without parole on juvenile murderers.¹ Other states have scaled back, often in response to mounting economic costs, automatic transfer laws that send youth

to the adult criminal system by statutory exclusion.² Many states have increased funding for community-based treatment programs as alternatives to institutional placement.³ In a few states where youth under eighteen are prosecuted in adult criminal court instead of juvenile court, promising efforts are under way to increase the age to eighteen, as it is in most states.⁴ Finally, several states have expanded procedural protection for juveniles in criminal court by enacting statutory provisions authorizing findings of incompetence to stand trial on the basis of developmental immaturity.⁵ Although many of the punitive reforms of the 1990s still remain in place, a policy shift appears to have taken place.

Several developments have converged to change the direction of the nation’s youth crime policy. Among the most important was the steady decline in juvenile crime beginning in 1994. In the same way that the upward trend in juvenile violence during the 1980s set the stage for the spate of punitive legislation during the 1990s, this downward trend has opened the door to discussions about returning to more moderate policies. Advocates for reform also have been successful in focusing media and political attention on a broad range of emerging social science evidence about

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adolescent development and juvenile crime. Editorials and op-eds in local and national newspapers have pointed to this evidence in arguing that adolescents lack the emotional and mental maturity of adults, that juvenile offenders should be given a second chance, that the public supports rehabilitative efforts, and, perhaps most important, that trying juveniles as adults is simply not cost-effective. Evidence of the high economic cost to the government of the wholesale incarceration of juveniles with adults—together with studies finding that adolescents released from adult correctional facilities are more likely to re-offend than those sentenced to juvenile facilities—have influenced the public debate.⁶

Those who applaud the trend toward justice policies that recognize the differences between adolescents and adults may be heartened by these developments, but they should not naively assume that this trend will proceed unabated. Juvenile crime rates, which have risen and fallen cyclically for four decades, will likely rise again, though perhaps not to the extremes of the early 1990s. Indeed, although rates continue to be low, they have crept up recently; in the past year or two, violent crime by juveniles has edged above the 2004 rates, which were the lowest in nearly two decades.⁷

It is too early to tell whether recent reports of an uptick in juvenile crime indicate a reversal of the downward trend that the United States enjoyed for well over a decade, or, instead, a transient fluctuation. But stories about rising juvenile crime rates have begun to appear with increasing frequency in newspapers around the country, and publicity about juvenile crime quite often triggers swings in policy. If the current upturn in juvenile offending is indeed the beginning of a worrisome trend, it will take only a couple of

widely publicized juvenile crimes and a few outspoken pundits and politicians to push the pendulum back in the other direction. That is how tenuous and reactive juvenile justice policymaking has been in recent years.

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I have set the stage for this volume in this way to emphasize how important it is to ground the discussion about the future of juvenile justice in a solid evidence base rather than have it shaped by the “crime of the month” or a moral panic. Only relatively recently, however, has the evidence base become both broad enough and deep enough to inform the discussion. To be sure, researchers have for some time now been accumulating a substantial literature on the causes of juvenile crime, a topic that was deliberately excluded from this volume, precisely because the findings from this research are well known among scientists and policymakers alike. What has been in short supply is systematic research on the topics addressed in this volume: the ways in which normative adolescent development can guide sensible policymaking, the reliability of assessing juveniles’ risk for re-offending and amenability to treatment, the prevalence of mental illness and substance abuse in the juvenile offender population, the distinctive characteristics of female juvenile offenders, the extent and causes of disproportionate

minority contact with the juvenile justice system, the impact of trying and sanctioning juveniles as adults, and the effectiveness of interventions designed to prevent or treat delinquency. As the articles in this volume make clear, although much remains to be learned, researchers now know enough about all of the topics covered in this volume—with the possible exception of female juvenile offending—to offer some evidence-based perspectives on policy and practice.

Within any field of public policy there is always some gap between rhetoric and reality, and between science and practice, but the gulf is especially wide where juvenile justice is concerned. To help close this gap, in 1997 the John D. and Catherine T. MacArthur Foundation established the MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice. This volume of *The Future of Children* grew out of the MacArthur Network's activities; all of the contributors have had some connection with that enterprise, either as members of the network or as scientists whose work the network funded.

The overarching goal of the MacArthur Network has been to consider the ways in which scientific knowledge about adolescent development and juvenile crime could inform policy and practice within the juvenile and criminal justice systems. Over the course of the network's tenure, this broad aim led its members to pose a wide variety of policy questions, many of which are addressed in the articles in this volume. Are adolescents different from adults—cognitively, emotionally, and socially—in ways that bear on their criminal responsibility, their competence to stand trial as defendants, and the appropriate venue (juvenile court or adult court) for the adjudication of their crimes? What does

research reveal about juveniles' capacity to change—in juvenile justice parlance, their “amenability to treatment”—and about how to predict which juveniles desist from crime, either on their own or as a result of the justice system's efforts to change them, and which ones recidivate? What are the specific challenges to policy and practice presented by the disproportionate contact of ethnic minority youth with the justice system, the increasing number of female juvenile offenders, and the large numbers of juveniles in the system with substance abuse and other mental health problems?

The MacArthur Network brought to its work a particular perspective that is reflected in all of the contributions to this volume, three elements of which are especially noteworthy. First, all contributors to the volume start from the premise that adolescents are different from adults in ways that ought to be taken into account in crafting sensible and effective policy. That theme is explicit in the article by Elizabeth Scott and myself, which presents a developmental perspective on juvenile justice, but it comes into play in several other articles, most notably those by Edward Mulvey and Anne-Marie Iselin (on assessment), Jeffrey Fagan (on jurisdictional boundary), and Peter Greenwood (on prevention and intervention). The scientific study of adolescent development has burgeoned in the past two decades, but its findings have not yet influenced juvenile justice policy nearly as much as they should.

Second, we take the stance that policy and practice in the juvenile justice system should be guided by solid evidence. Much of what policymakers and the public believe to be true just isn't so. For example, contrary to widespread belief, as Elizabeth Cauffman notes, the causes of crime among male and

female offenders are far more similar than different; as Peter Greenwood points out, there is no truth to the notion that, when it comes to delinquency prevention, “nothing works”; and, as explained by Alex Piquero, the causes of disproportionate minority contact are far more complicated than is often claimed both by those who insist that disparities in contact with the system are entirely due to racial bias on the part of the system and by others who contend that the disparities simply reflect racial differences in criminal involvement.

Third, to be effective, the juvenile justice system must be better integrated into the larger network of public institutions and agencies that deal with children, youth, and families—most important, those that provide education, child protective services, and mental health treatment. The antisocial acts that bring young people into contact with the justice system are often accompanied by other problems, most of which the justice system is ill-equipped to address. Among the most prevalent of these problems are mental illness, discussed by Thomas Grisso, and substance abuse, discussed by Laurie Chassin; child maltreatment and difficulties in school are not discussed in this volume, but they are also important. The nation’s failure to address these problems, whether because of poor coordination between systems, inadequate resources, or inter-agency turf wars, is one reason so many youngsters enter, exit, and re-enter the justice system through what many observers have correctly described as a revolving door.

A Developmental Perspective on Juvenile Justice

In the first article of this volume, Elizabeth Scott, of Columbia Law School, and I offer a developmental perspective on juvenile justice

that lays the groundwork for the articles that follow. After briefly reviewing the history of American juvenile justice policy and the events that transformed society’s view of adolescent offenders from immature children who should not be punished for their misdeeds into fully mature individuals who should be held to the same standards of responsibility as adults, we argue that contemporary research on the science of adolescent development points to the need for a new model. In our view, the bright line distinction between children and adults that works well in many parts of the law has not worked well in regulating juvenile crime. Indeed, we suggest that forcing courts to view adolescents as children or as adults has led to poor policymaking that has either threatened public safety (by treating adolescent offenders too leniently) or jeopardized the future prospects of young people who have gotten into trouble (by treating them too harshly).

In place of the current regime, we propose a model in which adolescents are held responsible for their antisocial acts, but with the degree of their responsibility mitigated by their diminished decision-making capacity, their susceptibility to peer influence, and their unformed character, all of which make them less responsible for their conduct than are adults who commit similar offenses. Our contention that most adolescent crime is the product of developmental immaturity—a conclusion borne out by research showing that very few adolescent offenders grow into adult criminals—has implications not only for our view of juveniles’ culpability but also for our view of how to sanction young people. Punishing adolescents for their misdeeds and protecting the public from juveniles who are at high risk to re-offend are essential components of sensible juvenile justice policy, but it

is important not to lose sight of the fact that most adolescent offenders will desist from crime as they mature psychologically, merely in the course of normal development. To protect society in the long run and to promote social welfare, the response to juveniles' antisocial behavior must not imperil their development into productive adulthood.

Assessing Risk and Amenability to Treatment

The model of juvenile justice that Scott and I propose requires that the justice system be able both to make distinctions between offenders based on whether they represent a serious threat to public safety because of their risk for recidivism and to match juveniles effectively with appropriate sanctions and interventions. Because the juvenile justice system is charged not only with punishing the guilty and protecting the public, but also with rehabilitating young offenders, practitioners working within the system must make judgments about offenders' risk of future violence and their likely amenability to treatment.

Critics of contemporary juvenile justice policy and practice frequently bemoan the disappearance of individualized decision making by judges, prosecutors, and probation officers, but as Edward Mulvey and Anne-Marie Iselin, both of the University of Pittsburgh School of Medicine, note in the second article, professionals working within the juvenile justice system are constantly asked to make predictions about offenders' future behavior and to assess their likely responsiveness to various types of sanctions and treatments. Mulvey and Iselin ask whether these decision makers now have the ability to make valid and reliable individualized assessments; they also review evidence about how best to make such assessments.

There is no doubt that the use of objective risk assessment tools by juvenile justice practitioners has become more prevalent, but as the authors point out, the sharp contrast made in academic circles between clinical and actuarial prediction does not exist in the real world of juvenile justice decision making. In fact, many decision makers use idiosyncratic amalgams of the two forms of prediction that often combine the worst of both, so that they base decisions on actuarial tools of unproven reliability or validity and on unstructured intuitive judgment that is easily subject to bias. The authors conclude that combining clinical and actuarial decision making is in fact a reasonable approach to assessment, but that decision makers need to be aware that within both of these realms, instruments and methods vary tremendously in their effectiveness. According to their review, the decision-making sciences have made great progress in assessing risk and amenability, but that progress has not been reflected in changes in practice. The decision facing practitioners, then, is not how to choose between using an actuarial risk assessment system *or* relying on subjective clinical assessment, but, rather, how to combine them in a systematic and structured way that takes advantage of the new knowledge base.

Disproportionate Minority Contact

One reason practitioners came to favor the use of actuarial approaches to dispositional decision making is the consensus that the use of subjective approaches has led to disparities in the treatment of minority and nonminority youth. As Alex Piquero, of the University of Maryland-College Park, points out in the third article, what began as a concern about disproportionate minority *confinement*—that is, the fact that juveniles of color were more likely to be locked up than were white

juveniles with similar records—has expanded over time to a concern about disproportionate minority *contact*—that is, the fact that at *all* points in the system minority and nonminority youth are treated differentially. For decades social scientists have debated whether and to what extent racial disparities in the treatment of juvenile offenders are due to differences in the offenders' criminal behavior or to differences in the ways in which they are treated by law enforcement and the courts. Piquero argues that they are debating the wrong question. It is clear by now, he says, that both processes contribute to the problem and that fine-tuning estimates of how much of the situation is due to one or the other is unlikely to lead to better or fairer policy. He suggests, instead, that researchers should move onto other concerns: understanding the underlying mechanisms that contribute both to differential involvement in crime and to differential treatment by decision makers and, more important, studying the effect of various types of interventions designed to reduce disparities in both arenas and at different points in the process.

Trying Juveniles as Adults

Racial disparities exist at virtually every stage in the juvenile justice system, but they are particularly striking with respect to the waiver of juveniles to adult court. In his article, Jeffrey Fagan, of Columbia Law School, examines recent efforts to redraw the boundary between the juvenile and criminal justice systems and the findings of studies comparing juveniles who have been tried and sanctioned as adults with those who have committed comparable crimes but are retained in the juvenile justice system. As Fagan notes, juvenile court judges have always had the option of transferring or waiving juveniles to criminal court, so in that sense, the fact that some

juveniles are tried as adults is not new. What has changed in recent decades is the increase in the wholesale movement of large numbers of juveniles into the adult system, either because a state lowered the age boundary dividing juvenile and criminal court jurisdiction, because certain offenses and offenders are automatically excluded from the juvenile court and remanded to the criminal court for prosecution, or because wider discretion has been given to prosecutors in making decisions about the venue in which to charge particular crimes. Although, as Fagan notes, it is difficult to obtain precise figures, some recent estimates indicate that between 20 and 25 percent of all juvenile offenders younger than eighteen are prosecuted in adult court, mainly because they reside in states where the jurisdictional boundary is either sixteen or seventeen.

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After reviewing the history and extent of adult prosecution of juveniles, Fagan then turns to the main policy question: how effective are transfer laws? According to his review, the evidence is quite clear. Juvenile offending is not lower in states where it is relatively more common to try adolescents as adults, and juveniles who have been tried as adults are no less likely to re-offend than their counterparts who have been tried as juveniles—findings that call into question the wisdom of transferring juveniles to adult court as a means of

crime control. Indeed, as Fagan notes, the few empirical studies that have compared juveniles released from adult facilities with matched samples of those released from juvenile facilities find that the former are *more* likely to re-offend than the latter.

Understanding the Female Offender

Elizabeth Cauffman, of the University of California–Irvine, explores the topic of female offenders, a portion of the juvenile offender population that has not been subjected to a good deal of systematic empirical study. Indeed, as noted, Cauffman’s article stands in contrast to the others, in that the author cautions against making broad policy changes until more evidence is available. Although it is indisputable that the juvenile justice system is now processing relatively more females than it has in the past, neither the causes of this change, nor its implications for policy and practice, are at all clear. Researchers do not know, for example, whether girls are committing a bigger share of crimes now than in the past or whether they simply are being policed and prosecuted more aggressively, either of which would shift the relative balance of boys and girls in the system. As to whether female offenders need a different mix of services than male offenders, the evidence is equally muddy. The few studies of risk factors for offending that compare male and female juveniles, which Cauffman reviews, do not suggest sweeping gender differences in the causes of crime, and research on whether females benefit relatively more from gender-specific programs than from generic ones is virtually nonexistent. There is no reason to think, for instance, that female offenders would benefit any less from effective family-based interventions than would male offenders, given the strong evidence of the contribution of family dysfunction to

delinquency among both genders. It does seem, however, that mental illness may be a relatively greater problem among female than male offenders, a conclusion also reached by Thomas Grisso in his analysis of the overlap between mental illness and juvenile offending. That finding may indicate that female offenders may need *more* services than male offenders, if not necessarily different ones.

Mental Illness and Juvenile Offending

In addition to describing the nature and extent of mental health problems with the offender population, Grisso, of the University of Massachusetts Medical School, elucidates the complexity inherent in studying the overlap between offending and mental illness, and, accordingly, the uncertainty about the best way for the justice system to respond to the situation. There is no doubt that the prevalence of mental illness is much greater among juvenile offenders than in the general population, but the reasons for this overlap are many. Some mental illnesses, especially those that involve difficulties in emotion regulation or impulse control, are associated with aggression and therefore elevate the risk for criminal behavior. Other mental illnesses may be the result of involvement in criminal activity (an antisocial child may develop depression as a result of exclusion by peers) or a consequence of contact with the justice system (which may expose juveniles to trauma and violence). Still other illnesses have causes that also contribute to offending; maltreatment, for example, is associated with both conduct problems and depression. Thus the population of mentally ill offenders is actually very heterogeneous.

As Grisso points out, this heterogeneity argues against the simple conclusion that treating mental illness will necessarily result

in a large drop in juvenile crime. Some crime is probably the result of mental illness, but, as Grisso notes, most of it is not, and the majority of juveniles who commit crimes are not mentally ill. That conclusion does not mean that mentally ill juvenile offenders should not be treated, of course, but it does raise difficult questions about whose responsibility such treatment is. If the juvenile justice system's main charge is crime reduction, and if allocating resources to providing mental health services to offenders with mental health needs does not appreciably reduce crime, it is not at all clear that the justice system should shoulder this considerable financial burden. Indeed, Grisso argues that the main role of the juvenile justice system

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regarding offenders with mental health problems should not be to treat mental illness, but to help identify three groups of young offenders. The first group is those who, at the point of intake into the system, need emergency mental health services (because they may represent a threat to themselves or others). The second is those whose mental health needs require long-term treatment that is best delivered outside the justice system and who can be diverted from justice system custody without threatening public safety. And the third is those who are mentally ill

and need secure confinement, who should be placed in facilities specifically designed to treat violent, mentally ill adolescents. The notion that the juvenile justice system should focus its mental health resources on screening, rather than treatment, is a significant departure from current practice, and it deserves serious consideration by policymakers and practitioners.

Substance Abuse and Juvenile Offending

In her article on substance abuse among juvenile offenders, Laurie Chassin, of Arizona State University, confronts a similar issue. As with other types of mental illness, the prevalence of substance abuse in the population of juvenile offenders is substantially higher than in the general population—according to some estimates, by a factor of three. But the overlap between substance abuse and offending differs from that between offending and other forms of mental illness, because, as Chassin points out, adolescent substance use is itself an illegal behavior. As a consequence, the connections between substance use and juvenile offending are clearer and the case for providing substance abuse treatment under the auspices of the juvenile justice system is more compelling. By definition, reducing adolescent substance use reduces crime. Thus, whereas Grisso's article quite reasonably asks whether the juvenile justice system should be in the mental health services business, Chassin takes this responsibility as a given and asks, instead, whether the services delivered are consistent with what is known about best practices in the treatment of alcohol and drug problems.

Her assessment is not exactly bleak, but it is far from laudatory. First, although many adolescents receive substance abuse treatment within the juvenile justice system (either

in residential facilities or in the community), the treatment they receive does not routinely incorporate what expert reviews have identified as best practices, and the justice system does not do a good job of distinguishing between offenders who do and do not need treatment; as Chassin notes, not all offenders who use alcohol or other drugs need to be in treatment. Second, as is the case with mental illness, many substance-abusing offenders are not dangerous and would be better and more cost-effectively served by programs that divert them into community-based treatment—assuming such treatment programs were available and grounded in evidence-based practices. Finally, and most important, because most offenders who enter the justice system do so for relatively short periods of time, or move in and out of the system's custody, the lack of coordination between the justice system and other systems that provide substance abuse treatment in the community creates interruptions in the management of individuals' care. The absence of aftercare for substance-abusing offenders exiting the justice system is especially problematic in light of the emerging consensus among health care specialists that substance abuse is a chronic condition that requires long-term management. Promising programs now in the field are attempting to remedy this problem, but few have been subject to rigorous independent evaluation, and their use is not widespread.

Does Anything Work?

The final article of the volume, by Peter Greenwood, of the Association for the Advancement of Evidence Based Practice, is another example of a good news, bad news story. The good news is that, according to several comprehensive reviews of an array of delinquency prevention and treatment programs, there clearly are programs that

both produce positive results and are cost-effective. Different reviews conducted by different groups of investigators come more or less to the same five conclusions. First, for youth in the community, family-based programs, such as Functional Family Therapy, Multisystemic Therapy, or Multidimensional Treatment Foster Care, are more consistently effective than those that focus on treating the individual juvenile alone. Second, for youth in institutional settings, treatments that follow basic principles of cognitive-behavioral therapy are generally superior to those that take a different approach. Third, programs that are excessively harsh or punitive, like boot camps, either have no effects or iatrogenic effects; this finding echoes Fagan's conclusion about sanctioning juveniles as adults. Fourth, incarceration in and of itself is an expensive proposition that yields little benefit other than the short-term effect of incapacitation; that is, incarceration has no lasting deterrent effect once a juvenile is released back into the community. Finally, even the best evidence-based programs must be correctly implemented to be effective. As Greenwood points out, this last point is often overlooked by agencies that fail to budget adequately for the training of treatment providers or the monitoring of quality control.

The bad news is that the use of evidence-based practices is the exception, rather than the rule. Greenwood estimates that only about 5 percent of youth who are eligible to enroll in an evidence-based treatment program receive treatment that has an empirically proven track record. And because agencies rarely invest in developing data systems that permit them to monitor which programs are working and which are not (by, for instance, comparing recidivism rates among juvenile exiting from different programs), most states' juvenile justice systems

have no idea if they are spending their money wisely. Greenwood notes that one impediment to effective juvenile justice policy is that policymakers are often unaware of research evidence on programs and policies that are not only effective but also cost-effective.

Implications for Policy and Practice

The developmental perspective on juvenile justice advanced in this volume can serve as the conceptual basis for widespread policy reform. One of its most important insights is that setting up a dichotomy between protecting the public and rehabilitating adolescent offenders is a false and short-sighted way of viewing matters. It is time to take the research findings that have accumulated during the past decade and transform the American juvenile justice system in ways that will both reduce crime and help many of society's most vulnerable young people become productive adults. In the long run, this approach will best serve both young people and society.

It is painfully clear that the gap between what researchers know about the causes and treatment of juvenile crime and what policymakers and practitioners do in many locales is a large part of the problem. As Greenwood notes in his article on delinquency interventions, "The authority of science is undermined on a daily basis by those who refuse to distinguish the difference between fact and opinion." The same criticism applies with equal accuracy across many of the policy and practice areas discussed by the contributors to this volume. As their articles make clear, although a great deal remains to be learned, researchers know much more about how to assess offenders' future risk for violence and their amenability to treatment, about the impact of transfer on recidivism, about screening and treating offenders with mental illness or substance abuse problems, and about the

sources of disproportionate minority contact than is widely believed or than is reflected in contemporary policy and practice. In the exceptional case of female offending, where research has really just begun, it is fair to say—quoting Donald Rumsfeld—that at least we know what we don't know.

The good news is that the policies advocated in this volume are not just proven to be effective—they are proven to save taxpayer dollars as well. More carefully matching offenders with the programs that meet their specific needs will improve the system's effectiveness, which is bound to save money. Diverting offenders who are not dangerous into community-based programs to treat family problems, mental illness, and substance abuse is far less expensive than sending them into institutional placement. Keeping juveniles out of the adult correctional system will save dollars in the long run by reducing rates of recidivism. It is time for policymakers to acknowledge that the "get-tough" reforms implemented during the past two decades—reforms that criminalized delinquency and ignored the developmental realities of adolescence—have been both unnecessarily costly and of questionable effectiveness.

The specific implications of the articles that make up this volume are many, but three broad principles of reform are fundamental to effective and fair juvenile justice policy.⁸ First, ample evidence attests that adolescents are different from adults in ways that need to be reflected in policy and practice. The juvenile justice system is not without its problems, but it is better equipped to respond to adolescents' antisocial behavior than the adult system is. Trying juveniles as adults should be an infrequent practice reserved for adolescent offenders who have clearly demonstrated that they are unlikely to benefit from the services

available within the juvenile system. Raising the minimum age of criminal court jurisdiction to eighteen in states that now set it lower will keep hundreds of thousands of adolescents out of the adult system annually, likely reducing recidivism and increasing young people's chances of making a successful transition into productive adulthood.

Second, maintaining a separate juvenile justice system, while critical, is not in and of itself sufficient; the system also needs to be revamped. One reason for the movement to transfer large numbers of juvenile offenders to the criminal court was the widely held perception that the juvenile system was ineffective. Strengthening the juvenile system is a prerequisite for policies that would reverse the movement of juvenile offenders to the criminal court. As several contributors note, there is no mystery about what practices the system needs to adopt. Solid empirical evidence confirms what the best practices are, but those practices are seldom used. How much of the gap between science and practice is attributable to problems in getting the research findings into the hands of the people who most need to be informed and how much to policymakers' reluctance to insist that best practices be implemented (that is, decision makers have the necessary information, but

politics is trumping policy) is not known. What is clear, however, is that current practice in most states is far more costly than it need be, and that millions of taxpayer dollars are being wasted on unnecessary, and often iatrogenic, policies. One prime example is the excessive use of incarceration, especially with nonviolent offenders who can be effectively treated in the community.

Finally, it is clear that policymakers must do a better job of coordinating the activities of the juvenile justice system with other youth-serving institutions, including those involved in mental health, child protection, and education. Many juveniles who enter the justice system bring with them a host of other problems, some of which likely contributed to their antisocial activity, and virtually all of which will influence the effectiveness of any sanctions and interventions provided by the justice system. One reason the juvenile justice system has such a mixed track record in preventing recidivism is that many of the young people it is charged with rehabilitating have problems that are well beyond its own expertise and resources. Reforming juvenile justice policy will require changes not only within the justice system but in the relation between the justice system and other government agencies.

Endnotes

1. Legislation abolishing life-without-parole sentences for juvenile offenders was approved in Colorado in 2006; it is pending in other states, including California, Florida, Illinois, and Michigan.
2. Comprehensive summaries of recent developments in juvenile justice legislation are published annually by the National Juvenile Defender Center, and are available at www.njdc.info.
3. Ibid.
4. Connecticut passed legislation increasing the jurisdictional age to eighteen in 2007. S.R. 1500, Gen. Ass., June Sp. Sess. (CT 2007) amended Conn. Gen. Stat. Ann. §46b-120 (West 2007). Four other states that now set their jurisdictional boundary either at sixteen or seventeen— Illinois, Missouri, North Carolina, and Wisconsin—are considering legislation to raise it to eighteen.
5. See note 2.
6. Centers for Disease Control and Prevention, “Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System,” *Morbidity and Mortality Weekly Report*, 36 (RR9), 1–11; Elizabeth Scott and Laurence Steinberg, *Rethinking Juvenile Justice* (Harvard University Press, 2008).
7. National Juvenile Justice Network, “Is There a New Juvenile Crime Wave on the Horizon? Overview of Recent Reports and Responses,” May 29, 2007.
8. For a detailed discussion, see Scott and Steinberg, *Rethinking Juvenile Justice* (see note 6).