

Adult System Worsens Juvenile Recidivism, Report Says

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Youths tried as adults and housed in adult prisons commit more crimes, often more violent ones, than minors who remain in the juvenile justice system, a panel of experts appointed by the Centers for Disease Control and Prevention said in a new report.

Longer sentences and the transfer of juvenile offenders to the adult system gained traction in the 1980s and 1990s as youth crime increased. The trend raised fears in statehouses and in Congress about young predators, and laws to push more juvenile offenders into the adult system flourished.

Those laws have not deterred other youths from committing crimes, nor have they rehabilitated the youths sentenced under them, said Robert L. Johnson, dean of the New Jersey Medical School, a member of the Task Force on Community Preventive Services, which was assembled by the CDC.

"Not only does it not deter youth crime, it actually makes them more violent," Johnson said. "It may salve our desire to punish. But don't get that confused with rehabilitation. Don't make the mistake of believing that punishment will help anything."

The panel's findings were based on a review of six studies across the nation that examined the effect of juvenile transfers to the adult system. Those studies followed youths for periods ranging from 18 months to six years. One of them found that in Florida, after stronger juvenile justice laws were enacted in 1990 and 1994, youths sent to the adult system had 34 percent more felony rearrest than those retained as juveniles. The youths had equivalent criminal records. The panel of experts examined not only the findings but also the methodology to ensure that offenses were the same.

Early this month, the Campaign for Youth Justice, a Washington-based advocacy organization, reported that, on an average day, 7,500 people 18 or younger are being held in adult jails and prisons. It said that youths detained in adult jails are more likely to become victims of sexual abuse or to commit suicide than those detained in the juvenile system.

The two reports come as the Senate prepares next week to consider reauthorization of the Juvenile Justice and Delinquency Prevention Act which, in part, calls for youths in adult jails to be housed separately -- something that does not always occur. A hearing is scheduled for Thursday before the Senate Judiciary Committee.

Prosecutors and victims advocates have long challenged the effectiveness of the juvenile justice system, which they say is often unprepared to deal with even nonviolent offenders.

Shay Bilchik, a former prosecutor in Florida, said he once thought the same way: that transferring youths who had reoffended to the adult courts was better. Now, he says, there is mounting evidence that such policies do not help youths or make communities safer.

"You couldn't ask for any worse results," said Bilchik, director of the Center for Juvenile Justice Reform at the Georgetown Public Policy Institute. "We're getting faster recidivism for more serious crimes."

Most law on this issue is made at the state level, and there is much disparity in the treatment of juvenile offenders. Some youths are automatically considered adults, no matter the crime, at 17. Others have a hearing before a juvenile judge.

Some jurisdictions, including the District, allow for 16- and 17-year-olds accused of crimes such as rape or murder to be sent directly to the adult system.