

BEYOND THE BENCH 2013
Anaheim, California

*The New Science of Adolescent Development-
How will it affect delinquency practice
in California's future?*

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What the science tells us

BEHAVIORAL SCIENCE STUDIES show that adolescents, compared to adults

- Lack adult capacity to regulate their own behavior and are-
 - *More impulsive*
 - *More likely to act based on emotion*
 - *More likely to act for an immediate reward*
- In short, adolescents are more likely to.....

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Engage in risk taking and high risk behavior that may violate laws or behavior norms

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Behavioral research also confirms that...

- Adolescents are more likely than adults to be influenced by peer pressure
 - E.g., driver tests watched by peers*
- Adolescents are less able to make judgments based on future consequences
 - Actions driven by emotion, impact on waivers and pleas in formal proceedings*

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BRAIN SCIENCE RESEARCH tells us that Adolescent brains are structurally immature compared to adult brains (to about age 25)

- MRI studies**-- sub-cortical emotion centers of the brain develop in adolescence before control areas
- Circuitry is not complete**-- does not yet balance so emotional responses may not be tempered by control & judgment brain centers

"OVERALL THE FINDINGS SUGGEST THAT IN EMOTIONALLY CHARGED SITUATIONS WITH LIMITED TIME TO REACT, AS WITH JUVENILE OFFENSES, EMOTIONAL CIRCUITS MAY DRIVE ADOLESCENT ACTIONS...." (Nat'l Academy report, 2012)

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SOCIAL SCIENCE RESEARCH REVEALS DEVELOPMENT FACTORS that strongly influence adolescent behavior-- including

- ✓ **POOR PARENTING**, especially with physical abuse, begets deviant behavior
- ✓ **NEGATIVE PEER ASSOCIATIONS** such as gangs, institutions where peers consist of other offenders
- ✓ **SCHOOL AND COMMUNITY FACTORS**
 - Adolescents pushed out of schools by zero tolerance, school discipline, achievement gaps
 - Communities lacking jobs, services, safety and support systems
- ✓ **RACE- ETHNIC –OTHER FORMS OF DISCRIMINATION** produce loss of confidence in legal structures and in the fairness of the system, negate incentive to live by the rules

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Important collateral findings

- **Desistance.** The vast majority of adolescents will mature and age out of the "risk zone" and will desist from offending
- **Individualized responses.** Not all adolescent youth become offenders– the responses are individual and depend on the number and type of risk factors
- **Treatment potential.** The news is not all bad– many negative risk factors can be reversed with "pro-social" and other positive interventions

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Juvenile justice reform challenges emerging from the research

- 1) Does incarceration work? How should juvenile offender dispositions be adjusted in the future to incorporate the new science effectively?
- 2) How far should law and practice go to mitigate or excuse crimes committed by juveniles? What are the limits of adolescent "diminished culpability"? How will juvenile offender "accountability" be defined in the future?

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REFORM CHALLENGES...

- 3) Does the new science suggest the need to modify state laws that treat and sentence juvenile offenders as adults?
- 4) What changes are needed– in law enforcement practice and in the court process– to ensure the comprehension and competency of arrested and prosecuted youth?
- 5) How should developmental science be applied to the identification and funding of "evidence based" and other programs for juvenile offenders?

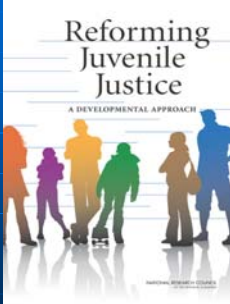
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REFORM CHALLENGES...

- 6) What more can we do to counter school, community & discriminatory factors that increase offense risk during adolescence?
- 7) Who is responsible for reform? What should courts, agencies, advocates & policymakers be doing to integrate developmental science & juvenile justice reform?
- 8) What are the training and education needs for California courts and other system professionals on these key issues?

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Recommended reading:



**REFORMING JUVENILE JUSTICE:
A Developmental Approach**

National Research Council
Div. Of Behavioral and Social Science
and Education,
Committee on Law & Justice

National Academies Press
Washington D.C. (2013)
(462 pages)

You can download this publication at:
http://www.nap.edu/catalog.php?record_id=14685

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