

# Like Before, but Better: The Lessons of Developmental, Life-Course Criminology for Contemporary Juvenile Justice

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**Abstract:** This article considers the origins of the juvenile court and the degree to which developmental life-course (DLC) criminology might inform aspects of juvenile justice policy and practice. We discuss the foundations of the juvenile court in developmental science and also consider insights on delinquency from similar contemporary traditions. From there, the article provides a sense of what the juvenile justice system might look like if it better attended to theory and research in DLC criminology. The paper then returns to the early court's developmental objectives and considers the degree to which current knowledge might make achievement of its goals more attainable.

**Keywords:** history of juvenile court, juvenile justice policy and practice, developmental life-course criminology

As an institution that has survived longer than a century, the juvenile court is among the more important American inventions to emerge from the Industrial

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Revolution era (Platt, 1969; Tanenhaus, 2004). While it now garners much discussion and debate on the basis of its successes and (more frequently) perceived failures, it is beneficial to consider the court's current circumstances through the lens of its historical origins (Tanenhaus, 2004) and also the course of events following from that point (Bernard & Kurlychek, 2010). The key foundation of the original juvenile court was its progressive philosophical stance about the status of children with respect to the law, mainly that the differential processing and disposition of those cases was essential. Additionally, the creators of the juvenile court did so in hopes of using social and behavioral science insights—then newly emerging—to treat youth in a separate system that fit with that philosophy. The point of these efforts was to save these youth from a life of crime (Rothman, 1980). Jumping forward to the contemporary response to delinquency, discussions continue with respect to the moral imperative of saving at-risk youth from lives of crime alongside reviews of the scientific evidence that might help guide such efforts (Farrington & Welsh, 2007; Greenwood, 2006).

Given their relevance to the history of the juvenile court and contemporary policy and practice, this article considers the developmental stance inherent in the philosophy of this institution and the degree to which recent developmental life-course (DLC) research in criminology and related fields might be informative. The article begins with a synopsis of the developmental foundations of the juvenile court—focusing in particular on the science that emerged with it. It then proceeds to a brief discussion of current trends in juvenile justice policy and practice. This is followed by some consideration of the foundations of DLC criminology as well as the key theoretical perspectives and empirical findings in the area. Further discussion in that section will provide a sense of how this work might inform knowledge of the etiology of delinquency and, in turn, its implications for responding to it. From there, the essay presents a framework for what the response to delinquency might look like if juvenile justice policy and practice more thoroughly considered these insights. Finally, these issues are viewed in light of the historical foundations of the juvenile court as well as the ways in which we may be able to use contemporary theory and research on youth development to return to its origins while also addressing some of the shortcomings that have made it a target of critics.

A key underlying argument is that insights gleaned from theoretical and empirical research in DLC criminology that return to the early, deeply held views of childhood and adolescence embodied in the juvenile court—especially with respect to how youth are socialized, how they navigate that phase of the life course, and how they generally mature out of adolescent flirtations with delinquency and crime and enter into traditional prosocial roles—can help inform juvenile justice policy and practice even more so than it has to date.

## THE DEVELOPMENTAL ORIGINS OF THE JUVENILE COURT

While much of the discussion surrounding the origins of the juvenile court focuses on the socio-political and moral motivations of the key players involved (Platt, 1969; Ryerson, 1978), the Child Savers were concerned about youth in a broad sense and knew that it was necessary to expand the understanding of delinquency in order to appropriately respond to their problems and needs (Tanenhaus, 2004). There were two key areas in which notions of development played a role. First, there was the clear belief that juveniles were developmentally distinct—that is, childhood was intrinsically different from adulthood (Bronner, 1925; Rothman, 1980). This set up a developmental philosophy for the origins of the juvenile court, as its founders saw this as a necessary precursor to responding to delinquency and related problems.

The second developmental foundation of the juvenile court lay in the science that affected its planning and implementation. Rothman (1980) discusses the emphasis on individualized response to delinquency and the degree to which it was embedded in the scientific research of the time: “They [the reformers] were confident that they knew how to analyze the causes of criminality, what should constitute the proper kind of treatment, and how it should be implemented” (p. 50). Bronner (1925), for example, indicated that there was a need to understand and diagnose delinquency prior to effectively responding to it. While there were different schools of thought on the specific etiology of delinquency, this emphasis on assessing causes and using those results in fashioning practical responses to individual cases undoubtedly played an important role in the emergence of the juvenile court as an “equity” court built on delivering an entire justice than would come from simply sorting out guilt and innocence (Crippen, 1999, p. 199). This philosophy is a forerunner of the idea of “problem solving” courts designed to respond to a particular issue faced by a subgroup of cases that come before the justice system (e.g., drug addiction, mental disorder). In general, the founders of the court and those who followed shortly thereafter were optimistic about their ability to effectively respond to the delinquency problems and other matters that brought youth into the court once they identified their sources (Laub, 2000; Rothman, 1980).

The most prominent researcher associated with the early juvenile court was William Healy, whose theories and research were instrumental in setting the scientific foundation of the institution during that era (Tanenhaus, 2004). Multiple aspects of his work can be seen as forerunners to present criminal career and DLC theory and research in criminology. First, Healy took a “multiple-factor approach” to understanding delinquency, eschewing some of the simpler explanations that were put forth at the time (Laub, 2000, p. 182). Second, his perspective rested in part on a medical science model, and he believed that it was essential to understand the causes of delinquency just

as it was important to determine the symptoms of a disease prior to treating it (Healy, 1913). This largely parallels the identification of risk and protective factors for long-term delinquency inherent in modern DLC theory and research and the emphasis placed on standardized risk assessment in the juvenile justice system today (Schwalbe, 2007; Vincent, Perrault, Guy, & Gershenson, this issue). Third, Healy (1912, 1913) also makes reference to delinquent careers in his own works and participated in the evaluation of long-term patterns of such behavior in the famous life history study of Stanley, *The Jack-Roller* (Shaw, 1930). Fourth, he emphasized the need to focus on individual cases as units of analysis and explanation (Healy, 1912). Fifth, although he recognized multiple causes of delinquency, he suggested that such behavior was driven by mental processes that needed to be accounted for in order to fully understand it (Healy, 1933). Given these areas of emphasis, Healy's perspectives and research early in the juvenile court's history laid a foundation for a good deal of the scientific evidence relevant to improving it today.

## THE CURRENT STATE OF THE JUVENILE JUSTICE SYSTEM

Undoubtedly, the juvenile justice system has changed since its early origins and it is important to consider the role of developmental science in that context. Some see this change over time in terms of the gradual convergence of the juvenile and adult courts in their processes and responses to crime (e.g., Feld, 1997) while others frame the progression of the system as a series of rehabilitative and punitive turns that interacts with broader societal perceptions of juvenile offending, charting the trajectory of the juvenile court in the process (e.g., Bernard & Kurlychek, 2010). The current position of the court and the policy changes that have occurred around it signal something of a change in the moral stance toward childhood and adolescence from what was present at its inception (Tanenhaus, 2004). Still, there is some evidence that this shift has not been all-encompassing, so that the court's initial orientation has not been entirely purged from the contemporary response to juvenile delinquency (Mears, 2002).

In part, the current state of the juvenile justice system can be seen as the outcome of a series of critiques of its underlying philosophy and utility since the early 1900s. Even before real changes began to come in the form of appellate court decisions and public and political dissatisfaction with the juvenile justice system, there were some indications that the court faced difficulties on practical grounds and questions of legitimacy were brought up at that point. For example, Caldwell (1961) raised a number of questions that proved to be prescient in terms of the court's later history. His critique focused in part on the operations of the court in terms of whether individualized justice could be achieved given its staffing and caseload levels at that point and difficulties in coordinating with a number of other community agencies. He also asserted

the importance of the juvenile court as a moral agency whose function is to express disapproval on behalf of the community and sanction accordingly—aside from its role in providing services to delinquents and other youth in need—and mentions some due process concerns that would come to a head shortly thereafter.

Starting in the last quarter of the 20th century, conservatives and progressives—albeit for different reasons—attacked the ideal of individualized rehabilitation that informed the founding of the juvenile court (Cullen, Golden, & Cullen, 1983). Many recent initiatives—such as toughening juvenile sanctions, expansion of the mechanisms of transfer to adult court leading to its increased use, and zero tolerance policies in schools—were born of the belief that the juvenile justice system was failing to control crime due to its perceived leniency in the face of serious criminal behavior (Butts, 2000). At the same time, some argue that this turn of events was facilitated (at least in part) by the due process reforms that emerged from the U.S. Supreme Court during the middle and later 1900s. These decisions were supported by some progressives who felt that unchecked court discretion and informality in process was leading to the harsh and arbitrary treatment of youth (Tanenhaus, 2011).

In recent years, some have assailed a perceived punitive turn in the juvenile justice system as well as a trend in legislation to give the adult court greater jurisdiction over cases that previously would have been heard in juvenile courts. Feld (1997), for example, characterized the 1990s era trend in the juvenile court as a movement from a “nominally rehabilitative social welfare agency into a scaled-down, second-class criminal court for young people” (p. 68) and recommended that the juvenile justice system be abolished altogether. Transfer into adult court has also been a major flash point in recent discussion of how juvenile offenders are handled (Fagan, 2008). Traditionally, the discretion of the juvenile court judge was the basis for deciding whether cases involving minors would be heard in the adult system. Later, the decision in *Kent v. United States* (1966) promulgated a set of standards to guide judges in that task. In recent decades, however, much of the discretion in these cases has been reassigned to prosecutors by statute or automatically triggered through categorical legislative exclusions (Fagan, 2008; Griffin, 2008). Other lesser known changes in juvenile justice policy and practice, such as the movement toward mandatory and guideline-based dispositions in the juvenile court and the loosening of traditional confidentiality safeguards (Butts, 2000; Mears, 2002), have also eroded some of the court’s initial intent. These changes, although drawing less attention than the expansion of adult court waiver, affect the juvenile court founders’ belief in individualized sanctions and treatment as well as long-standing privacy practices for juvenile proceedings and records.

Despite some undeniable changes in the processing and sanctioning of juvenile offenders over time, the system does retain important elements that

its founders had in mind over 100 years ago (Mears, 2002). For example, there has been an expansion of specialty courts that look somewhat like the early practice of the juvenile court in terms of their “problem-solving” mission. As a case in point, drug courts exemplify a broader interest in using alternative approaches for processing juvenile offenders that are meant to “do what the original juvenile court was supposed to do—provide individualized and rehabilitative sanctioning” (Mears, 2002, p. 16; see also Bryan, Hiller, & Leukefeld, 2006). Furthermore, the degree of judicial monitoring in these therapeutic courts is reminiscent of the original role of juvenile judges (Fox, 1996)—albeit with a greater overt emphasis on accountability than may have been present at that point in the juvenile court’s history. There are a number of other examples of the endurance of the original ideals of the court in contemporary practice. Diversion programming, whatever its faults (Ezell, 1989; Klein, 1979), is concerned with providing a path out of the formal justice system for some youths. This recalls the initial desire of the court’s founders to move juvenile cases to a venue that was more suitable than the adult system that they typically faced at that point.

It can be argued that those remnants are there at least in part because of the notion that adolescents are still developing or are “works in progress” and that there should be a greater emphasis on rehabilitation as opposed to punishment for expressive purposes. With that, there is a belief that society, and by extension those in the system, should be cognizant of potential stigma and the possibility of negatively affecting the long-term life chances of youth generally. This notion is also evident in the public opinion literature, where studies reveal that, although respondents are desirous of measures intended to maintain public safety, they also support the rehabilitative aims of the juvenile court (Applegate, Davis, & Cullen, 2009; Piquero, Cullen, Unnever, Piquero, & Gordon, 2010). There is also evidence that actors in the criminal court system seem to harbor some belief in “youthfulness” for those who have been brought up to adult court due to their status as serious youthful offenders (Kupchik, 2006). In his comparative fieldwork looking at juvenile and criminal justice system processing, Kupchik found adult court judges who lamented the lack of sentencing options for these cases and prosecutors who subscribed to some notions of youthfulness for offenders that they were charging. One of his respondents asserted that, “they [adolescents] know whether it [a delinquent act] is right or wrong, but don’t necessarily think about the consequences. So, I think it is different [juveniles, adults]” (p. 85). This suggests that, although these individuals might not fully concur with the original philosophy and practices of the Child Savers, there is a degree of overlap worth further consideration.

In addition to this enduring view of adolescence among the public and court actors, there is some limited evidence that certain jurisdictions are rethinking changes in juvenile justice policy and practice that have taken place in



recent decades. Henrichson and Levshin (2011) report on a recent cost-benefit analysis commissioned by North Carolina officials that was intended to inform consideration of legislation aimed at raising the age of adult court jurisdiction (after it was lowered in recent decades). In addition, U.S. Supreme Court decisions in the *Roper v. Simmons* (2005) and *Graham v. Florida* (2010) cases, which dealt with capital punishment and life without parole respectively, indicate that a majority of justices on that court hold a judicial philosophy that distinguishes between the behavior of adolescents and adults in even the most serious cases. Furthermore, the majority opinions on those decisions draw in part on recent developmental research findings.

While the juvenile justice system has evolved in ways that its various critics may be both heartened and disheartened by, it is clear that more can be done to improve its position from the standpoint of meeting both youth welfare and crime control objectives (Crippen, 1999; Scott & Steinberg, 2008). Despite the endurance of some key elements of the original juvenile justice philosophy and practice and some rumblings of a movement back toward the initial objectives of juvenile court founders, there are real shortcomings in current juvenile justice policy and practice that may be rectified by evolving theory and empirical insights relevant to youth development. In part, these improvements will come from (1) reaffirming the original juvenile court's philosophical stance regarding the distinction between adults and adolescents and (2) utilizing the science that has progressed since Healy's time to inform juvenile justice policy and practice.

## FOUNDATIONS AND FINDINGS OF DLC CRIMINOLOGY

DLC criminology is primarily interested in understanding between-individual differences in the emergence of offending as well as the factors associated with within-individual change over time that is typically observed in crime and delinquency (Farrington, 2003, 2005, 2006). This area of criminology has diverse origins, reflecting a shared interest in understanding a particular phenomenon within crime and delinquency research—the observed age trends in crime—as opposed to focusing on a problem that has a singular, readily identifiable origin in either the individual or social environment. Although DLC criminology has most prominently been called on to inform the prevention of delinquency and other antisocial behavior, it is clear that there are multiple theories and related lines of evidence that can inform juvenile justice policy and practice as well. In DLC more generally, it is possible to identify three prominent areas of theory that can inform the understanding of juvenile delinquency and the response to it: Moffitt's (1993) developmental taxonomy of antisocial behavior; Sampson and Laub's (1993) age-graded informal social control theory; and some integrated developmental theories that draw on foundational theories of crime and delinquency such as the interactional

theory and social development model. Beyond that, several areas of developmental research (Cauffman & Steinberg, this issue), including biosocial criminology and developmental neuroscience, also provide important insight for the juvenile justice system.

DLC criminology is a broad theoretical background that considers continuity and change in offending throughout the life-course. It focuses on risk and protective factors, or causes and correlates of crime, for key criminal career dimensions like onset, persistence, specialization, and seriousness. Some DLC theories are more general than others, arguing for a similar pathway of offending for all offenders but recognizing the importance of change in the life course, while other frameworks are more complex and argue for the need to consider distinct groups of offenders who offend for different reasons and whose patterning of antisocial behavior varies throughout the life-course (Paternoster, Dean, Piquero, Mazerolle, & Brame, 1997).

Research in DLC has generated an important set of conclusions about the development of offending over the life course. According to Farrington (2003), (1) the prevalence of offending peaks between ages 15 and 19; (2) onset peaks between ages 8 and 14; (3) desistance peaks between ages 20 and 29; (4) an early onset predicts a longer criminal career and a greater number of offenses; (5) a small proportion of offenders commit much of the crime; (6) most crimes in the teens are committed with others; (7) juvenile offending typically occurs for nonutilitarian reasons, whereas offending in adulthood is more purposeful; and (8) offense types appear to follow a stepping-stone approach where less serious offenses precede more serious ones. Several theoretical perspectives have emerged to explain a number of these important findings.

Moffitt's (1993) developmental taxonomy, which groups offenders along two distinct dimensions, has a number of important implications for juvenile justice policy and practice. The most important aspects of the theory and related empirical findings are the (1) notion of distinct groupings of delinquents, (2) differentiation of the origins of their behavior, and (3) different patterns of persistence in and desistance from antisocial behavior. Life-course-persistent offenders are believed to have enduring risk factors beginning in early childhood, including neuropsychological deficits stemming from unhealthy development during pregnancy, that presage a long-term course of antisocial behavior. And because these risk factors tend to go unaddressed, antisocial behavior will continue largely unabated and disperse across different life domains. Initial differences in temperament or attentiveness, for example, can evoke harsh and erratic parenting, lead to peer rejection and school failure, and ultimately result in an inability to sustain prosocial relationships or activities. As this developmental pattern unfolds, disadvantages accumulate and prosocial opportunities are walled off. The behavior of adolescence-limited offenders, on the other hand, is believed to be more normative in the sense that it stems from the unique circumstances of adolescence



as a developmental stage between childhood and adulthood. For instance, the maturity gap—based on the perception that one is biologically like an adult but formally constrained from adultlike behaviors by societal rules—and the role of peers figure prominently in this explanation and the understanding of social behavior during that stage more generally (Gardner & Steinberg, 2005; Giordano, 2003).

Sampson and Laub's (1993, 2005; Laub & Sampson, 2003) theory of offending emphasizes cumulative continuity and the role of informal social control in crime and delinquency (and desistance from those behaviors as well). The key element of the theory and related empirical evidence for consideration of juvenile justice policy and practice concerns the manner in which desistance occurs. Their theory emphasizes the primacy of external pressures, in the form of bonds to conventional others and prosocial institutions like work and family, in individuals' desistance from long-term patterns of crime and delinquency. Quality relationships, whether to parents in adolescence or to spouses in adulthood, create a conduit for informal social controls that discourage wayward conduct. Importantly, Sampson and Laub also discuss the fact that earlier delinquency can limit later opportunities for prosocial behavior ("cumulative disadvantage")—a state-dependent explanation for delinquent behavior over time (Sampson & Laub, 1997). Most recently, they have also identified a role for human agency, which places a focus on transformative action or situated choice undertaken by the individual in the decision to offend or stop (see also Giordano, Cernkovich, & Rudolph, 2002).

Integrated developmental theories generally draw on multiple domains, incorporating both the individual and social environment, to explain delinquency. Frequently these theories are expressed in terms of processes that bring together multiple risk factors in explaining developmental trends. Thornberry's (1987) interactional theory considers the relationship between past and future crime as well as the dynamic, reciprocal nature of causal influences in understanding crime over the life-course. Specifically, he combines social control and social learning theory in such a way as to allow influences from each theory to affect the other reciprocally over time. Concepts from social control theory are essential in the interactional perspective because Thornberry argues that social constraints need to be lessened in order for delinquency to occur. Finally, the theory offers the important insight that a youth's actions are affected by social influences—but also impact those relationships as well.

Research suggests that a number of factors across multiple domains play a role in youth developmental outcomes (e.g., family, peers, neighborhoods) (Farrington & Welsh, 2007). Catalano and Hawkins's (1996) social development model (SDM) provides a sense of the mechanisms through which these varied influences operate. SDM integrates aspects of individuals, their immediate environment (parents, peers), and broader social structure

(socioeconomic status). The theory draws on social control, social learning, and differential association theories of delinquency to explain developmental paths, but also recognizes the importance of “individual constitutional factors” (Catalano et al., 2005, p. 98). Some of these individual factors, such as a difficult temperament, are captured as explanations for long-term patterns of offending in other DLC theories (e.g., Moffitt, 1993). Catalano and Hawkins’s theory asserts that the impact of such factors works through social relationships and the development of skills for social interaction over time. Like interactional theory, SDM is “transactional” in its emphasis on both the dynamic process by which individuals are affected by those around them and also how individuals influence their social environments. Overall, SDM indicates that an individual’s balance of prosocial and antisocial developmental experiences will affect their behavior. The main processes that affect development are (1) perceived opportunity for prosocial or antisocial activities and interactions, (2) pursuit of these opportunities, (3) possession of skills needed for these activities and interactions, and (4) social reinforcement of participation in prosocial or antisocial activities.

While these theories and related empirical research in criminology have had considerable influence, additional areas of inquiry focused on understanding adolescent development also require consideration in juvenile justice policy and practice. Cauffman and Steinberg (this issue) point to evidence from brain, cognitive, and psychosocial development that is extremely important in understanding adolescent behavior and framing society’s response to it. In addition to this growing body of work in cognitive and psychosocial development, findings drawn from genetic studies, particularly those that deal with gene-environment interactions (Beaver, DeLisi, Wright, & Vaughn, 2009; Moffitt, 2005), may also have important implications for understanding the developmental mechanisms affecting delinquency.

A final issue of import in considering such research in the context of juvenile justice policy and practice is the degree to which contact with the system (even vicariously) and being in its custody impacts later psychosocial development. In this sense, system contact and penetration can be viewed as a developmental influence. The notion of limiting youths’ contact and penetration of the justice system is inherent in decisions that are made to keep youth out of the system, ranging from police “counsel and release” to formal diversion and use of alternatives to out-of-home placements for all but the most serious cases. The underlying sentiment in such approaches, which is very similar to the desire of the juvenile court’s founders to limit youths’ exposure to the adult system, is that the juvenile justice system should be a last resort.

Generally, the underlying theory for policies and programs intending to limit exposure to the juvenile justice system is embedded in a labeling perspective (Schur, 1973). While some argue that this view is dated and misguided, or at least requires clearer articulation as pertains to practical decision making (McGrath, 2008), insights from developmental studies suggest

that there may be reason to exercise caution in how the system responds to delinquency. Specifically, there is an emerging empirical literature documenting the criminogenic effects of youngsters' arrest and involvement in the juvenile justice system (Bernburg, Krohn, & Rivera, 2006; Gatti, Tremblay, & Vitaro, 2009; Petrosino, Turpin-Petrosino, & Guckenburg, 2010). Furthermore, the work of Cohen and colleagues (Cohen, Piquero, & Jennings, 2010; Cohn, Trinkner, Rebellon, Van Gundy, & Cole, this issue), Fagan and Tyler (2005), and Piquero, Fagan, Mulvey, Steinberg, and Odgers (2005) illustrates the relevance of "legal socialization" in understanding delinquency and other rule-breaking behaviors. Generally, legal socialization is the process through which individuals acquire attitudes and beliefs about the law, and includes both affective components such as procedural justice and substantive components such as one's belief in the legitimacy of the law. Finally, Scott and Steinberg (2008) assert that juvenile correctional facilities, and adult facilities for transferred youth, should be viewed as developmental settings in terms of their implications for how youth will turn out as they exit the system. Just as DLC theory and research considers social snares and turning points, contact with the juvenile justice system may have similar effects depending on the nature of the exposure, the individual youth involved, and how the youth interprets and learns from that experience.

## **A BLUEPRINT FOR A MORE DEVELOPMENTAL JUVENILE JUSTICE**

As Scott and Steinberg (2008) have recently shown, the growth of developmental research has important implications for contemporary juvenile justice. The analysis of the extant literature in this article charts a course from scientific research conducted at the early stages of the juvenile court's history to current knowledge about delinquent behavior (see also, Laub, 2000). With that, we can also envision what Healy and his contemporaries might have expected the juvenile justice system to look like at this point in time based on likely growth in the scientific understanding of adolescent behavior that has transpired since. A developmentally informed system has a number of qualities, several of which are outlined below. Some of them are in fact reflective of current policy and practice, but others should be viewed as part of a forward-looking framework for juvenile justice.

### **Advocate for Intervention before the Juvenile Justice System Must Respond**

A key insight of DLC theory and research is that the origins of life-course-persistent offending frequently arise in childhood. The cumulative effect of exposure to multiple risk factors places youngsters at risk of embarking on a criminal career. In particular, the early manifestation of conduct disorder is an

important predictor of serious criminality. In fact, the line between childhood antisocial behavior and criminal behavior is often seamless. Early antisocial acts thus are the first step in a progression into delinquency, and appear well before youngsters become candidates for the juvenile court. Ignoring this developmental reality may consign some troubled youths to a wayward future that impacts them and society more broadly. DLC theory and research advises us to develop systematic ways of intervening early and, then (if necessary) responding through the juvenile justice system.

Although limited, available research shows that many youths displaying antisocial behavior either receive no intervention or ineffective intervention prior to coming under the control of the juvenile court (Stouthamer-Loeber, Loeber, Van Kammen, & Zhang, 1995). This failure to interrupt the development of criminal careers forfeits youngsters' lives to crime and endangers public safety. Notably, effective early intervention programs—extending from the prenatal period to adolescence—are available that could be employed to prevent such delinquent development (Farrington & Welsh, 2007; Greenwood, 2006). The use of these programs is supported by the public (Cullen, Vose, Jonson, & Unnever, 2007; Nagin, Piquero, Scott, & Steinberg, 2006). In this context, policy makers should be advised that the juvenile crime problem should not be seen strictly as a juvenile justice problem. Rather, the challenge is to develop a systematic approach within a community that proactively identifies at-risk and/or antisocial children and provides treatment services capable of channeling them into a conventional as opposed to a criminal life course (e.g., Howell, 2003). DLC theory and related research have important implications for policy and practice within formal juvenile justice settings as well. Julian Mack (1909), a presiding judge in the early juvenile court, saw that the mission of the juvenile court was to look at “what had best be done in his [the individual juvenile’s] interest and in the interest of the state to save him from a downward career” (pp. 119–120).

### **Consider Public Safety in Both a Short and Long-Term Sense**

The research on criminal careers that has emerged since the early juvenile court era provides valuable insights that can frame a discussion of the possible outcomes of responding ineffectively to delinquent behavior in a way that is relevant to both individual and societal interests. Cohen and Piquero (2009) provide a sense of the monetary costs of a long-term criminal career, which also is closely linked to risks to public safety. Specifically, they find that a typical criminal career can lead to monetary costs of several million dollars, and in subsequent research show that the costs of crime vary across the population of offenders such that the most chronic, persistent offenders exert the largest monetary costs (Cohen, Piquero, & Jennings, 2010). That chronic offenders exert a significant financial toll on society is one thing, but that their

offending also permeates several life domains to include failures in education, employment, and interpersonal relationships—as well as compromised mental and physical health—presents an even larger cost of their antisocial behavior that is borne by society more generally (Piquero, Farrington, Nagin, & Moffitt, 2010). Thus, attending to offending as early in the life-course as possible not only can lessen the monetary costs of criminal offending, but significant cost savings may also be realized over the longer term as would-be chronic offenders turn away from persistent criminal behavior and instead occupy more prosocial pathways throughout the life-course. So while public safety is often viewed only in the short time window around the point of intervention, it is clear that the implications stretch further into the future when considering the response to juvenile offending, and that this should be kept in mind when balancing the social welfare and public safety goals of the juvenile justice system (Scott & Steinberg, 2008).

### **Develop Detailed Case-Based Knowledge on Causes of Delinquency**

The use of risk and needs assessment is now commonplace in the juvenile justice system (Vincent, Perrault, Guy, & Gershenson, this issue; Vincent, Terry, & Maney, 2009). In some sense, this routinizes the work of theorists like Moffitt who assert that there are distinct types of juvenile offenders with varying etiological factors underlying their behavior and for whom distinct responses may be necessary. The upshot is that the system should be attentive to those differences in handling the cases that it encounters. This is a present-day manifestation of Healy's (1912; see also Bronner, 1925) argument that the detailed study of cases was a necessary prerequisite for an appropriate individualized response to delinquency. While current assessment practices may be aimed at defining distinct categories of risk and need, the manner in which they facilitate juvenile justice response—even for more serious cases—appears to be in line with the court founders' desire to identify and understand the causes of delinquency and respond to it with them in mind.

The notion that early onset of offending is an important demarcation point between types of delinquents has been prominent for some time (Laub, 2000) and is a centerpiece of Moffitt's developmental taxonomy. This highlights the importance of being deliberate about how the system responds to a number of different types of juvenile offenders, including those having their first system contact. The comprehensive strategy for preventing delinquency may be one approach that, in conjunction with appropriate assessment and identification, allows for a continuum of strategies that would recognize the developmental importance of an early onset and proceeds accordingly (Howell, 2003). In general, while history has demonstrated the difficulty of implementing a process based on a fully individualized response to delinquency (Ryerson,

1978), research and theory in this area along with sound assessment practices can help in implementing a reasonable facsimile of what the founders of the juvenile court envisioned in the realities of the present-day system.

### **Recognize the Multifaceted Nature of the Problem and Respond Accordingly**

While standardized assessment of delinquent youth is helpful, it is not an end in and of itself, and has its most important impact in informing treatment (Bronner, 1925). Delinquency emerges from both the individual and social environment in an integrated fashion (Healy, 1913, 1933). This multi-causal view of delinquent acts and careers has been recently confirmed by a number of larger developmental studies of delinquency such as the Causes and Correlates Studies in Denver, Pittsburgh, and Rochester; the Project on Human Development in Chicago Neighborhoods; and the Pathways to Desistance Study described in this issue. Interestingly, in addition to pointing out key interrelationships in the etiology of delinquency, Bronner (1925, p. 87) asserted that some recognition of the “principle of integration” was necessary in structuring the system’s response to it. This broader perspective is also evident in the DLC theories discussed here. These perspectives recognize that delinquent youth likely face multiple risks that cross domains and often have feedback effects on one another. In this way, a theory like the SDM reflects the insights of those who studied delinquency early in the juvenile court’s history, but also informs the current understanding that intervention usually must occur across multiple domains, largely because delinquency stems from and can affect several of them.

General meta-analyses of programs aimed at reducing delinquency suggest that providing multiple services and focusing on skills that will help youth to interact more productively with their social environment are among the more effective approaches to curbing recidivism (Lipsey, 2009). One effective program identified for high-risk and delinquent youth is Multisystemic Therapy (MST), which seeks to improve how troubled youths function in multiple settings (e.g., home, school) through close contact and delivery of appropriate services to families of delinquent youth (Schaeffer & Borduin, 2005). These findings suggest that the juvenile justice system cannot be overly narrow in seeking out and responding to the causes of delinquency but, rather, must recognize that youths progress through adolescence in an interactive fashion and that there may be multiple areas that must be accounted for in effectively responding to delinquent behavior.

These insights also caution against the use of punitive, deterrence-based programs with high-risk youths—such as scared straight, boot camps, and control-oriented intensive supervision (Andrews & Bonta, 2010; Lipsey, 2009). The difficulty with these interventions is that they do not target the variety of



risk factors that are involved in the onset and stability of life-course-persistent offending for change. Fear of punishment, or experiencing a painful penalty, may produce short-term change or suppress criminal propensity for some delinquents. But because such sanctions leave untreated much of what causes delinquent youths to break the law, they tend to mainly achieve only limited, short-term effects (see also Cauffman & Steinberg, this issue).

### **Draw from Research on Natural Desistance to Promote Early Ends to Delinquent Careers**

One of the beneficial aspects of DLC as a framework for understanding delinquency and responding to it is that it divides aspects of offending into dimensions like onset, continuance, and desistance (Piquero, Farrington, & Blumstein, 2003). Understanding desistance from offending is one of the areas in which developmental research may be of use to juvenile justice policy and practice (Mulvey & Schubert, this issue). Recent theory and research has pointed out the nature of social influences in facilitating delinquency and also the role of agency and cognitive restructuring in the process of curtailing such behavior. The notion of overcoming criminal thinking in social situations is central to cognitive behavioral therapies (CBT) (Office of Juvenile Justice Delinquency Prevention, 2008), which have been found to be effective in meta-analyses of programs for juvenile offenders (Landenberger & Lipsey, 2005; Lipsey, 2009). CBT strategies focus on the nature of how the individual thinks and acts in particular situations and then employ a process of cognitive restructuring to facilitate behavioral change (Lochman, Powell, Whidby, & Fitzgerald, 2006; Milkman & Wanberg, 2007). The objective is a reorientation of the kinds of choices that are made by juveniles and, perhaps more importantly, how they make the decisions they do with respect to consideration of the risks and rewards associated with offending. It is possible that the use of these types of approaches in responding to delinquency within the system may help to mimic the cognitive transformation and exercise of agency in more informal processes of desistance as well as those pertaining to developmental resilience (e.g., Furstenberg, Cook, Eccles, Elder, & Sameroff, 2000; Masten, 2001). This is a point that is particularly relevant in light of the neurobiological and cognitive research that illuminates adolescent decision making (Cauffman & Steinberg, this issue).

### **Use Developmental Insights to Better Process and Sanction**

While there are limits on the extent to which an understanding of adolescent development can help to sort out the response of the justice system to serious delinquency (Maroney, 2009; Morse, 1999), there are a number of areas where it can inform sanctions and treatment. It is clear that the formal

sanctions of the juvenile justice system, as well as other informal social control efforts, are in competition with other factors that play a role in the decisions that youths make during this time period. Given the pressures on the juvenile justice system to respond to delinquency in a serious way, systems of graduated sanctions have become increasingly popular (Griffin, 1999; Howell, 2003). This approach ensures that there will be some response to delinquent behavior along a continuum corresponding to the seriousness of the behavior and repetition as opposed to responding in a way that may be perceived as arbitrary by the youth and insufficient by others (Kupchik, 2006). This parallels findings that suggest that effective family management (Piquero, Farrington, Welsh, Tremblay, & Jennings, 2009) and disciplinary strategies can promote positive development and self-regulation skills (Piquero, Jennings, & Farrington, 2010), and also fits with what Healy (1912) described: a system that was not overly sentimental in the face of harmful behaviors but not purely retributive either.

### **Be Mindful of the Developmental Implications of System Contact and Confinement**

While juvenile justice contact is commonly studied as a developmental outcome, it is also the case that interaction with the juvenile justice system may impact development. The juvenile justice experience from arrest to processing to sentencing to punishment can exert a range of effects on youth, some of which may operate in a deterrent manner, but others of which may backfire and lead to further antisocial behavior—especially when sanctions are perceived as arbitrary and not procedurally just (Fagan & Tyler, 2005). Given that, it is important to consider how to best sanction and treat juveniles to (1) have them take away a view of the system that is conducive to following the law and social norms in the future and (2) ensure that their later life chances are not unduly harmed by the experience—especially if institutionalization is unnecessary for most offenders and no more effective in limiting future criminal behavior than other sanctions (Cullen, Jonson, & Nagin, 2011; Loughran et al., 2009).

### **CONCLUSION: LIKE BEFORE, BUT BETTER**

Although the juvenile justice system has undergone noticeable changes from its establishment, it does retain a number of the same philosophical foundations and, arguably, has made some progress in dealing with criticisms that have emerged over time. For example, a number of the due process reforms that took hold in the latter half of the 20th century likely improved the lot of youth who come before the juvenile court (Bernard & Kurlychek, 2010; cf., Feld, 1997). Additionally, the understanding of normative adolescent risk behavior

as well as the markers and origins of more serious offending careers has clearly grown from Healy's early research with court-involved youth. This growth in knowledge validates the desire of the juvenile court's early proponents to consider scientific evidence on the causes and correlates of delinquency in responding to it and even Healy's eclecticism on the factors at work. While the founders of the court clearly had developmental distinctions between juveniles and adults in mind and endeavored to use science to inform policy and practice, they were not fully equipped to do so—in part because they underestimated political and bureaucratic interests and in part because their science was limited (Ryerson, 1978). Presently, however, there is an opportunity to bring greater scientific understanding into the juvenile justice system in a way that better reflects that initial vision.

Available public opinion data, recent court decisions, and some policy discussions suggest that the general view that there are important developmental distinctions between juveniles and adults that should affect the response to delinquency still holds in most cases. At this point, it would seem that the contemporary juvenile court can realize some of the objectives of its founders, while also responding reasonably well to shortcomings that have been identified in the last century or so of juvenile justice practice. Developmental theory and research of the caliber presented in this article and the special issue as a whole can play a prominent role in responding effectively to juvenile delinquency in a way that balances the needs of individual youth and society more broadly.

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