

Study faults treatment of juvenile offenders Detention as adults harmful, report says

By Peter Schworm, Globe Staff | March 14, 2005

Tough-on-crime laws that have made it easier to try juvenile offenders as adults have resulted in thousands of youths being sent to prison for nonviolent crimes, increasing the likelihood they will commit more serious crimes upon release, according to a national study to be released today at Northeastern University.

Juvenile advocates say a decadelong crackdown on teenage crime has backfired by depriving youthful offenders, who disproportionately are members of minority groups, of adequate counseling, drug treatment, and education.

A survey of several states with large numbers of youths in the adult system found increased recidivism among youths who are treated as adults.

" 'Adult time for adult crime' laws have failed," said Nancy Gannon Hornberger, deputy executive director of the Coalition for Juvenile Justice, a Washington, D.C., group that wrote the report. "They have proven harmful to public safety."

Juvenile advocates will release the report, "Childhood on Trial: The Failure of Trying and Sentencing Youth in Adult Criminal Court," at a 10 a.m. news conference today.

Responding to teenage drug and gang violence, the majority of states have enacted laws in the past decade imposing stiffer sentences for juveniles and lowering the age at which children can be sent to criminal court, Hornberger said. As a result, 250,000 youths under age 18 are sent into the adult criminal system each year, more than half for nonviolent charges.

Advocates are calling for a less punitive approach designed to rehabilitate youthful offenders, saying adult prisons are training grounds for criminal behavior. They praised legislation pending in Vermont, New Hampshire, and Connecticut that would restore the age of adulthood for criminal prosecution to 18, and urged similar change in Massachusetts to reduce the flow of juveniles into the adult system. Defendants 17 and older are considered adults in Massachusetts.

"You send juveniles into the adult system and they become further criminalized," Hornberger said.

The report also calls for giving judges broader discretion to assess juveniles' mental health and criminal history in determining where they should be tried.

Supporters of prosecuting juveniles as adults say the harsher penalties deter teenage crime and that chronic and serious offenders deserve prison time.

A 1996 Massachusetts law allowed prosecutors to indict youthful offenders as adults in some circumstances.

That law also mandated that anyone 14 or older accused of murder be automatically tried as an adult. ■

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