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### An Argument in Favor of Reforming Treatment of Youths in the Criminal Justice System

This paper aims to grab the attention of every American citizen by tying the issues of the treatment of youths by the criminal justice system to the one universal “attention-getter:” money. If a person pays taxes, owns property, uses facilities provided by the government, or prefers a safe environment with a decreased crime rate then he or she should be interested in the outcome of efforts to reform the youth criminal justice system as framed by this essay. People with economic and political interests are also addressed in some points.

America wastes money as juveniles are handled by the criminal justice system. According to data taken from Ezapop, over 86.4 million persons between ages zero and 20 are estimated to be incarcerated as of 2017 (Puzzanchera, Sladyky, and Kang). According to Vera.org, “the average cost per inmate” is used to comprehend the annual costs of incarcerating an individual (Vera.org). This amount is found by “taking the total state spending on prisons and dividing it by the average daily prison population” (Vera.org). Researchers sought information from 45 states and found that

Among the 45 states that provided data (representing 1.29 million of the 1.33 million total people incarcerated in all 50 state prison systems), the total cost per inmate averaged \$33,274 and ranged from a low of \$14,780... to a high of \$69,355... Eight states... had a cost per inmate above \$50,000.14 Eighteen... states had costs less than \$25,000, while 19 states had costs between \$25,000 and \$50,000. (Vera.org)

Multiplying the average cost per inmate among 45 states from Vera.org and Ezapop's estimated count of persons between ages zero and twenty in American prisons reveals that the U.S. spends about 2.9 trillion dollars annually on the incarceration of persons between the ages of zero and 20. If America were to move funding from prisons to education, rehabilitate more youths rather than placing them in adult prisons, and reconsider how offenses should be punished, it can save money and reduce crime rates.

To reduce the juvenile prison population, America must first move a substantial amount of the funding from incarcerating youths to educating them. Would this leave prisons underfunded? No. With less teens committing crimes and more teens being treated rather than locked away, less money is necessary for building and maintaining cells and inmates. Crime rates vary inversely with quality of education ("Crime Rates"). The better the education, the less likely one is to commit a crime. The government can fund education with grants. Grants are not just money; they have purposes of use attached to them and must be used for those purposes. The government could, for example, give grants to schools to update their books and technology, provide better support for students who are falling behind in the curriculum and at risk of failing, and establish a positive, supportive, and safe environment in schools which promotes growth. It costs significantly less to educate an individual than it does to incarcerate one ("Crime Rates"). This incarceration cost excludes the costs of crime upon society from those who could not acquire the skills necessary to succeed in the adult world during their education. In sum, better education means less crime. Less crime means less incarceration. Less incarcerations means money put towards improving education to reduce even more crime and having much more money to spare. This money saved can improve the world that the rest of Americans live in.

The second step to reduce the population of incarcerated youths is to create more facilities to house youth offenders that have services in place to rehabilitate youths. Recidivism –

the instance of an ex-convict being arrested for committing a crime – is a major problem of the justice system. It is notable that, as studies have shown, youths who are placed in adult prisons have significantly higher recidivism rates than teens who are placed in youth-focused centers with rehabilitation programs (Puzzanchera, et al). This is not really surprising since “prison’s a whole different world, you have to become a monster to survive in there,” as an interviewee replied (Richards). The purpose of the criminal justice system is to reduce crime rates and protect the general welfare and property of people and corporations. If rehabilitating youths and placing them in their own centers has a higher success rate than placing youths in adult prisons, it should be the solution preferred (Petteruti, et al., 1-2). One may argue that it may be more expensive to build these centers and set up these programs than to just place offending youths in adult prison; however, that is something that will only matter temporarily (Shaddox, 35). Once all the systems are in place, there should be a significant decrease in the need to maintain the number of adult cells and prisons we have currently. Over time the money saved through reduced recidivism and the money saved from the decreased number of cells necessary to maintain should outweigh the temporary cost to establish the needed youth rehabilitation and holding centers.

The third step to reducing youth incarceration is reconsidering offense-sentencing pairings for youths. This means reconsidering what crimes call for what type of punishment as well as reconsidering incarceration term lengths for juveniles for certain crimes. On their website, Global Youth Justice lists the “top twenty-five crimes, offenses and/or violations referred to [various youth courts]” (“Top 25 Crimes”).

#1 Theft/Larceny... #2 Vandalism... #3 Alcohol Offenses... #4 Disorderly  
 Conduct... #5 Simple Assault or Battery... #6 Possession of Marijuana... #7  
 Tobacco Offenses... #8 Curfew Violations... #9 School Disciplinary Offense...

#10 Traffic Violations... #11 Truancy... #12 Criminal Trespass... #13  
 Mischief/Criminal Nuisance... #14 Possession of Drug Paraphernalia...  
 (“Top 25 Crimes”)

This list excludes major violent actions and sexual assault to show that not every incarcerated youth has killed or raped someone. If someone skips school, graffiti on a wall, or possesses drugs, is the expensive decision to incarcerate him or her necessary? A much more cost-effective approach would have teens repair their vandalism, work to repay anyone they have stolen from, pay fines if found in possession of drugs, and have their parents and teachers work harder to encourage them to stay in class. Unless a teen’s actions are a true threat to society and he or she will not change by any means, he or she should not be incarcerated.

For change to happen, various misconceptions and barriers must be addressed. There are those that still believe in the super predator theory; there are those who believe that youth offenders can never change or should have known better than to commit an offense; and there are those with power who are too afraid to address the issue to maintain a following.

The superpredator theory was created by John Dilulio who believed that

These superpredators would be "radically impulsive, brutally remorseless youngsters, including ever more preteenage boys, who murder, assault, rape, rob, burglarize, deal deadly drugs, join gun toting gangs and create serious communal disorders." (Shaddox, 30)

This generation never came to be, and Dilulio later abandoned his theory (Shaddox, 30). Anyone who still believes that youths are simply wicked by nature believes in an outdated theory abandoned by its creator. There are also those who believe youths and teens should have known better than to commit whatever offense they committed and that they will never change (Benekos, et al, 128-130). There is a significant difference, however, between the brain of an

adult and the brain of a youth. Studies comparing the brains of youths to adults reveal that the prefrontal cortex, the judgement and rationality center of the brain, does not development completely until adulthood (Shaddox, 33). This incompleteness of the judgement and reasoning center of the brain leaves youths vulnerable to poor decision-making. With guidance and support until a youth reaches maturity, he or she may become much wiser and less prone to committing the same mistakes he or she made in youth. Because of this potential growth, a different approach is needed to handle youths who commit crimes. Certainly, sentencing them far beyond the point of maturity is not necessary. If a youth is incarcerated, he or she should be taught how to make better decisions and what decisions he or she should not make. If he or she seems to have changed positively, he or she should be reevaluated, and consideration should be made to reduce his or her sentence. Many politicians are afraid to engage the problem themselves to avoid appearing to be soft on crime. The competition between politicians to see who can be toughest on crime originated in the mid-twentieth century, but times have changed (Loo and Grimes, 1-2). As research reveals, a significant part of the populace desires reform of the juvenile justice system (Piquero and Steinberg). While people can vote and spread awareness of issues, it is up to those in office to put laws into place. Someone running to fix these issues would find no shortage of support.

If the youth prison population is reduced, more money will be available for the government to improve cities, advance medical research, and provide for the general welfare of its citizens. Less taxpayer dollars will go to waste, crime rates will decrease, and more youths will contribute to the American economy. America must transfer some prison spending to education, favor youth rehabilitation over incarceration, and reconsider the current crime and punishment policy for youths. Everyone has power to further this change. One can join an

organization, vote to reform criminal justice, spread awareness of this issue, or run for office.

America's potential to save money awaits claim.

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