



## Polling on Public Attitudes About the Treatment of Young Offenders

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### Summary

Advocates for juvenile justice reform, in the states and at the federal level, are used to hearing from legislators that they have to appear “tough on crime” in order to address their constituents’ public safety concerns. However, many recent studies and polls about public attitudes toward youthful offenders, the juvenile justice system and rehabilitation suggest that the public is often ahead of their representatives in understanding that the toughest posture on youth crime is not necessarily the smartest one.

Recent polls show that the general public:

- believes that rehabilitation and treatment can reduce crime AND is willing to pay extra taxes to provide those services;
- supports rehabilitation even for young people who commit violent crimes;
- opposes young offenders being sent to adult criminal court without an individual determination made in each case;
- agrees that non-white youth are more likely than white youth to be prosecuted as adults; and
- believes strongly in a separate juvenile justice system.

Public opinion remains consistently supportive of rehabilitation for youth regardless of public perceptions about the rate or severity of juvenile crime. A majority of the public maintains this support for the juvenile justice system even when it considers youth violence to be a major problem and believes (whether correctly or not) that juvenile crime rates are increasing. As youth crime rises and falls, advocates will need to continually provide policy makers with the truth about the public’s attitudes towards the treatment of youth who come into conflict with the law.<sup>1</sup>

Looking at the polling questions and responses they evoke is also helpful in framing messages when advocating for specific policy reforms.

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### Recent Polls

#### Center for Children’s Law and Policy (CCLP)

CCLP (as part of the MacArthur Foundation’s Models for Change program) worked with Belden Russonello and Stewart to survey public attitudes on youth, crime, race and the juvenile justice system.<sup>2</sup> In the summer

of 2007, they conducted eight focus groups on the issues in Chicago, Pittsburgh, Baton Rouge, and Seattle. Informed by the results from the focus groups, they conducted a national telephone survey in September 2007 of 500 adults nationwide and an additional 300 adults in the four Models for Change states (Illinois, Pennsylvania, Louisiana, and Washington). The results revealed strong support for juvenile justice reforms focused on rehabilitating young offenders rather than locking them up in adult prisons. Respondents were asked about:

- Potential of young people to change: 89 percent of those surveyed agreed that “almost all youth who commit crimes have the potential to change” and more than 70 percent agreed that “incarcerating youthful offenders without rehabilitation is the same as giving up on them.”
- Redirection of funds from incarceration to counseling, education and job training programs for young offenders: 80 percent favored reallocating state government money from incarceration to programs that provide help and skills to enable youth to become productive citizens.
- Providing treatment and services for rehabilitation: majorities saw schooling (72 percent), job training (66 percent), mental health treatment (60 percent), family counseling (57 percent), mentoring (55 percent), and community services (51 percent) as very effective ways to rehabilitate young people leaving the juvenile justice system. Less than 15 percent of those surveyed thought that incarcerating young people was a very effective way to rehabilitate them.
- Keeping youth in their communities: 76 percent strongly or somewhat favored placing nonviolent youth in facilities located in their own communities and 80 percent favored placing them in small residential facilities; 62 percent favored assigning nonviolent youth to live in their own homes, receiving counseling and other services under the close supervision of a caseworker, rather than in large juvenile facilities.
- Justice system treatment of low-income youth and youth of color: almost two thirds of respondents said that poor youth receive worse treatment than middle class youth who are arrested for the same offense. A majority of respondents (53 percent) said that African American youth receive worse treatment than white youth arrested for the same offense.

### **The MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice**

The MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice has supported a series of polls undertaken by Professors Laurence Steinberg and Alex Piquero. The polls gauged the public’s support for juvenile justice policies using a methodology known as “contingent valuation,” which permits the comparison of respondents’ willingness to pay for competing policy alternatives. The first poll was conducted in Pennsylvania from March to August, 2005 with approximately 1,500 respondents closely mirroring the demographics of the state’s population in terms of age, race, income, and education. Further polls were conducted in 2007 in all four Models for Change states – Illinois, Pennsylvania, Louisiana, and Washington – with a random sample of approximately 500 households in each state.<sup>3</sup>

The respondents were asked if they would be willing to vote for a crime policy proposal requiring each household to pay an additional amount of money in taxes. Half the respondents were told that the additional taxes would increase the amount of rehabilitation services provided to serious juvenile offenders, without any increase in their time incarcerated. The other half were told that the tax increase would fund a longer period of incarceration for serious juvenile offenders without the addition of any services. Respondents who indicated a willingness to pay the additional cost were asked further questions to establish how much more they would be willing to pay to support the specific policy.

The results across the sample as a whole (combining data from all four states) showed that the public clearly favors rehabilitation over punishment as a response to serious juvenile offending.

- More respondents were willing to pay for additional rehabilitation than for additional punishment and the average amount they were willing to pay was almost 20 percent greater for rehabilitation than for incarceration (\$98.49 versus \$84.52).
- Conversely, significantly more respondents were unwilling to pay for additional incarceration (39 percent) than were unwilling to pay for added rehabilitation (29 percent). (These numbers represent the average among the states. In Louisiana respondents were willing to pay slightly more for punishment than rehabilitation – \$98 versus \$94.)
- The published data from the first Pennsylvania survey included some additional questions to establish the political views and attitudes of the respondents. In general, although respondents differed in their responses to the “willingness to pay” questions depending on their political philosophy (conservative or liberal) and attitudes toward punishment (more or less punitive), the results suggested broad public support for effective rehabilitation. Even the more punitively oriented respondents express substantial willingness to pay for rehabilitation. Conservatives as well as liberals expressed substantial support for public investment in effective rehabilitation, although self-identified conservatives reported significantly higher willingness to pay for punishment than self-identified liberals (\$86.29 versus \$62.76), and significantly lower willingness to pay for rehabilitation.
- The first Pennsylvania survey also included a question about willingness to pay for a nurse home visitation program and found that 65 percent of respondents were willing to pay at least \$75 for the program and 56.7 percent were willing to pay \$150 or more.

### **The National Council on Crime and Delinquency (NCCD)**

NCCD published the results of a national telephone survey of likely voters by Zogby International<sup>4</sup> conducted in January 2007. The poll showed that despite concerns about youth crime – 90 percent of those polled agreed that youth crime is a major problem – the public strongly supports rehabilitation and treatment, and opposes incarceration in adult jails or prisons. The poll found that the public:

- agrees (by 92 percent to six percent) that the decision to transfer youth to adult court should be made on a case-by-case basis and not be governed by a blanket policy;
- agrees (by 89 percent to nine percent) that rehabilitative services and treatment for incarcerated youth can help prevent future crimes;
- agrees (by 81 percent to 14 percent) that spending on enhanced rehabilitation services for youth in the juvenile justice system will save tax dollars in the long run;
- agrees (by 67 percent to 29 percent) that young people should not be incarcerated in adult corrections facilities and does not believe (by 69 percent to 23 percent) that incarcerating youth with adults will deter them from future crime; and
- are about twice as likely to agree (60 percent) than disagree (32 percent) that non-white youth are more likely than white youth to be prosecuted in the adult criminal justice system.

## Florida State University's College of Criminology and Criminal Justice

Florida State University's College of Criminology and Criminal Justice conducted a telephone survey of approximately 1,300 Florida residents aged 18 and older in the spring of 2006. The survey focused primarily on residents' views of the state correctional system, but it also included items on attitudes toward juvenile offenders and juvenile justice.<sup>5</sup> Those items investigated included support for abolishing the juvenile justice and expanding criminal justice jurisdiction for young people. The poll found:

- 80.5 percent of the public disapproved of eliminating the juvenile justice system (39.6 percent strongly disapproved);
- 64 percent either agreed or strongly agreed that violent offenders can be rehabilitated (including a majority, 57 percent of those self-identified as conservative); and
- considerable variation in public views about the **lowest** age at which young people should be tried in adult court – the average age was 15.6 years with 31 percent identifying age 17 or older and 28 percent identifying 14 or lower as the cutoff. Political conservatives and those holding a retributive philosophy of punishment supported the lower ages. Non-Hispanic whites, those with higher education levels and respondents who had been victimized were also more likely to support the younger age of transfer.

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## Public Attitudes During the 1990s

Even in the 1990s when juvenile crime rates reached an all time high and the media were reporting a coming generation of super-predators, the public maintained its commitment to rehabilitation.

In the fall of 1995, the **Virginia Commission on Youth** surveyed public attitudes about juvenile crime as part of a survey of 811 randomly selected adult respondents.<sup>6</sup> A majority of the respondents identified themselves as Republicans.

- 63 percent of respondents believed that the main purpose of the juvenile court system should be to rehabilitate youths, while 23 percent chose punishment, and 11 percent said both.
- 68 percent said that government should concentrate on either prevention or rehabilitation to reduce juvenile crime rather than enforcement or punishment.
- Only 32 percent of the surveyed group agreed that more juveniles should be sent to training schools, while 50 percent favored community based programs, and nine percent wanted both or another alternative.
- 80 percent felt that the decision to transfer a juvenile to an adult court should be made by a judge, rather than by a prosecutor.
- Despite support for adult treatment in certain cases, 84 percent opposed the mixing of adults and juveniles awaiting trial.

The **Building Blocks for Youth** poll conducted nationwide in early 1999<sup>7</sup> (when juvenile crime rates were in their fifth year of decline) found that although 38 percent of respondents believed juvenile crime was increasing and all the groups polled viewed youth violence as a big problem,

- 90 percent of respondents supported a focus on prevention and rehabilitation rather than imprisonment, and
- Only 15 percent thought that locking youth up in juvenile facilities was effective in rehabilitating them.

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## Using Positive Polling Information

### To Resist the Claims of Politicians and Policy Makers

“People are expecting us to do something about these violent teenagers. We’ve got to move on this.”

*Senator Orrin Hatch, supporting passage of the  
Violent and Repeat Juvenile Offender Act of 1997*

FBI Uniform Crime Report statistics for 2006 showed an increase of 3.6 percent in juvenile arrests for violent crime over the preceding year, though juvenile arrests for property crime declined by 5.5 percent.<sup>8</sup> Two reports from the Police Executive Research Forum (PERF) earlier in the year (based on preliminary statistics) warned of a growing crime wave,<sup>9</sup> drawing considerable media attention. Recent media stories have focused attention on the increasing numbers of juvenile arrests for murder and robbery and the growth of gangs (particularly among immigrant youth). The stories about rising juvenile crime are disturbing reminders of the (false) reports of a coming wave of super-predators that had dire consequences for the juvenile justice system in the 1990s. Politicians who voted for heavier penalties and sent more children into the adult system then frequently claimed that they were supported by public opinion. Recent polling results are a tool to counter this.

### To Develop Effective Messages

Unfortunately, we know that data alone does not move people to action. Advocates need to couch data within a meaningful framework, in order for the message to be understood and for individuals to be motivated. The following is a brief summary of several potential frameworks for this polling data that should contextualize the data in ways that will resonate with the general public.

- **Rehabilitation:** The polls all show that the public believes in rehabilitation. They respond positively to messages that speak to youths’ potential for change and the power of rehabilitation.
- **Values:** The most effective frames are those that reflect the values people already hold. For example, in its work for the Youth Transition Funders Group, Fenton Communications research identified messages framed around fairness, justice, equity, responsibility, and effectiveness to be ones that people responded to positively.<sup>10</sup> Building Blocks also noted that notions of fairness were important to people asked about racial disparities.
- **Accountability:** Across polls and across time, the public wants young offenders to be held accountable. In the CCLP poll, 80 percent of respondents wanted a stronger focus on accountability and thought that the system is not focused enough on “teaching youth who commit crimes to be accountable for their actions.”
- **No Excuses:** Building Blocks’ analysis of their polling responses found that the public was not convinced by messages that appeared to offer excuses, e.g., “It’s only natural for people to make mistakes when they are young.”
- **Limit Statistics:** In general, people were less convinced by messages that cite statistics.

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<sup>1</sup> The latest detailed crime statistics from the FBI show an overall increase in juvenile arrests of 0.8 percent in 2006 (violent crime arrests increased by 3.6 percent non-violent declined by 5.5 percent). *FBI Crime in the United States 2006*, Table 36, Current Year Over Previous Year Arrest Trends by Age Group. Available at <[http://www.fbi.gov/ucr/cius2006/data/table\\_36.html](http://www.fbi.gov/ucr/cius2006/data/table_36.html)>.

<sup>2</sup> A detailed summary of the polling, *Potential for Change: Public Attitudes and Policy Preferences for Juvenile Justice Systems Reform*, is available on the Web site of the MacArthur Foundation at <<http://modelsforchange.net/pdfs/cclpPollingFINAL.pdf>>.

<sup>3</sup> A detailed summary of the 2007 four-state survey, *Rehabilitation Versus Incarceration of Juvenile Offenders: Public Preferences in Four Models for Change States*, is available on the MacArthur Foundation's Web site at <<http://modelsforchange.net/pdfs/WillingnesstoPayFINAL.pdf>>. The full report of the 2005 Pennsylvania survey, *Public Preferences for Rehabilitation Versus Incarceration of Juvenile Offenders: Evidence from a Contingent Valuation Survey*, by Daniel S. Nagin, Alex R. Piquero, Elizabeth S. Scott and Laurence Steinberg was published in *Criminology & Public Policy*, Volume 5, Issue 4, November 2006.

<sup>4</sup> The full report, *Attitudes of U.S. Voters Toward Youth Crime and the Justice System*, is available on the National Council on Crime and Delinquency's Web site at <[http://www.nccd-crc.org/nccd/pubs/zogby\\_feb07.pdf](http://www.nccd-crc.org/nccd/pubs/zogby_feb07.pdf)>.

<sup>5</sup> The full report, *Public Opinion and the Foundation of the Juvenile Court*, by Daniel P. Mears, Carter Jay, Marc Gertz, and Christina Mancini of the College of Criminology and Criminal Justice at Florida State University is published in *Criminology*, Volume 45, Number 1 2007.

<sup>6</sup> *Report of the Virginia Commission on Youth on the Study of Juvenile Justice System Reform*, House Document No. 37 (1996). The poll was conducted by the Survey Research Laboratory at Virginia Commonwealth University as part of the Commonwealth Poll, a survey of political attitudes during state-wide legislative races.

<sup>7</sup> Reported in *Public Opinion on Youth, Crime and Race: A Guide for Advocates* by Mark Soler for Building Blocks for Youth, <<http://www.buildingblocksforyouth.org/advocacyguide.pdf>>.

<sup>8</sup> Violent crimes are offenses of murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault. Property crimes are offenses of burglary, larceny-theft, motor vehicle theft, and arson. *2006 Crime in the United States*, Table 36, FBI Web page at <[http://www.fbi.gov/ucr/cius2006/data/table\\_36.html](http://www.fbi.gov/ucr/cius2006/data/table_36.html)>.

<sup>9</sup> *A Gathering Storm: Violent Crime in America*, PERF, October 2006 and *Violent Crime in America: 24 Months of Alarming Trends*, PERF, March 2007, both at <[www.policeforum.org](http://www.policeforum.org)>.

<sup>10</sup> *Talking About Youth Transitions*, Youth Transition Funders Group, July 2007, at <<http://www.ytfg.org/documents/TalkingaboutYouthTransitions.pdf>>.