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Contact: Daniel P. Mears
dmears@fsu.edu
850-644-7376
[Florida State University](#)

Public wants young offenders tried in juvenile courts despite policymakers' get-tough stance

TALLAHASSEE, Fla. -- The juvenile justice system emerged a century ago out of the belief that young offenders were less culpable and more salvageable than their adult counterparts, but today, that system is under attack by get-tough policymakers claiming wide public support that Florida State University criminologists say simply doesn't exist.

In fact, a rigorous study by those FSU researchers snapped a very different picture of public opinion on calls to abolish the juvenile justice system: More than 80 percent of the representative sample of 1,308 Florida adults surveyed were against such a move, nearly 40 percent strongly so. Throughout the nation's fourth-largest state, that point of view prevailed even across demographic lines such as age, race, ethnicity, education, income or political and religious affiliations.

"These findings make for a compelling argument against the politicization and criminalization of juvenile justice," said FSU Associate Professor Daniel P. Mears. An expert on juvenile justice reforms, he is the lead author of the FSU study "Public Opinion and the Foundation of the Juvenile Court" that appears in the February 2007 edition of the journal *Criminology*.

Mears points to the biggest surprise in a state where policymakers have taken increasingly hardnosed approaches to juvenile crime and incarcerate more juvenile (and adult) offenders than almost anywhere else in the country:

About 64 percent of survey respondents either agreed or strongly agreed that even violent juvenile offenders can be rehabilitated. Once again, the differences among those with otherwise disparate views weren't substantial -- 70 percent of self-identified liberals agreed or strongly agreed, as did 66 percent of moderates and a majority, 57 percent, of conservatives.

What's more, Mears and fellow FSU researchers found no consensus in a mixed bag of public opinions on the age at which youths should be tried as adults: 28 percent of respondents said age 14 or younger; 13 percent, age 15; 28 percent, age 16; and 31 percent, age 17 or older. While those calling themselves political conservatives were more likely than self-described liberals to favor a lower age, differences were small. On average, conservatives favored an age threshold just a half-year younger than that which liberals supported.

"Although policymakers sometimes say the public demands harsher treatment of juvenile offenders, research like ours show that the public strongly supports retaining the juvenile justice system and emphasizing not just punishment but also rehabilitation," Mears said. While the study calls "non-trivial" the percentage of respondents who did favor abolishing juvenile courts (19.6 percent), it points to the "child-saving" spirit apparent among most adults.

Results from the FSU College of Criminology and Criminal Justice study derive from its spring 2006 telephone survey. The survey sought opinions about respondents' political leanings and general attitudes toward juvenile justice and both violent and non-violent offenders. Mears' co-authors include Assistant Professor Carter Hay, whose widely published research focuses on the causes and consequences of juvenile delinquency; Professor Marc Gertz, a noted authority on the study of public opinion and the criminal justice system; and doctoral student Christina Mancini.

"We found that factors such as age, race/ethnicity, education, income, conservative Protestantism, victimization and employment in the criminal justice system are largely unrelated to views one way or the other about eliminating the juvenile justice system," Mears said. "This finding in turn reinforces the idea that support for a child-centered juvenile justice system cuts equally across many segments of the Florida adult population."

He contends that such a study --set in the fourth-largest state and based on a sizeable survey sample demographically similar to the country as a whole -- offers nationally relevant insights. It also offers several recommendations to U.S. policymakers, including one urging them to consider adopting a uniform age cut-off for juvenile versus adult court jurisdiction -- eliminating what Mears describes as

“the odd ‘justice by geography’ problem of, say, a 16-year-old being treated as a juvenile in one state and as an adult in another.”

What’s clear is that public opinion on juvenile justice is more complex and multi-faceted than some policymakers realize or acknowledge, said Mears. “More than 100 years after the birth of the juvenile justice system, we have strong evidence that the public’s ‘child-saving orientations’ still flourish in spite of punitive attitudes and political ideology.”

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By Libby Fairhurst

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