

BRIEF 2

Research on Adolescent Development, Competence, and Character

Courtney Lloyd, Lisa J. Berlin

Research on youth development sheds light on three issues central to policies for adolescent offenders: blameworthiness, competence to stand trial, and the potential for an adolescent’s “character” to change.

Research Suggests Juveniles’ Developmental Immaturity Makes Them Less Blameworthy than Adults

In judging the blameworthiness of an offender, adult courts carefully consider the offender’s decision-making capacity and the conditions of the crime, such as whether it was committed in self defense or under coercion. Recent research suggests that compared to adults, adolescent offenders’ limitations in several areas of decision-making can make them less blameworthy than adult offenders.

A recent investigation of 1,000 10- to 30-year-olds by the MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice¹ indicated that:

- Compared to adults, adolescents focus more on the short-term than the long-term consequences of their actions.²
- Compared to adults, adolescents perceive themselves as less likely to think about the future consequences of their behavior.³

- When asked if they would rather receive a small amount of money today versus a larger amount of money in a year, compared to adults, adolescents had a lower “tipping point” (amount of money they were willing to accept sooner instead of waiting to get more).⁴
- Compared to adults, adolescents are less concerned about potential risks and more sensitive to the possibility of rewards.⁵
- Impulsiveness escalates between early and middle adolescence and then decreases.⁶
- During a computer-simulated assessment of driving performance, the presence of friends increased risk-taking in adolescents and college students but not adults. The psychological capacity to resist peer pressure continues to develop through late adolescence and into early adulthood.⁷

These findings suggest adolescents are relatively short-sighted, more focused on immediate gratification, more impulsive, and more vulnerable to peer pressure and coercion – all factors that may make them more likely to commit crimes, especially in heat-of-the-moment situations and when accompanied by peers.

The findings are also consistent with recent studies linking physical and mental changes. They indicate:

- The region of the brain responsible for controlling impulsive and aggressive behaviors continues to develop into the early 20s.⁸
- Hormonal changes associated with puberty are related to increases in “reward-sensitivity” and sensitivity to the reactions of others.⁹

Research Suggests Adolescents Under Age 16 Lack Capacities Required to Stand Trial

A defendant’s competence to stand trial refers to abilities such as understanding the significance and nature of the trial, being able to offer relevant information to counsel, and applying information to one’s personal situation in an accurate and rational way. These criteria inform decisions concerning the competence of mentally-challenged individuals in adult courts. Recent research suggests that, compared to older adolescents and adults, adolescents under 16 are limited in several capacities related to their competence to stand trial.

For example, the MacArthur Juvenile Adjudicative Competence Study tested the competencies of 1,400 geographically, ethnically, culturally, and socioeconomically-diverse male and females, age 11 to 24, half of whom were incarcerated.¹⁰ The study found:

- About 33 percent of 11- to 13-year-olds, and 20 percent of 14- to 15-year-olds were significantly impaired in their reasoning or understanding of the judicial process.
- There were, however, no statistically significant differences in these capacities between 16- to 17-year-olds and 18- to 24-year-olds.
- In response to hypothetical scenarios about criminal proceedings, adolescents under age 16 tended to endorse decisions to “comply with what an authority figure

seemed to want,” such as confessing and plea bargaining.¹¹

- IQ affects capacity to stand trial, and in the study’s sample, 66 percent of youth under 15 in the juvenile justice system had below-average IQ compared to 33 percent of the non-incarcerated youth under age 15.

Collectively, these findings indicate that adolescents age 16 and older are similar to adults in their capacity to stand trial whereas adolescents under age 16 have less capacity to stand trial. In response to these findings, the MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice developed two guides to help juvenile justice officials assess juvenile competence (*see www.adjj.org*).

Research Suggests Adolescent Character can Change

Character refers to an individual’s moral and psychological makeup. The juvenile justice system is based on the premise that adolescent character is more amenable to change than adult character, and adolescent offenders are more responsive to rehabilitation than adults. In fact, hormonal changes during adolescence make the teenage years an especially flexible time for establishing or reestablishing behavior patterns.¹² Moreover, several randomized evaluations of programs targeting adolescent offenders have demonstrated some success in altering criminality. For example:

- *Multisystemic Therapy (MST)* is a program that works with families to design treatment plans that target conditions contributing to the adolescent offender’s delinquent behavior. The treatment aims to improve methods of caregiver discipline, strengthen family relations, decrease socializing with delinquent peers, improve school performance, and develop a social network that can help the adolescent uphold the changes. MST involves several hours of family therapy per week and lasts approximately four months.

- o A 2006 study reported a 66.7 percent recidivism rate among MST participants compared to 86.7 percent for those who did not receive MST.¹³
- *Therapeutic Foster Care* combines specially-trained foster parents with therapeutic services to create a setting where adolescents with a history of emotional disturbance, antisocial behavior, or delinquency can learn pro-social behaviors and skills including conflict resolution, anger management, and self-awareness.
 - o A 1990 study revealed that after two years, 44 percent fewer adolescents who had received Therapeutic Foster Care were incarcerated, compared to adolescents treated in other residential programs.¹⁴
- *Aggression Training Replacement (ART)* is for violent and aggressive youth ages 12-17, who are incarcerated in the juvenile justice system. It is a ten-week program focused on anger control, social skills, and moral reasoning training.
 - o A 1994 study found a 15 percent recidivism rate among adolescent offenders who participated in ART and a 43 percent recidivism rate among those who did not receive that treatment.¹⁵

These studies lend support to the notion that adolescent character is in fact amenable to positive change. It is important to note that the research offers no specific age boundary at which an adolescent's character is more or less changeable. This boundary is likely to be highly variable depending on the individual.

Summary

Research on adolescent development suggests that, compared to adults, adolescent offenders tend to focus more on rewards than risks, are more susceptible to peer pressure, and have less decision-making capacity. This suggests that adolescent offenders should not necessarily be considered equally blameworthy as an adult offender who committed the same crime. The research does suggest, however, that 16- and 17-year-olds are similar to adults in their competencies to stand trial and to participate in the legal processes of the criminal court. Adolescents under age 16, however, have more limited competencies.

Finally, research shows that adolescence is a particularly malleable time for establishing character, and that rehabilitative treatment can reduce recidivism. Taken as a whole, this body of research suggests that regardless of whether they are treated in the juvenile or adult system, adolescents' developmental maturity needs to be considered.

ENDNOTES

¹ MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice (2006a). *Less guilty by reason of adolescence*. Retrieved February 26, 2007 from http://www.adjj.org/downloads/6093issue_brief_3.pdf

² Steinberg, L., and Scott, E.S. (2003). Less guilty by reason of adolescence. *American Psychologist*, 58, 1009-1018. Retrieved February 22, 2007 from http://www.oja.state.ok.us/SAG%20Website/MacFound/Less_Guilty_by_Reason_of_Adolescence.pdf

³⁻⁴ MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice (2006a). *Less guilty by reason of adolescence*. Retrieved February 26, 2007 from http://www.adjj.org/downloads/6093issue_brief_3.pdf

⁵ Steinberg, L., and Scott, E.S. (2003). Less guilty by reason of adolescence. *American Psychologist*, 58, 1009-1018. Retrieved February 22, 2007 from http://www.oja.state.ok.us/SAG%20Website/MacFound/Less_Guilty_by_Reason_of_Adolescence.pdf

⁶ Steinberg, L., and Cauffman, E. (1996). Maturity of judgment in adolescence: Psychosocial factors in adolescent decision making. *Law and Human Behavior*, 20, 249-272. Retrieved February 22, 2007 from SpringerLink database.

⁷ Gardner, M., and Steinberg, L. (2005). Peer influence on risk-taking, risk preference, and risky decision-making in adolescence and adulthood: An experimental study. *Developmental Psychology*, 41, 625-635.

⁸ Ortiz, A. (2004). Cruel and unusual punishment: The juvenile death penalty: Brain development and legal culpability. *American Bar Association Juvenile Justice Center*. Retrieved February 22, 2007 from <http://www.abanet.org/crimjust/juvjus/Adolescence.pdf>

⁹ Steinberg, L. (in press). Risk taking in adolescence: New perspectives from brain and behavioral science. *Current Directions in Psychological Science*.

¹⁰ Grisso, T., Steinberg, L., Woolard, J., Cauffman, E., Scott, E., Graham, S., Lexcen, F., Reppucci, N., and Schwartz, R. (2003). Juveniles' competence to stand trial: A comparison of adolescents' and adults' capacities as trial defendants. *Law and Human Behavior*, 27, 333-363.

¹¹ MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice. (2006b). *Adolescent legal competence in court*. Retrieved February 26, 2007 from http://www.adjj.org/downloads/9805issue_brief_1.pdf

¹² Nelson, E.E., Leibenluft, E., McClure, E.B., and Pine, D.S. (2005). The social reorientation of adolescence: A neuroscience perspective on the process and its relation to psychopathology. *Psychological Medicine*, 35, 163-174. Retrieved February 27, 2007 from Cambridge University Press.

¹³ Timmons-Mitchell, J., Bender, M.B., Kishna, M.A., and Mitchell, C.C. (2006). An independent effectiveness trial of multisystemic therapy with juvenile justice youth. *Journal of Clinical Child and Adolescent Psychology*, 35, 227-236. Retrieved February 26, 2007 from Lea Online database.

¹⁴ Chamberlain, P., and Weinrott, M. (1990). Specialized foster care: treating seriously emotionally disturbed children - Transitions. Oregon social learning center program, Eugene, Oregon. *Children Today*, 19, 24-27. Retrieved February 27, 2007 from LookSmart database.

¹⁵ Goldstein, A., and Glick B. (1994). Aggression Replacement Training: Curriculum and evaluation. *Simulation and Gaming*, 25, 9-26. Retrieved February 26, 2007 from Sage Journals Online database.