

Compared to adjudication in juvenile court, criminal convictions can hurt adolescent boys' future employment prospects.

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Recent decades have seen a shift in how juveniles are treated by the criminal justice system from rehabilitation to a “tough on crime” approach which sees more young people tried and sentenced by adult courts. But how has this shift affected the lives of these young people? Analyzing data from two cities, [Jeffrey Sharlein](#) finds that seven years after court involvement, young men who were convicted by a criminal court have had less time in the community, and thus poorer employment outcomes, compared to those who faced juvenile court.



Adolescent boys and young men who go through the criminal court system have poorer employment outcomes than those who go through the juvenile justice system for similar crimes. That is, seven years after their court involvement, there are differences between these two groups in numbers of hours worked, weeks worked, and money earned. This is largely because criminal (adult) convictions are more likely to lead to incarceration, and this reduces the amount of time young people are able to pursue employment in the community. Conviction as an adult may also lead to better educational outcomes after seven years, as compared with adjudication as a juvenile.

From the time the first juvenile court was established in Chicago in [1899](#), the idea of rehabilitation has been central to thinking about judicially treating juveniles. This is in keeping with modern understandings of [neuropsychological development](#): since adolescents' decision-making capabilities and characters are still evolving, advocates argue that the goal should be to rehabilitate them into socially contributing adults when they break the law, rather than punishing them as criminals. Towards the end of the 20th century, increased rates of juvenile crime led to warnings about juvenile “[super-predators](#)” and shifts in public opinion. This led to [policy changes](#) in states, which increased the numbers of adolescents tried and sentenced as adults in criminal court. This had always been an option in extreme cases, but policies during this period caused growing numbers to be “transferred,” either automatically based on the criminal charge, or at the prosecutor’s or judge’s discretion.

This “tough on crime” approach was aimed at punishing lawbreakers and improving public safety. However, the policies have proven inappropriate to the latter goal. [Several research studies](#) over the past few decades have shown that transferring adolescents to the criminal court system makes them more likely to offend again, and also does not reduce overall youth crime rates. My research as well as [another recent study](#) show that trying and convicting adolescent boys and young men as adults is also detrimental to their rehabilitation by limiting their future economic prospects through employment. Interestingly, the opposite may be true for educational achievement.

To find this, I analyzed data from the [Pathways to Desistance](#) study. This study collected data from over 1,000 youth in Philadelphia, Pennsylvania, and Phoenix, Arizona, who had been found guilty of a range of legal offenses. Some had gone through the juvenile justice system and others had been transferred to the (adult) criminal justice system. Participants were followed for seven years, and interviewed on a wide range of topics. Due to the small number of girls and young women in the study who had been transferred, I focused only on adolescent boys and young men, and on an [equal number](#) from each court.

I found that youth tried and convicted in criminal court have less time in the community over seven years than those adjudicated as juveniles, and that this leads to poorer employment outcomes. Employment outcomes here mean the total weeks worked, hours worked, and money earned in the seventh year after court disposition. Some of the difference in community time is due to the disposition in the initial case: there is a greater likelihood of being incarcerated or sent to another residential facility from criminal court than from juvenile court. I did not uncover

reasons for the rest of the difference in how much time youth spend in their communities, though it seems likely that at least some of it has to do with [longer prison](#) sentences for those incarcerated from criminal court. (While criminal conviction is more likely to lead to incarceration, juvenile courts do also sentence youth to detention or other residential facilities.)

Figure 1 – How the court where an adolescent’s case is heard impacts later employment



Conviction in criminal court results in a criminal record, while adjudication as a juvenile does not. As such, I also investigated whether having a criminal record interfered with employment outcomes for those who had gone through criminal court. Those who had gone through criminal court were more likely to have passed on applying for a job because they thought their criminal record would prevent hire. Interestingly, though, this did not impact their employment outcomes. That is not necessarily to say that criminal records didn't [prevent hire](#) at some jobs – the data I worked with did not have this information. Rather, not applying to some jobs out of this fear did not impact hours worked, weeks worked, or money earned.

My findings about the effect of court on educational attainment were inconclusive. If anything, criminal conviction seems to lead to higher levels of educational attainment than juvenile adjudication. This is puzzling, and more research is needed to confirm this and figure out why it might be.

My findings about employment clearly suggest that transferring adolescent boys and young men to criminal court is detrimental to their future economic prospects. If rehabilitation of young lawbreakers remains a goal this is clearly a problem: economic stability and self-sufficiency are key to being a contributing member of society. On a broader societal level, the relationship between juvenile transfer, diminished time in the community, and depressed employment outcomes indicates that transfer policies are part of the formal and informal policy regime that [criminalizes poverty](#) and [impoverishes labeled criminals](#). In short, my employment findings add weight to arguments that it is time to reassess transfer policies, in favor of policies that respond to juvenile lawbreaking in ways that protect public safety while helping to repair and sustain individual and community lives.

This article is based on the paper, 'Beyond Recidivism: Investigating Comparative Educational and Employment Outcomes for Adolescents in the Juvenile and Criminal Justice Systems', in Crime & Delinquency.

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