

Jonge criminelen die volwassen
worden:

Toelichting op het werk van de
Amerikaanse and Nederlandse
studiegroepen en belangrijkste
bevindingen

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In January 2004 a 17-year-old boy murdered a vice-principal of a secondary school in The Hague.

- He was sentenced according to adult penal law by the criminal court, and later by the Court of Appeals.
- The courts ruled against the advice of three behavioural experts who saw no need to apply adult law and raised serious concerns about the young man's state of mental health and developmental age.
- But the experts disagreed on whether or not a maximum six-year treatment measure in a closed institution would suffice.
- Therefore, the courts decided to apply adult law since under adult law there is no fixed maximum for a treatment measure. Treatment measures can be prolonged by court decision every two years.

In 2011, The Netherlands currently is at cross-roads in how best to deal with adolescent offenders (ages 12-17) and with young adult offenders (ages 18-24).*

- Proposed harsher response to delinquent acts committed by adolescents and apply longer sanctions, including incarceration.
 - Longer sentences reduce recidivism
 - Incarceration reduces recidivism
 - Incarceration serves as a deterrent

- True?
- True?
- True?

* Letter of minister F. Teeven to the chair of the 'Tweede Kamer', 25 June 2011. 3

Counterpoints

- Extend the more humane and traditional juvenile justice approach to young adult offenders. Reasons:
 - Most young adult offenders tend to overcome immature behaviours that are typical of adolescence and early adulthood
 - Maturation -- including brain maturation -- for many is only completed during early adulthood.

- True?

- True?

These and other points were addressed by the Dutch and the U.S. study groups on *The Transition between Juvenile Delinquency and Adult Crime*

Members of the two study groups at their meeting in Washington, DC.



The four editors/coordinators of the Dutch study group



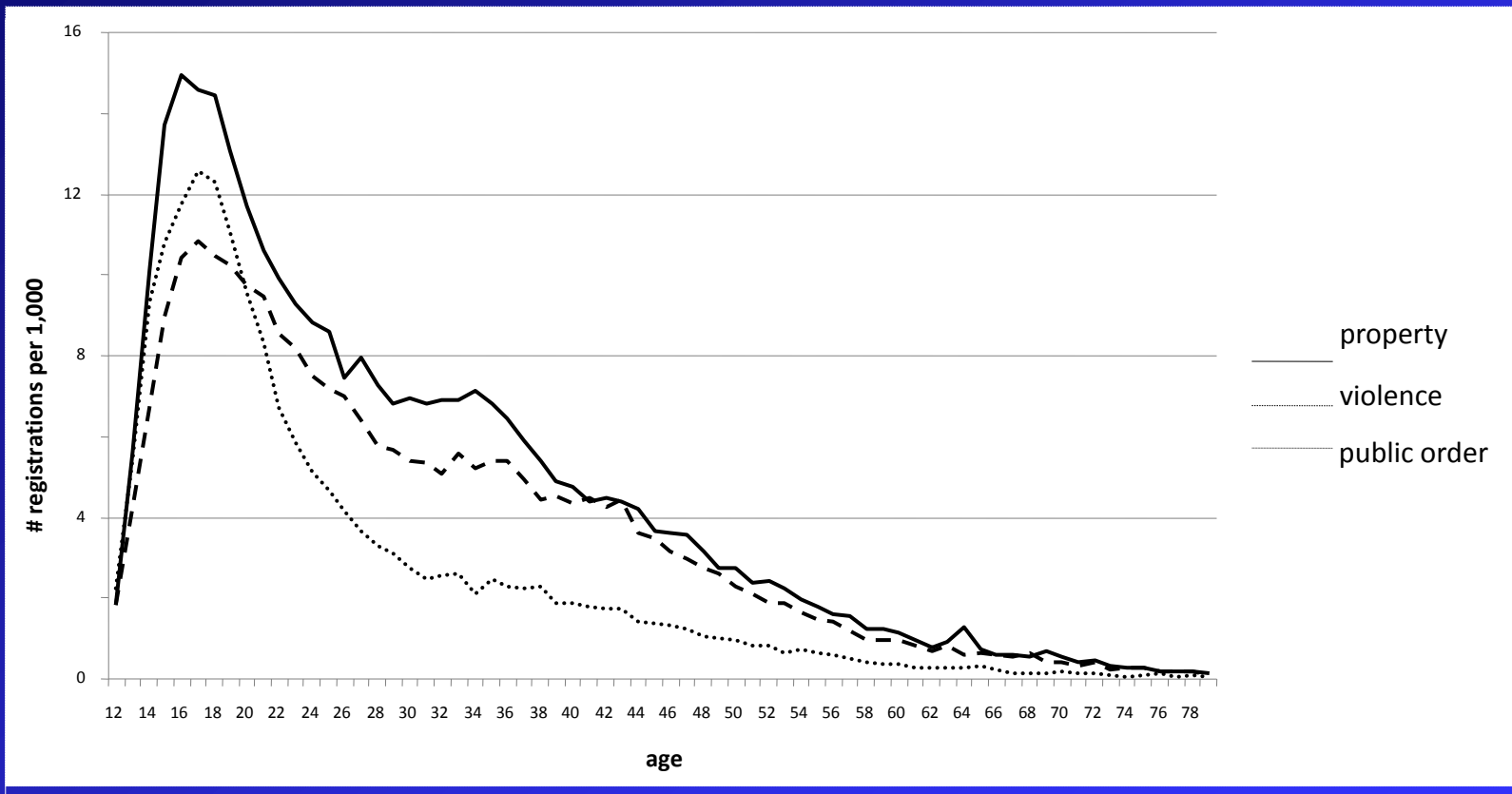
The Dutch study group's first book:

R. Loeber, M. Hoeve, N. W. Slot,
& P. van der Laan (Eds.),
*Persisters and desisters in crime
from adolescence into adulthood:
Explanation, prevention and punishment.*
(Aldershot: Ashgate, 2012).

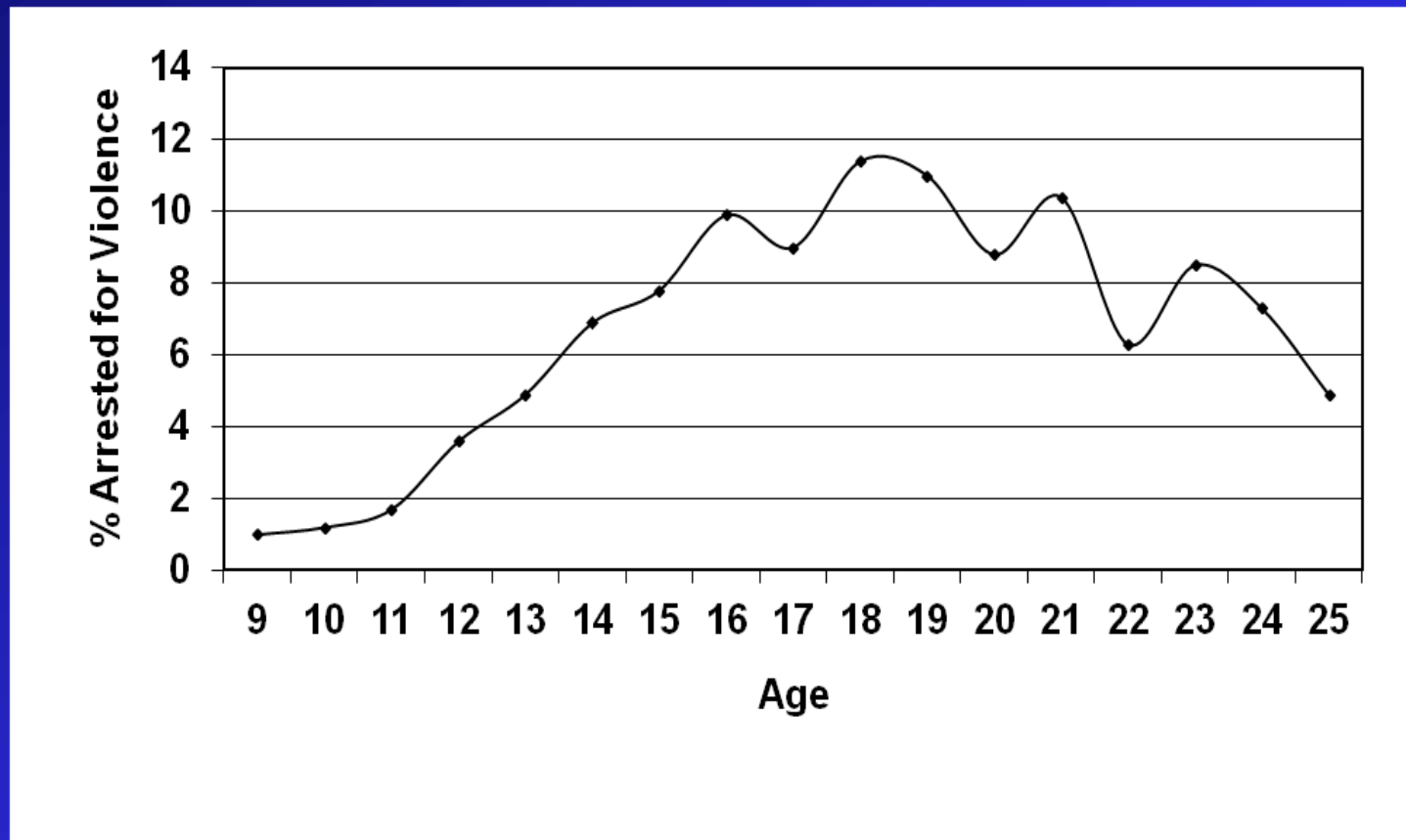
The Dutch translation in a 'modern' and up-to-date shape

- R. Loeber, M. Hoeve, N. W. Slot,
& P. van der Laan (Eds.), *Jonge criminelen die
volwassenen worden: Wat beïnvloedt hun gedrag en wat is
de rol van de justitie?* (SWP, 2015).
- Met special dank aan Maurice van Lieshout voor de Nederlandse
bewerking

Age-crime curve: an universal curve showing the relationship between age and crime

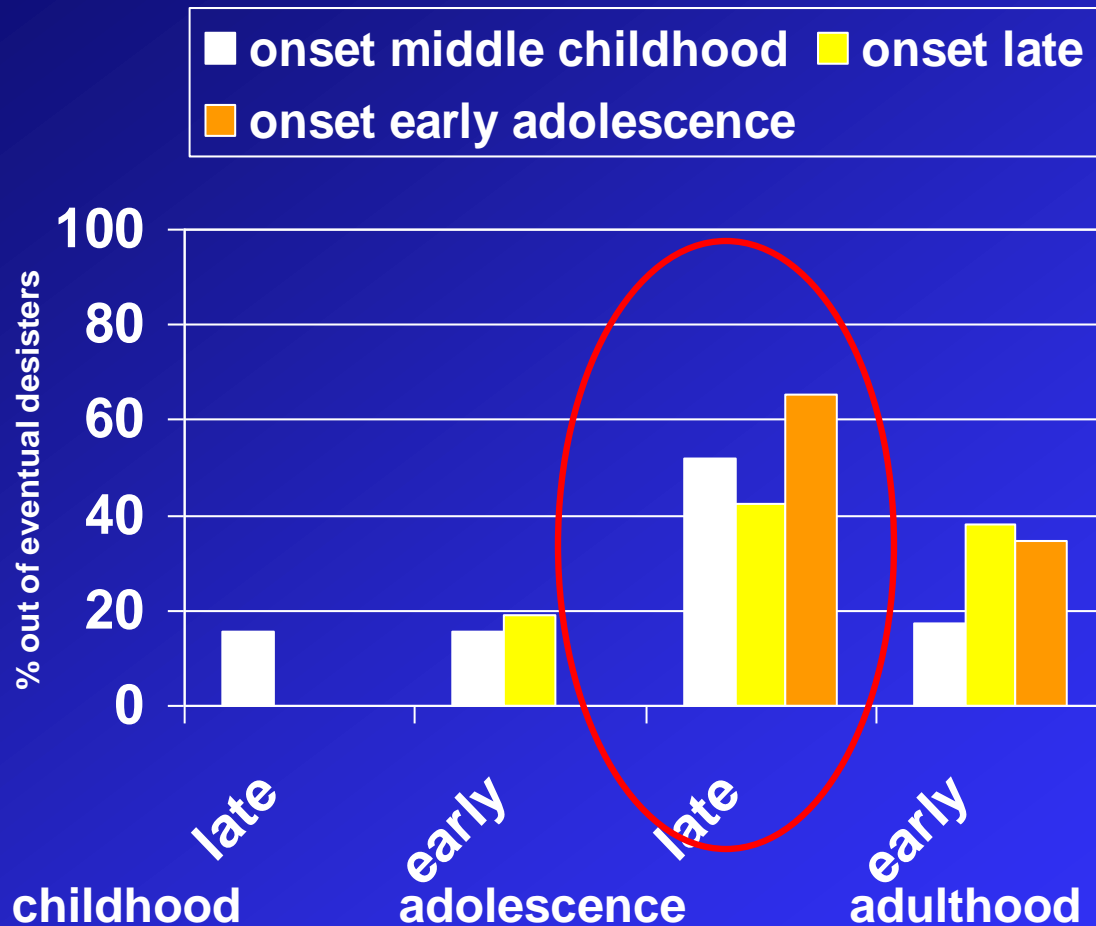


An example of the age-crime for violence based on longitudinal data from the Pittsburgh Youth Study



Source: Loeber & Schmaling, 2011.

Most desistance, regardless of age of onset of delinquency, takes place in late adolescence and for two out of the three onset groups, also in early adulthood (PYS, youngest sample)



Source: Stouthamer-Loeber et al., 2010

Conclusions about the Age-crime Curve (1)

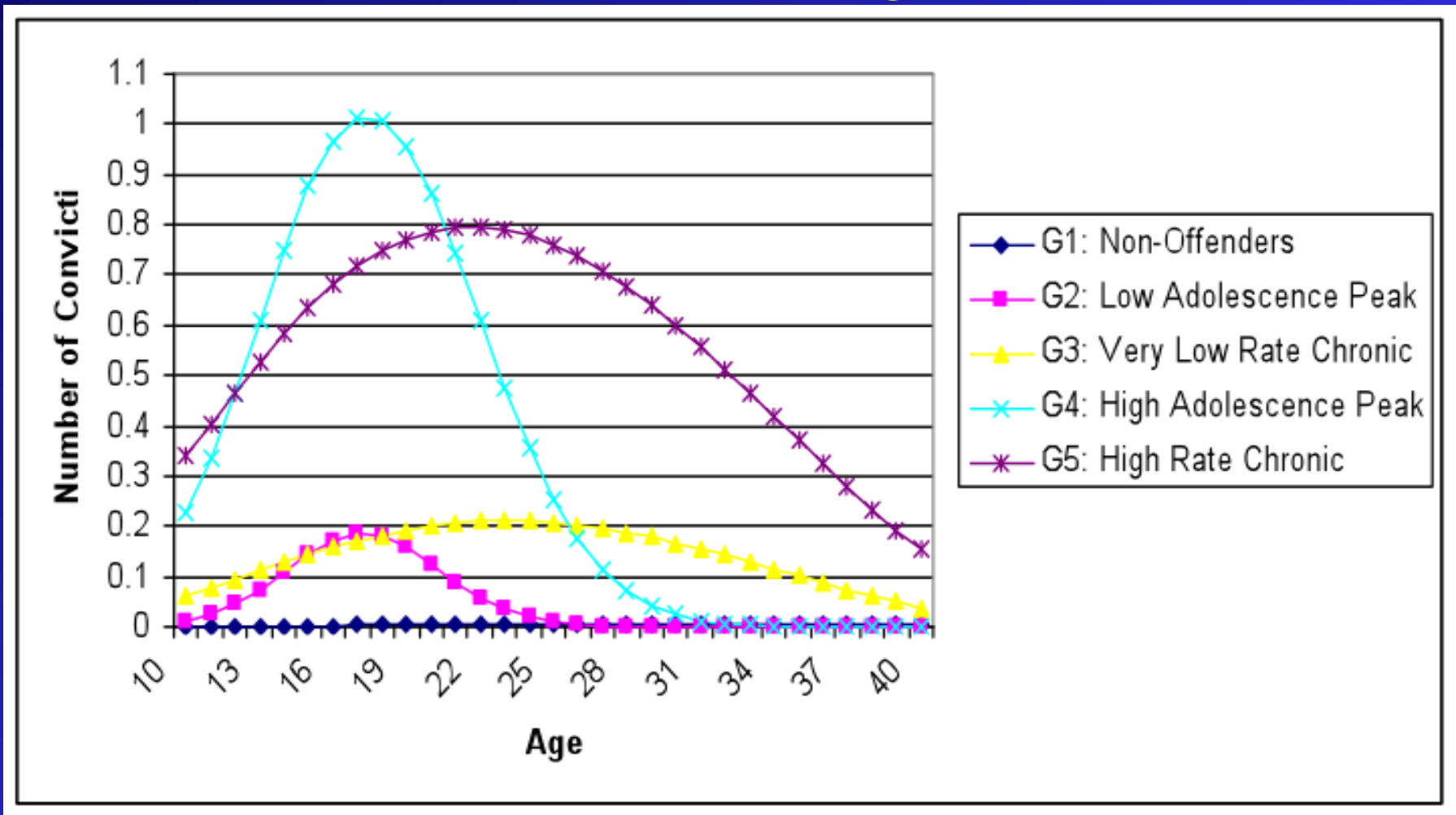
- The curve is universal for males, but its shape can vary
- The curve applies to minorities
- Prevalence peaks about 15-19, then decreases
- The peak is earlier in self-reports than in official records
- The peak is later for more serious crimes such as violence
- No sharp change in the curve between at the 18th birthday, or at ages 17-18

Conclusions about the Age-crime Curve (2)

:

- Decreased co-offending with age
- The residual career length and residual number of offenses decreases with age
 - Kazemian--residual career length and residual number of offences decrease from 18-25
- Median age of first and last crime:
 - Cambridge Study in Delinquent Development: median age of first crime = 17, last crime = 25
- Most offenders naturally desist between ages 18 and 25

The Age-Crime Curves can Hide Different Offending Careers



Source: Piquero, Farrington & Blumstein, 2007.

Continuity and Recidivism

- About half of juvenile delinquents continue offending as young adults
- Drug dealing and possessing weapons have the highest continuity into young adulthood, while gang membership had a shorter duration
- The probability of recidivism decreases from the teens to twenties
 - CSDD: Probability = 67% after 10-15, 40% after 16-20, 33% after 21-25
- Median age of first and last crime:
 - CSDD: median age of first crime = 17, last crime = 25
- Most offenders naturally desist between ages 18 and 25

Ten explanatory processes (1)

1. Early individual differences in self-control
2. Brain maturation.
3. Cognitive changes (e.g., decision making to change behavior)
4. Behavioural risk factors (disruptive behaviour and delinquency) and behavioural protective factors (nervousness and social isolation).
5. Social risk and protective factors (family, peers, school).

Ten explanatory processes (2)

6. Mental illnesses and substance use/abuse.
7. Life circumstances (e.g., getting married; becoming employed).
8. Situational context of specific criminal events, including crime places and routine activities.
9. Neighbourhood (e.g., living in a disadvantaged neighbourhood, and the concentration of impulsive and delinquent individuals in disadvantaged neighbourhoods).
10. Justice responses (e.g., transfer to adult court, longer sentences).

Explanatory processes arranged by age

	Childhood			Adolescence			Early adulthood
	Early	Middle	Late	Early	Middle	Late	
1. Early individual differences	→						
2. Brain maturation	→						
4. Behavioral risk and protective factors		→					
3. Cognitive changes		→					
5. Social risk and protective factors		→					
8. Situational context			→				
9. Neighborhood			→				
6. Mental illness and substance use/abuse			→				
10. Justice response			→				
7. Life circumstances							→

Three Examples of Probable Causal Processes:

- 1) Brain Development
- 2) Life circumstances
- 3) Justice System

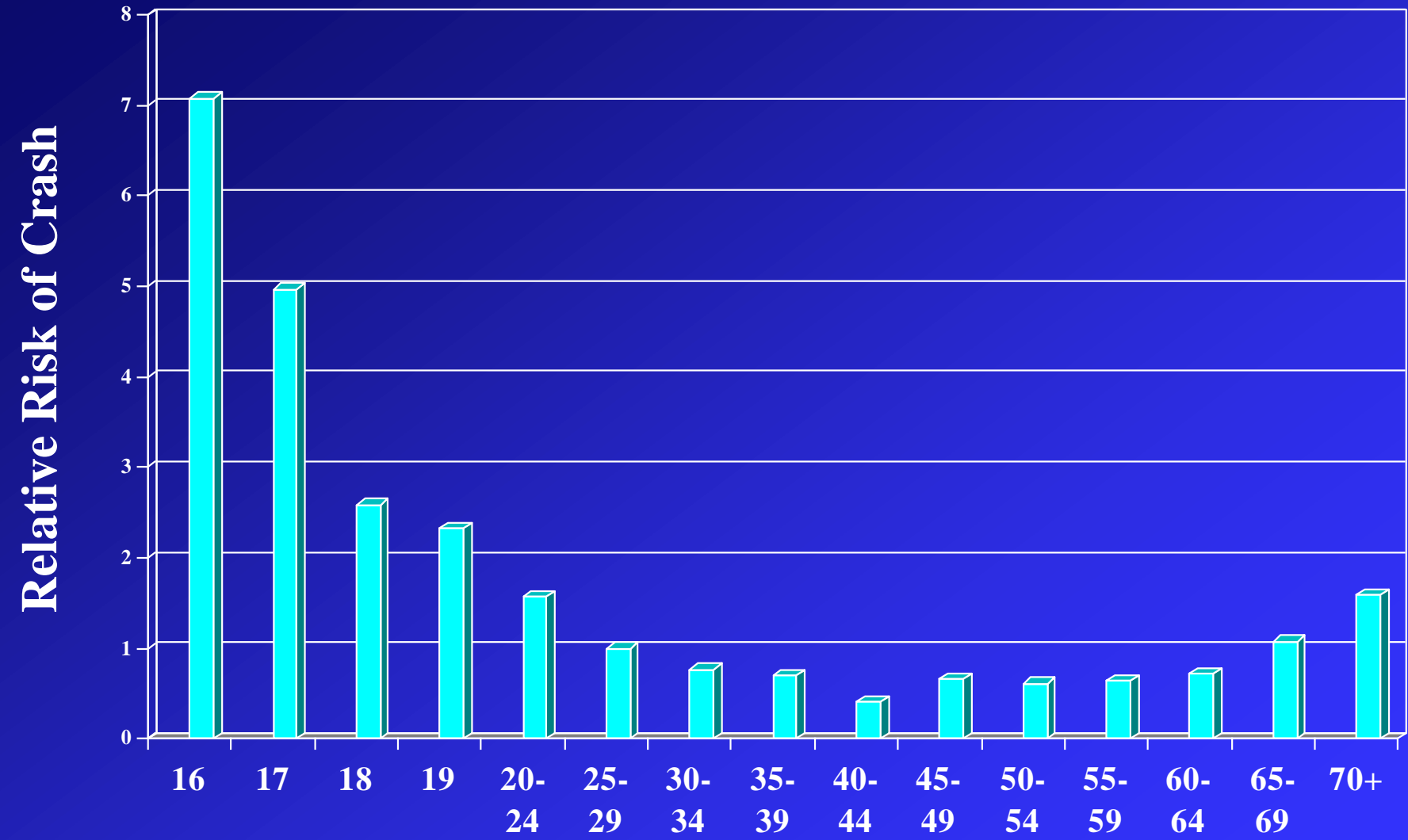
Mature Body but Matured Brain?



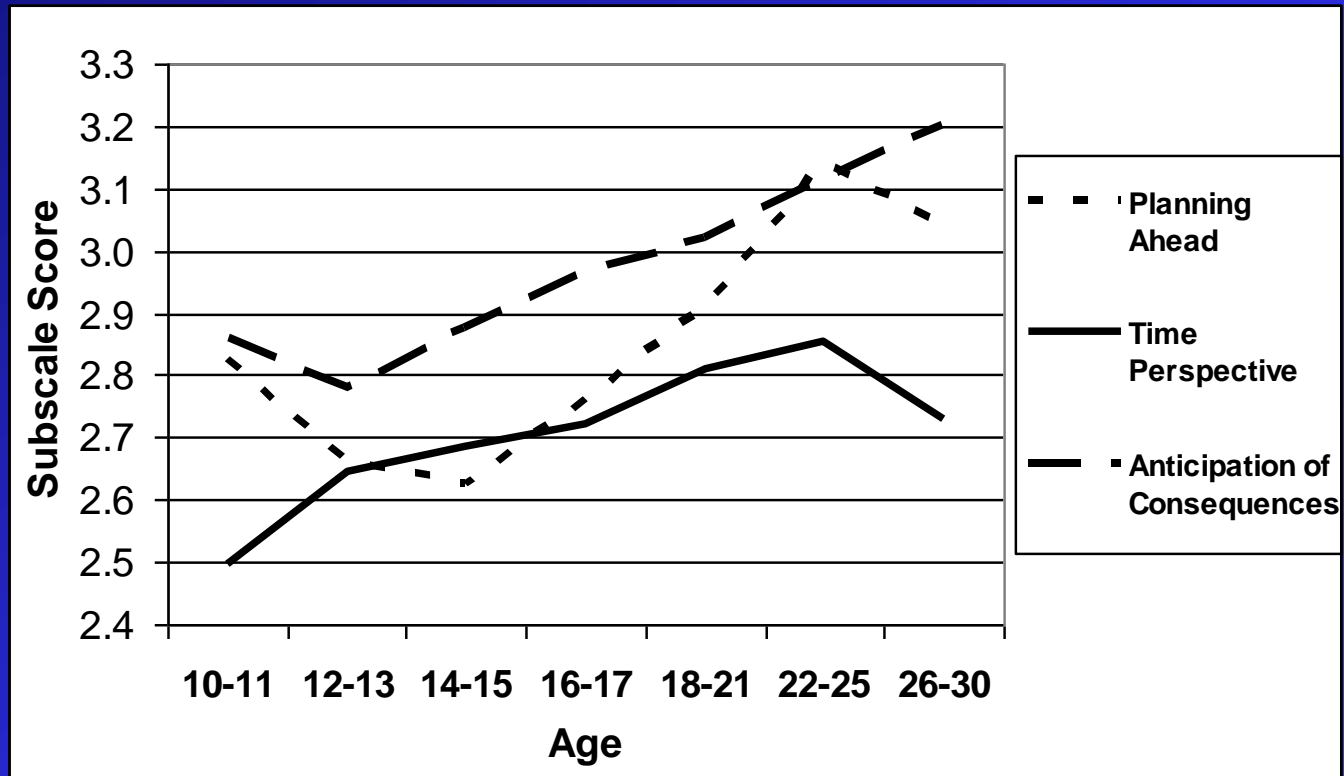
The Timing of Brain Maturation

- Brain studies show major changes in brain maturation between childhood and early adulthood
- Changes in white and grey matter
- Pruning of synapses
- Behavioral manifestations of these during adolescence and early adulthood:
 - Decrease in risk taking, impulsivity, sensation seeking
 - Improvements in planning ahead, time perspective, and anticipation of consequences

Car crash rates in the U.S. are highest for the 16-17 year-olds and gradually decrease in early adulthood



Planning ahead, time perspective, and anticipation of future consequences improves between ages 10 and 25



Note: Cross-sectional data. Source: Steinberg et al., 2009, p. 36

Indicators of Brain Maturation:

- Improvements in time perspective,
- Improvements in anticipation of consequences,
- Improvements in planning ahead.

(source: Steinberg et al., 2009)

(2) Life circumstances

The impact of Life Circumstances on offending (1)

- Marriage is followed by a decrease in offending and substance use for males; effects on females are smaller
 - Mechanisms: social bonding, effect on time spent with male friends
- Cohabitation increases criminal behaviour in samples of offenders
- Offending increases if the partner is antisocial
- Mixed findings on effects of parenthood
- When living with children, women use less drugs and commit less property crime, but are more violent against male partners
- Men commit more crimes during periods of unemployment than during periods of employment

The impact of Life Circumstances on offending (2)

- The difference is mainly on crimes for obtaining money, including theft, burglary and shoplifting. No difference on violence, vandalism or drug use
- The stability and quality of jobs matters e.g. whether the job has low pay, few benefits, and minimum opportunities for advancement
- Osgood: between 18-26 decrease in car riding for fun, visiting with friends, going to parties, evenings out for fun and recreation, dating, movies and sports. Increase in at-home activities, working round the house, watching television, reading books and magazines
- Offending is related to unstructured activities with peers outside the presence of authority figures. These decrease when a man begins to live with a partner

(3): Justice response

Justice responses to juvenile offenders

- In the U.S. juveniles convicted of felonies in criminal courts are more likely to be incarcerated and are given longer prison sentences than other young adults (Howell et al., in press).
- No evidence that waiver of juvenile delinquents to the adult court reduces recidivism.
- Incarceration, including longer compared to shorter prison sentences, does not reduce recidivism (Lipsey & Cullen, 2007).
- No evidence that transfer to the adult court acts as a deterrence to juvenile offenders in the community and reduce their recidivism.

Teeven's Proposal

- Prefers a flexible system of age boundaries between ages 16 and 23.
- Keep juvenile justice in tact with less emphasis on punishment and a more pedagogic emphasis
- However, apply adult law to 16 to 23 year-olds
- Introduction of a punitive service ('strafdienstplicht') in a combination of removal from the streets, compulsory work and reformation ('heropvoeding').
- Need for retribution ('stok achter the deur') for serious offenses, based on the risk of recidivism, and the personality of the offender

Initiatives supported by the study groups

- Raising the minimum age for adult court to age 24.
- There should be a “youth discount” or “immaturity discount” for young adult offenders: a Decrease in the severity of penalties to take account of their juvenile-like lesser culpability and diminished responsibility.
- Self-control is malleable and can be taught to juveniles (Loeber & Farrington, in press)
- The earlier successful intervention occurs, the greater the cost savings (Cohen, & Piquero, 2007)₃₂

Society's needs

- Improved safety
- Knowledge about efficacy of interventions
- Knowledge of cost-benefits of interventions
- Decisions based on fair trials
- Decisions based on what works

Needs of Young People

- No exposure to judicial and extra-judicial measures that have no proven efficacy
- Screening for risk:
 - Screening for mental illness
 - Screening for poor mental competency to understand court proceedings
 - Screening for mental maturity

Unique to the Netherlands: Policy based on empirical findings

- Should there be a legally recognized period of young adulthood between adolescence and adulthood with special justice treatment distinct from the treatment of adult offenders?
- Should decisions in court regarding young adult offenders be based on a risk and needs assessment?
- Should vulnerable individuals identified through an assessment be dealt differently in the justice system and not be referred to adult court?
- Are politicians the best informed decision makers to prevent and reduce crime?

Several specific presentations today:

- Prof. Arjan Blokland: Criminele patronen
- Dr. Andrea Donker, Verklaringen crimineel gedrag jongvolwassenen
- Prof. Peter van der Laan, Justitiële reacties en adolescentenstrafrecht
- Maurice van Lieshout, Interview Mr. Ella van Kalveen en Mr. Carlo Donkers