

Statement of Jeffrey A. Butts to the Council of the District of Columbia, Committee on the Judiciary

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Statement of Jeffrey A. Butts, Director, Program on Youth Justice, The Urban Institute, to the Council of the District of Columbia, Committee on the Judiciary on Bill 15-537, *Omnibus Juvenile Justice, Victim's Rights and Parental Participation Act of 2003*; Bill 15-574, *Juvenile Justice Act of 2003*; Bill 15-460, *Juvenile Justice and Parental Accountability Amendment Act of 2003*; Bill 15-573, *Juvenile Justice Task Force Establishment Act of 2003*; and Bill 15-523, *Restricting Minors' Access to Graffiti Materials Amendment Act of 2003*.

Testimony as Submitted in Writing

Good morning, Madame Chair and members of the Committee. Thank you for inviting me to testify about the future of juvenile justice in the District of Columbia.

My remarks are based on my 25 years of experience as a juvenile justice practitioner and researcher, as well as on a report I wrote at the Urban Institute describing juvenile crime trends in the District ([a copy is attached](#)). That report, published in December 2003, showed that juvenile crime and violence have declined for much of the past 10 years in the District of Columbia. The most recent data indicate that the drop in juvenile crime may be ending, but overall crime in the city is still far lower than it was in the early and mid-1990s.

A COMMENT

My testimony today will focus on recent juvenile crime trends in Washington, D.C. and how they compare with national trends. Before I begin, however, I feel compelled to offer a personal comment.

I am sure we all share the same two goals. We want a juvenile justice system that keeps us safe from crime and violence, but we also want a system that maximizes the possibility that every young person can learn to live by the rules of the community and to reach his or her full potential and be a productive citizen. There is a natural tension, of course, between these two goals. Our willingness to see a youthful offender as salvageable is often a function of how closely - or how tragically - our own lives have been affected by crime.

I have spent my career in juvenile justice believing in a balanced approach that blends public safety concerns with crime prevention and effective treatment. But, when a violent robbery is committed in broad daylight in my Adams-Morgan neighborhood, I have the same feelings as anyone else. I want the police to find the person fast, and I want them to keep him or her away from me, and away from my friends and family.

Being a juvenile justice expert, however, I have other thoughts and feelings when I hear about juvenile crime in my neighborhood. I see the faces of the juvenile offenders I've known. With very few exceptions, they were not evil predators or "lost causes." Most of them were just kids who sometimes did irresponsible things, even hurtful things.

When I think of those kids, I still want to deal with crime but I want more than police officers and prisons. Certainly, I want a justice system that deals aggressively with dangerous youth, but I also want a system that responds effectively to young offenders even if they are not violent. I want a system that pays attention to every youth who breaks the law, and one that works to find out what makes a young person tick, whether it is sports, computers, music, or anything else. I want a system that taps into whatever it is that motivates that youth, and then uses that motivation to show him or her how to have fun without breaking the law and how to form good relationships with positive peers and adults.

Developing this sort of juvenile justice system is hard work, but thankfully, research shows that it is also cost-effective. Early intervention and positive youth development strategies pay off. One strategy that we know does not pay off - in fact, the most expensive form of juvenile justice - is "delay and punish." That is the system where we put off doing anything meaningful with a known offender until he or she does something horrible, and then we throw the book at them, maybe even transfer them to the adult system. I hope we can

avoid that discredited approach in the District of Columbia.

FULL STATEMENT

As you consider new juvenile justice bills, I encourage you to keep these points in mind:

1. Juvenile crime trends in the District of Columbia mirror those of the nation.
2. In both the District of Columbia and the nation, serious and violent crime by juveniles dropped sharply after 1995.
3. The juvenile crime drop may be over, but we are not even close to losing the gains we made in the past decade.
4. We must work to avoid a new upsurge in violent crime, but this is not the time to experiment with radical policy changes and to abandon core principles.

Interpreting Crime Trends

The District of Columbia and the United States as a whole experienced sharp increases in crime and violence during the late 1980s and early 1990s. Then, crime began to fall and continued to fall, returning in several years to pre-1990 and even pre-1980 levels in some categories. We may never learn the exact reasons for this sudden turnaround, but researchers have tested a number of hypotheses. Explanations include the influence of a strong economy during the late 1990s, growing societal intolerance for violent behavior, community policing strategies, and changes in the market for illegal drugs. Detailed analyses suggest that broad social forces were responsible for falling rates of juvenile violence.¹ The severity of punishment imposed by the justice system may have contributed to the trend, but it was not the primary cause or even a major cause of the decline in violent juvenile crime.² These research findings, however, are not always reflected in the crime policy debates heard in town halls and state legislatures across the country. Many public officials continue to demand increased "toughness" and an aggressive approach to dealing with young offenders. Often, this means broader use of adult court and longer prison sentences for youth. Some jurisdictions are considering criminal penalties for the parents of juvenile delinquents.

By 2003, Americans were as safe, or safer, from the threat of violent juvenile crime than they had been any time in the past three decades. The reasons for their good fortune could be traced largely to healthy communities, high employment rates, and reduced family stress. Yet, elected officials continued to demand punishment. The appeal of tough talk is not new. Political opinion about crime has always been somewhat immune to evidence. At any given time, and no matter what crime data suggest, some people always believe that juveniles are committing more frequent and more serious crimes than they did in the past. Even if crime falls, these people believe it is getting worse. The past decade revealed the enduring strength of such beliefs. While violent crime dropped across the country, political discourse continued to sound the alarm and call for drastic measures.

Juvenile Crime in the District of Columbia

So, how much did crime fall in recent years? My full statement includes a copy of the Urban Institute report from December 2003, and I will not review all of that material here, but a few key facts from the report are important.

Juvenile violence in Washington, D.C., is significantly lower than it was in the mid-1990s. The number of juvenile arrests for violent crime plummeted more than 50 percent between 1995 and 2003. Nonviolent offenses were also down in general. Juvenile arrests for burglary fell by half between 1995 and 2003. Larceny was down more than 20 percent, weapon offenses declined by approximately 60 percent, and juvenile drug arrests were nearly 50 percent lower. The only major category of juvenile crime that grew generally between 1995 and 2003 was non-aggravated assault. Arrests for minor assaults without serious injury climbed more than 10 percent between 1995 and 2003.

Even when the numbers of juvenile arrests are adjusted for population size, the dominant trend in juvenile crime in the District of Columbia has been downward. The per capita rate of juvenile arrests for violent crime dropped more than 50 percent between 1995 and 2003. In all categories of violent crime, the juvenile arrest rate was significantly lower in 2003 than in 1995, although for several offenses (such as robbery and aggravated assault) the juvenile arrest rate grew slightly between 2002 and 2003.

The National Picture

Are these the same trends seen nationally? We can examine juvenile crime trends in the United States over the last three decades of the 20th century. Thirty years is about as far back as any national analysis of juvenile crime can go. Prior to the 1970s, juvenile crime information was so unreliable at the national level it was often impossible for policymakers and the public to know whether crime was getting better or worse.

Juvenile crime in the United States fluctuated over the past 30 years, but fell dramatically after the mid-1990s (see figure 1). By 2002, violent juvenile crime had dropped nationwide to levels not seen in more than a decade. In 2002, there were approximately 92,000 arrests of juveniles charged with one of the four most serious violent crimes (murder, rape, aggravated assault, and robbery). Just eight years earlier in 1994, police across the country reported more than 150,000 juvenile arrests for these offenses. On a per capita basis, the rate of violent crime arrests in 2002 was lower than at any time since 1973.

The national rate of juvenile murder arrests was 65 percent lower in 2002 than in 1990. Even compared with 1980, murder arrests in 2002 were down more than 30 percent. Other serious offenses by juveniles showed similar declines. Compared with 1990, the per capita arrest rate for robbery was down 50 percent, aggravated

assault dropped 20 percent, burglary slipped by 49 percent, and the juvenile arrest rate for auto theft plunged 59 percent between 1990 and 2002.

If we examine violent juvenile crime trends in the District of Columbia for the years 1995 through 2002 and place them alongside the national trends for the same period, they look quite similar. Overall, in both the District of Columbia and the country as a whole, serious and violent juvenile crime declined to such an extent over the past decade that it completely reversed the crime wave of the late 1980s and early 1990s.

Implications

It is tempting to see declining rates of youth violence and to declare victory in the struggle to reduce juvenile crime, but violence is just one aspect of the crime problem. In 2002, while police nationwide made 1,500 arrests of juveniles for homicide, there were nearly 350,000 arrests for theft, at least 230,000 for simple assault, more than 180,000 for drug violations, and another 190,000 for disorderly conduct. In all, police made more than two million juvenile arrests in 2002 - just 4 percent were for violent crimes. The same is true in the District of Columbia. The juvenile violence problem, while tragic, is small compared with the problems of juvenile property crime, juvenile drug offenses, and the wide range of misdemeanors and minor offenses committed by young people. Crimes of lesser severity bring far more youth into contact with police and courts than do serious and violent crimes.

Legislative efforts related to juvenile crime typically focus on violence because crime issues are more compelling when they involve violence, but policies and programs to reduce violent crime may not help communities deal with less serious, nonviolent offenses. Efforts to reduce less serious offenses, however, are a sensible and cost-effective component in overall crime control. Not all shoplifters become armed robbers, but most violent criminals begin with petty offenses and adult criminals usually begin their law-breaking behavior as adolescents. Especially when juvenile violence is at historically low levels, policymakers should be redoubling their efforts to deal with young offenders who commit relatively minor, nonviolent crimes.

Recommendations

Several basic concepts should be embraced by lawmakers.

First, every community should provide a wide range of programs for all young offenders, not just the most violent or chronic offenders. Programs such as intensive probation, youth mentoring, school alternatives, supervised recreational opportunities, and employment readiness training help protect the public while reducing the need for expensive detention beds and institutional placement.

Second, timeliness should be the watchword in handling even the youngest and least threatening juveniles. In many American cities today, five or six months can pass before juvenile offenders are called into court. Avoiding accountability for half a year allows young people to get into trouble many times before they see the inside of a court, and they begin to think crime is a low-risk activity. Even if an offense merits only a minor response, that response should come swiftly.

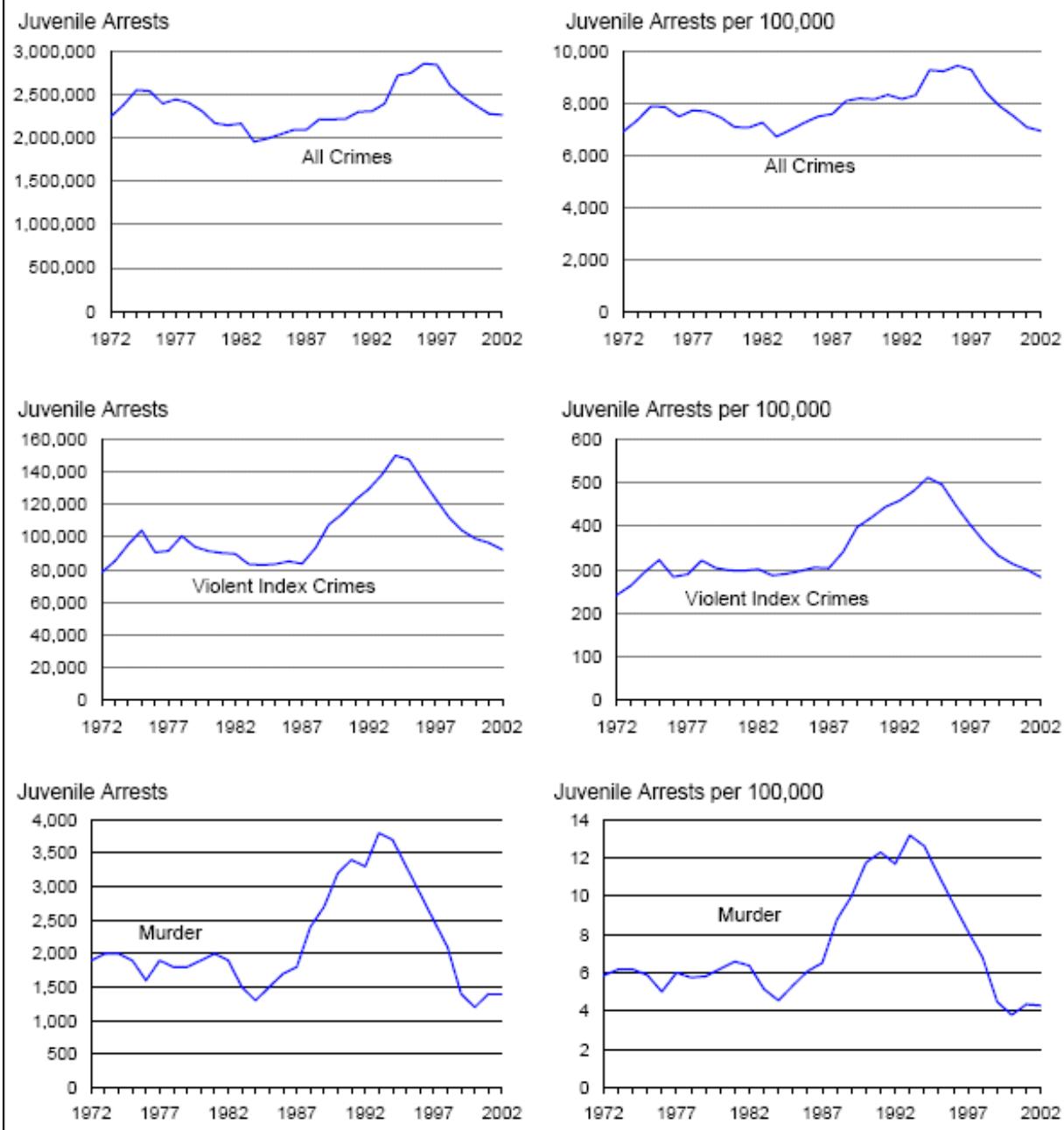
Third, the personal, individualized atmosphere of the juvenile justice system should be guarded. America's juvenile courts were once the world's envy because every young offender received the personal attention of a judge who found a way to reach that youth in the context of his or her particular circumstances. The youth and families involved with the juvenile justice system are under enough stress already; the justice process should not compound their troubles by being bureaucratic, disrespectful, or confusing.

Conclusion

Preliminary juvenile crime data for 2003 suggest that violent crime may have reached a low point and we may not see further declines for a number of years. Violent crime may even begin to rise again, both in the District of Columbia and across the nation. How should we react to this news? Ideally, we will remember that, like economic trends, crime rates are cyclical, and radical policy changes are not required at every turn of the cycle. After all, the Federal Reserve tinkers with interest rates to exert only a little stimulus or a little restraint as needed. Few lawmakers would call for scrapping basic monetary policy at the first sign of inflation. Similarly, we should not abandon sound juvenile justice policies at the slightest change in the data. Local officials should work hard to ensure that the juvenile justice system embraces a mix of strategies beyond punishment, including investments in youth employment, school-based programs, and family support.

Figure 1

National Estimates of Juvenile Arrests, 1972-2002



Violent index offenses include murder, forcible rape, aggravated assault, and robbery.

Source: Urban Institute analysis of data from the Federal Bureau of Investigation. *Crime in the United States*, annual. Washington, DC: FBI, U.S. Department of Justice.

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Other Publications by the Authors

- Jeffrey A. Butts

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