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EDITORIAL

Don't Teach Our Children Crime

Under the Juvenile Justice and Delinquency Prevention Act of 1974, the states agreed to humanize their often Dickensian juvenile justice systems in exchange for increased federal aid. This promising arrangement collapsed in the 1990s during hysteria about an adolescent crime wave that never materialized. The states intensified all kinds of punishments for children and sent large numbers to adult jails where, research has shown, they are more likely to be battered, traumatized and transformed into hard-core, recidivist criminals.

Congress is in the process of reauthorizing the law, and it ought to bar the states from housing children in adult jails, except for the most heinous crimes. Sadly, the updated version of the law, recently introduced in the Senate, falls short of that goal. But it does include a number of farsighted measures that discourage the placement of children in adult jails during the pretrial period and expands protections for children charged as adults.

The need for these measures is alarmingly evident in a report issued last year by the Campaign for Youth Justice, an advocacy group. The report found that as many as 150,000 people under the age of 18 are held in adult jails in any given year. More than half of young people who are transferred into the adult system are never convicted as adults — and many are never convicted at all.

The Senate bill takes a comprehensive approach to these issues. It would considerably tighten rules aimed at keeping children out of adult jails during pretrial periods. Children arrested for truancy, running away or other offenses that would not be criminal if committed by an adult would not be placed in juvenile jail unless absolutely necessary.

It also would require the states to work toward reducing racial and ethnic disparities in the juvenile justice system. It increases federal funding for technical assistance and for drug treatment, mental health care, mentoring and after-care programs that keep children out of the juvenile system in the first place. The bill advocates an evidence-based approach to hand out the money.

Jailing and criminalizing young Americans causes a lot more crime than it punishes or prevents. This bill represents an important step toward rational and compassionate justice for troubled children.

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