



Criminological Highlights: **Children and Youth**

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This issue of *Criminological Highlights: Children and Youth* addresses the following questions:

1. Can corrections programs make things worse?
2. Why are children of immigrant parents in Sweden more likely to be involved in crime than their native born counterparts?
3. What do false confessions look like?
4. Are women around the world becoming less accepting of violence from their husbands?
5. What aspect of Canada's Youth Criminal Justice Act has been a (relative) failure?
6. Is the experience of racial discrimination a cause of crime?

Criminological Highlights is designed to provide an accessible look at some of the more interesting criminological research that is currently being published. These summaries of high quality, policy related, published research are produced by the Centre for Criminology & Sociolegal Studies at the University of Toronto. The *Children and Youth* edition constitutes a selection of these summaries (from the full edition) chosen by researchers at the National Center for Juvenile Justice and the University of Toronto. It is designed for those people especially interested in matters related to children and youth. Some of the articles may relate primarily to broad criminal justice issues but have been chosen because we felt they also have relevance for those interested primarily in matters related to children and youth. Each issue of the *Children and Youth* edition contains "Headlines and Conclusions" for each of 6 articles, followed by one-page summaries of each article.

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Some corrections programs can reduce reoffending, but some ‘corrections’ programs can increase offending.

Programs to reduce offending – whether aimed at custodial populations or non-custodial populations – cannot be assumed to work just because they look as if they might. The examples of programs that make matters worse remind us of the admonition that program designers should ensure they “First do no harm.” Harm, of course, can be measured in various ways: increasing offending by those who receive the programs, or harming those people or communities associated with those receiving the program.

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Although children of Swedish immigrants and children who immigrated to Sweden with their parents tend, as young adults, to be more likely than native born Swedes to be involved in crime, much of this difference relates to socio-economic conditions as well as differences in the neighbourhoods in which they live.

Although children of immigrants and immigrant children in Sweden are more involved in crime than native born Swedes, most (or in some cases all) of this difference disappears when parental resources and characteristics of the neighbourhood are controlled for. The observed difference in crime between these two groups of immigrants on the one hand, and native born Swedes on the other, seems to be explained, in large part, by socio-economic factors known, in many studies, to be associated with involvement in crime.

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Confessions made by people who did not commit the crime they confessed to are persuasive because these confessions are likely to contain references to specific details about the crime and victim, as well as the confessors’ thoughts and feelings about the crime. False confessions, therefore, are often too good to be true.

“Confessions are highly scripted statements... typically containing specific details about the crime, the victim, and the scene” (p. 118). The fact that these are often “accurate details about the crime that were not in the public domain” (p. 118) makes it believable that the confessor is the culprit. Presumably, details of this kind were purposefully or inadvertently given to those who make false confessions during the interrogation so that they could form part of the formal confession presented to the court. These details, combined with the belief that nobody would succumb to offering a confession if it weren’t true, make false confessions very persuasive.

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Women around the world are learning that it is not acceptable for men to assault their wives.

One explanation for the findings – that there is a very consistent increase in the rejection of the legitimacy of intimate partner violence in a five year period - is that “diffusion of global cultural scripts about women’s rights, gender equality, and the ills of violence against women was an important macro-level factor that influenced national policymakers and people at the grassroots” (p. 260). “The changes in attitudes about intimate partner violence occurred too rapidly to be explained by structural socioeconomic or demographic shifts” (p. 260). During the first decade of the 20th century, “women [in most countries] of all ages became more likely to reject intimate partner violence” (p. 261).

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The 2003 *Canadian Youth Criminal Justice Act* may have been generally successful in two of its explicit goals (reducing the use of youth court and youth custody) but has not been successful in addressing two status-like offences (failing to comply with bail orders or with sentences).

These two offences (failing to comply with bail orders or with dispositions) appear to be the exception – but a very large exception – to the general decline in the use of youth court and youth custody for minor offences. It is also noteworthy that the reduction in the use of youth court for minor offences *other than* these two administration of justice offences can be traced directly to legislative provisions that explicitly encourage the use of non-court approaches for minor offences. It would appear that a lesson can be learned from the relative success of other parts of the youth justice legislation: change is unlikely to occur unless legislation is enacted that addresses this growing part of the youth court caseload in Canada.

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The experience of racial discrimination by African Americans appears to be a cause of increased offending by members of this group.

This study suggests that “interpersonal racial discrimination is an important source of offending among African Americans and thus [is] a contributor to racial disparities in crime” (p. 668). But the study also highlights “the effects of preparation for bias, which protected against the criminogenic effects of discrimination” (p. 668). Preparation for bias “largely operated to reduce negative behavioural responses rather than cognitive or affective ones” (p. 668). Said differently, preparation for bias gave youths methods to cope in non-criminal ways with discrimination.

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Some corrections programs can reduce reoffending, but some 'corrections' programs can increase offending.

The idea that 'corrections' programs, at worst, will have no impact has been shown to be wrong. One of the most famous examples of this was a random assignment study starting in 1939 in which youths in Massachusetts who received intensive social and psychological interventions were compared, 30 years later, to an equivalent group who received no special treatment. Those who received the intensive intervention fared worse 30 years later (*Criminological Highlights* V5N4#1). Similarly, a 'quick fix' prevention program, Scared Straight, also increased offending by youths exposed to it (*Criminological Highlights*, V6N2#4).

On the other hand, certain kinds of rehabilitation programs – properly administered to the appropriate people – can reduce offending. Generally speaking, programs that address individual deficits associated with criminal behaviour which – at least in theory – are modifiable can be effective. These programs may reduce the likelihood of future offending because they “are capable of creating a cognitive change in criminal thinking [or] criminogenic attitudes” (p. 10).

However, this does not mean that such programs are automatically successful. A person must be ready to change and have an opportunity to change (e.g., through employment or marriage) before a change in self-concept occurs and previous lifestyles are no longer seen as attractive. This article suggests that for treatment to be effective, the participants must “visualize a different and rewarding noncriminal future” (p. 12). “When programs appropriately adhere to the principles of risk, need, and responsivity, they can effectively reduce recidivism. [However,] many programs do not follow these principles” (p. 15). But in addition, little is known about

“how to ensure that these [therapeutic] programs are delivered with fidelity and/or therapeutic integrity, or the extent to which interventions conform to the manner of service intended by the developers of the service” (p. 14). Simply put, programs motivated by good intentions and which sound good, may not work.

On the other hand, some programs are known to be ineffective. Increasing punishment severity or control of adult or young offenders does not appear to reduce crime. At the same time, other programs that *may* be very effective at making ex-offenders better citizens do not necessarily reduce offending for all types of offenders. Employment programs, for example, do not appear to be effective unless the offender is ready to change (*Criminological Highlights*, V4N3#6, V12N4#8). These results do not mean that employment programs for offenders should be abandoned. Instead, they should, perhaps, be evaluated — *just as they are for non-offender groups* — in terms of whether they help people get and maintain employment.

Conclusion: Programs to reduce offending – whether aimed at custodial populations or non-custodial populations – cannot be assumed to work just because they look as if they might. The examples of programs that make matters worse remind us of the admonition that program designers should ensure they “First do no harm.” Harm, of course, can be measured in various ways: increasing offending by those who receive the programs, or harming those people or communities associated with those receiving the program.

Reference: MacKenzie, Doris Layton (2013). First Do No Harm: A Look at Correctional Policies and Programs Today. *Journal of Experimental Criminology*, 9, 1-17.

Although children of Swedish immigrants and children who immigrated to Sweden with their parents tend, as young adults, to be more likely than native born Swedes to be involved in crime, much of this difference relates to socio-economic conditions as well as differences in the neighbourhoods in which they live.

Research carried out in the US (see *Criminological Highlights* 8(3)#5, 8(6)#5, 10(6)#7, 11(1)#4, 13(6)#7) and Canada (*Criminological Highlights* 11(2)#1) tends to show that immigrants, and neighbourhoods with large proportions of immigrants, have lower levels of crime. Detailed studies in Europe, however, suggest that the findings may be more complicated in that there may be complex interactions involving the country of origin and generation (*Criminological Highlights* 8(3)5).

This study examines the official involvement in crime (from age 15 to approximately 30) of childhood immigrants (those who immigrated before age 12) and children of immigrants – those born in the host country, Sweden – in comparison to children of native born Swedes. In Sweden, previous research has shown that immigrants are more likely than native born Swedes to be involved in crime.

This study examines the criminal justice involvement in crime overall and in violent crime. Various measures were used including whether the person was suspected by the police of involvement in crime, but not necessarily charged (thought to be equivalent to measures, in US studies, of arrests by police), those convicted of crimes (or violent crimes), and those incarcerated. The involvement (if any) in crime of a sample of 66,330 people who completed their final year of compulsory education (Grade 9) between 1990 and 1993 was examined for 12-15 years.

Parental resources were measured with a number of different variables related to the youth's situation before age 15. These included family structure (single or two parent family), number of children, parents' education and the nature of parents' employment. In addition, the

youth's neighbourhood was controlled for by statistically comparing the two immigrant groups to native born Swedes who grew up in the same neighbourhood.

In comparison to native born males of Swedish parents, male children of immigrants (the children, but not the parents, were born in Sweden) were about 40% more likely to be suspected of offences; and childhood immigrants (those born abroad) were about 55% more likely to be suspected of crimes. For females, the comparable figures were 40% and 74%, respectively. The figures for convictions and incarceration were relatively similar: children of immigrants and immigrant children, both males and females, were over-represented among those convicted and incarcerated. All of these figures are similar to figures on the higher involvement in crime in Sweden of adult immigrants.

However, when controls for parental resources and neighbourhood were introduced as controls, the differences between the two groups of immigrant children and native born Swedes decreased dramatically. For example, looking at convictions, before controls for parental resources and neighbourhood were introduced, male children of immigrants were 38% more likely to be convicted than native born Swedes.

When the social background controls were introduced, this difference was only 15%, and when social background and neighbourhood controls were entered, the difference was only 11%. For females, children of immigrants were 25% more likely to be convicted of any crime. When controls for parental resources and neighbourhood were introduced, the difference between the two groups disappeared completely. The results for violent crime were similar.

Conclusion: Although children of immigrants and immigrant children in Sweden are more involved in crime than native born Swedes, most (or in some cases all) of this difference disappears when parental resources and characteristics of the neighbourhood are controlled for. The observed difference in crime between these two groups of immigrants on the one hand, and native born Swedes on the other, seems to be explained, in large part, by socio-economic factors known, in many studies, to be associated with involvement in crime.

Reference: Hällsten, Martin, Ryszard Szulkin, and Jerzy Sarnecki (2013). Crime as a Price of Inequality? The Gap in Registered Crime between Childhood Immigrants, Children of Immigrants, and Children of Native Born Swedes. *British Journal of Criminology*, 53, 456-481.

Confessions made by people who did not commit the crime they confessed to are persuasive because these confessions are likely to contain references to specific details about the crime and victim, as well as the confessors' thoughts and feelings about the crime. False confessions, therefore, are often too good to be true.

There is substantial evidence that “confessions are so powerful that once a suspect confesses, additional investigation often stops and the suspect is prosecuted and convicted” (p. 111). In addition, it would seem that jurors believe confessions even when evidence is presented raising serious doubts about their veracity. Essentially what seems to be happening is that those who hear a confession make a fundamental psychological error: they assume that nobody would make a confession that wasn't true while simultaneously underestimating the situational pressures placed on the suspect by the police that lead to the confession.

“Anecdotally, false confessions often seem credible despite a lack of corroboration because they contain not only admissions of guilt but also factual details, statements of voluntariness, statements about motivation, error corrections and other factors that interrogators are trained to include in taking a confession” (p. 113). This study was designed to investigate what false confessions, generally, look like. Twenty false confessions (all the result of police interrogation) were examined. Factual innocence was established either through DNA evidence (14 cases) or because the real perpetrator was found (2 cases) or because courts had determined that the confession was not accurate (4 cases). Nine of the 20 confessions were recorded electronically; the rest were transcribed by police. All 20 cases involved accusations of rape and/or murder.

Crime details (e.g., the location and time of the offence, visual details, details of the victim's behaviour) were included in all 20 false confessions. Other details (e.g., victim's mental state) were included less often. Many details were graphic and specific. For example, one suspect – subsequently exonerated by DNA

evidence – provided gruesome details: “In the basement I found some scissors and some nails and I left the nails in his forehead. I used the brick to put some nails in the forehead” (p. 116).

“One of the most compelling tactics police officers are trained to use to demonstrate that a confession is both voluntary and reliable is the “error correction ploy” [suggested in a standard textbook for police on extracting confessions]... Investigators are advised to purposefully include in the written statement minor factual errors... that the suspect will presumably notice, correct, and initial...” (p. 117-8), the theory being that only the accused would have that information. In this study, 44% of the written confessions had “corrected errors.”

A second study presented 141 students with trial scenarios containing one of 8 different confessions that varied along three dimensions: details were included (or not); motives for the crime were offered (or not), and an apology was offered by the suspect (or not). In addition, a no-confession condition was included. The presence of any confession increased the students' belief

that the suspect was guilty. Confessions with details of the crime increased participants' beliefs that the accused committed the crime. Statements about the motive and the apology tended to have the same effect.

Conclusion: “Confessions are highly scripted statements... typically containing specific details about the crime, the victim, and the scene” (p. 118). The fact that these are often “accurate details about the crime that were not in the public domain” (p. 118) makes it believable that the confessor is the culprit. Presumably, details of this kind were purposefully or inadvertently given to those who make false confessions during the interrogation so that they could form part of the formal confession presented to the court. These details, combined with the belief that nobody would succumb to offering a confession if it weren't true, make false confessions very persuasive.

Reference: Appleby, Sara C., Lisa E. Hasel, and Saul M. Kassin (2013). Police-induced confessions: An empirical Analysis of Their Content and Impact. *Psychology, Crime, & Law*, 19 (2), 111-128.

Women around the world are learning that it is not acceptable for men to assault their wives.

In most western countries, it is fair to assume that most women do not think it is acceptable for men to assault their spouses if the woman does something that the man disapproves of. The question addressed by this study is whether this view has spread to other parts of the world. "Rapid dissemination of global norms about violence against women began in the mid-1990s and accelerated in the first decade of the 2000s" (p. 241). This study examines whether these western norms affected women's views of spousal violence worldwide.

Evidence that global attitudes are changing comes, first of all, from a survey of national policies. "Since 1975, 119 different countries enacted approximately 260 national-level legal changes.... to address intimate partner violence" (p. 244), 95% of which occurred after the 1995 4th Conference on Women that was held in Beijing. However, the fact that laws have changed does not necessarily mean that women's attitudes have changed.

This study examined *changes* in women's views of intimate partner violence in 26 countries during the first decade of the 21st century. Two surveys were carried out in each country – one in the first half of the first decade of this century and the other in the second half of the decade. Half of the countries were in sub-Saharan Africa. Other countries were scattered around the world and included Armenia, Cambodia, Egypt, India, Nepal, Dominican Republic, Haiti, and Turkey, among others. Sample sizes within each wave were all large, varying between 4,168 and 93,724 women.

Though the questions varied a bit from country to country, the most common form of the question was "Sometimes a

husband is annoyed or angered by things which his wife does. In your opinion, is a husband justified in hitting or beating his wife in the following situations.... (1) If she goes out without telling him; (2) if she neglects the children; (3) if she argues with him; (4) if she refuses to have sex with him; (5) if she burns the food."

The main results are easy to describe: In 23 of the 26 countries, an increased proportion of women rejected the view that intimate partner violence is acceptable. The exceptions were Indonesia, Jordan, and Madagascar. In a separate study of 15 countries in which men were asked similar questions, intimate partner violence was increasingly seen as unacceptable by men in 12 of these 15 countries (the exceptions being the Dominican Republic, Indonesia, and Madagascar). Controlling for other factors, in 22 of the 26 countries, urban women and more educated women were more likely to reject intimate partner violence. Surprisingly, however, "younger women were less likely than their elders to reject intimate partner violence" (261), though younger women, like older women, did change in the direction of rejecting the legitimacy of this kind of violence.

Conclusion: One explanation for the findings – that there is a very consistent increase in the rejection of the legitimacy of intimate partner violence in a five year period - is that "diffusion of global cultural scripts about women's rights, gender equality, and the ills of violence against women was an important macro-level factor that influenced national policymakers and people at the grassroots" (p. 260). "The changes in attitudes about intimate partner violence occurred too rapidly to be explained by structural socioeconomic or demographic shifts" (p. 260). During the first decade of the 20th century, "women [in most countries] of all ages became more likely to reject intimate partner violence" (p. 261).

Reference: Pierotti, Rachel S. (2013). Increasing Rejection of Intimate Partner Violence: Evidence of Global Cultural Diffusion. *American Sociological Review*, 78 (2) 240-265.

The 2003 Canadian Youth Criminal Justice Act may have been generally successful in two of its explicit goals (reducing the use of youth court and youth custody) but has not been successful in addressing two status-like offences (failing to comply with bail orders or with sentences).

From 1984 onward, youths in Canada could not be brought to youth court for behaviour that was not also an offence if committed by an adult. In other words, 'status offences' were officially eliminated. However, what is normally non-criminal behaviour could be criminalized in two different ways: by prohibitions that were part of a bail order or conditions imposed as part of a sentence (e.g., as part of a probation order). Hence, for example, 'staying out late' could be criminalized if a youth had a curfew imposed as part of a bail or probation order. Similarly, a youth could be detained in custody for not going to school if attending school was part of a bail order.

Generally speaking, Canada's 2003 youth justice law has accomplished its central goals of diverting minor cases from the youth court and reducing dramatically the use of custody (*Criminological Highlights*, V10N1#1, V10N3#1). However, one exception to its success involves the two offences of failure to comply with an order (largely the violation of conditions of release on bail) and failure to comply with a disposition (or sentence). These two offences together currently (2011) account for over 20% of all youths charged with criminal offences. Furthermore, although the rate (per 10,000 youths) of bringing youths to court from 1998 onwards declined for all offences and for minor property and minor assaults in particular, the rates of bringing youths to court for failing to comply with bail conditions or dispositions increased during this same period.

Since 2003, under Canada's *Youth Criminal Justice Act*, the number of guilty findings for all offences as well as minor property offences and minor assaults continued to decline. This was not the case for failure to comply with bail conditions or dispositions. These have

stayed the same or increased slightly. The picture is very similar for custodial sentences: the rate (per 10,000 youths) of the imposition of custodial sentences for all offences and for minor property crimes or minor assaults has continued to decline in recent years, but this is not the case for these two administration of justice offences.

Data from one large Toronto court may help explain part of the problem. The number of conditions placed on youths released on bail has steadily increased since 2005. In addition, youths have increasingly been required – if they want to be released on bail – to sign documents allowing the police or others to monitor whether they are complying with 'treatment' orders or orders to attend school while on bail. Hence courts have not only 'criminalized' an increasing amount of normal behaviour, but they have increasingly required youths to make it easy for police to determine whether they are committing these 'status offences.'

Girls' youth court caseload is more likely than boys' caseload to involve failure to comply with a disposition. It also appears

that girls are more likely than boys to fail to comply with their non-custodial sentences. Similarly, girls are more likely (per 100 releases from pretrial detention) to be charged with failing to comply with bail orders than are boys.

Conclusion: These two offences (failing to comply with bail orders or with dispositions) appear to be the exception – but a very large exception – to the general decline in the use of youth court and youth custody for minor offences. It is also noteworthy that the reduction in the use of youth court for minor offences *other than* these two administration of justice offences can be traced directly to legislative provisions that explicitly encourage the use of non-court approaches for minor offences. It would appear that a lesson can be learned from the relative success of other parts of the youth justice legislation: change is unlikely to occur unless legislation is enacted that addresses this growing part of the youth court caseload in Canada.

Reference: Sprott, Jane B. (2012). The Persistence of Status Offences in the Youth Justice System. *Canadian Journal of Criminology and Criminal Justice*, 54(3), 309-332.

The experience of racial discrimination by African Americans appears to be a cause of increased offending by members of this group.

In the US, it is well established that African Americans are more likely than others to be involved in certain kinds of crime. Higher rates of offending by African Americans are usually explained by structural differences (e.g., poverty, access to employment) between African Americans and others. This paper examines the hypothesis that personal experiences of racial discrimination increase the likelihood that people will become involved in crime.

In this study, African American families that included a Grade 5 child were recruited in two US states (Georgia and Iowa). Youths started their involvement in the study at age 10-12 and ended when they were 17-20. The number of different delinquent acts reported by the youth at age 17-20 was the focus of the study. 69% of youths reported involvement in at least one form of delinquency. Youths' experience with racial discrimination (e.g., "How often has someone said something insulting to you because of your race or ethnic background?) was assessed in their late adolescent years.

In addition, various other measures thought to be affected directly by experiences of discrimination were assessed. These included disengagement from conventional norms (how wrong the respondent saw certain deviant behaviours such as cheating on a test or criminal acts such as shoplifting to be), hostile views of relationships (e.g. agreement with questions like "When people are friendly, they usually want something from you") and depression (whether the respondent felt sad, irritable, worthless, etc.).

Racial discrimination had direct effects on disengagement from conventional norms, hostile views of relationships,

and depression. Each of these factors, in turn, was associated with increased delinquency. But in addition, experiencing racial discrimination had a direct effect on delinquency at age 17-20: those who had experienced discrimination reported higher levels of involvement in crime.

The survey also included questions related to practices within the family that were designed to assess levels of cultural socialization the youth experienced (e.g., taking the child to places reflecting racial heritage; being encouraged to read books about the youth's heritage) as well as questions related to practices of the adult family members in preparing youths for discrimination (e.g., talking about discrimination or prejudice, or talking about the possibility that people would treat the youth badly or unfairly). Cultural socialization reduced the effect of racial discrimination on disengagement from conventional norms but this did not translate into less offending at age 17-20. "Preparation for bias, on the other hand, significantly reduces the effects of discrimination on offending. It does so primarily by decreasing the effects of hostile views [of relationships], disengagement from norms, and depression on increased offending" (p. 665).

Conclusion: This study suggests that "interpersonal racial discrimination is an important source of offending among African Americans and thus [is] a contributor to racial disparities in crime" (p. 668). But the study also highlights "the effects of preparation for bias, which protected against the criminogenic effects of discrimination" (p. 668). Preparation for bias "largely operated to reduce negative behavioural responses rather than cognitive or affective ones" (p. 668). Said differently, preparation for bias gave youths methods to cope in non-criminal ways with discrimination.

Reference: Burt, Callie Harbin, Ronald L. Simons, and Frederick X. Gibbons (2012). Racial Discrimination, Ethnic-Racial Socialization, and Crime: A Micro-sociological Model of Risk and Resilience. *American Sociological Review*, 77(4), 648-677.