

Emerging Adults and the Justice System ARI Summit – June 2020

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What **is** an emerging adult?

Should justice systems care about emerging adults?

- ▶ Developmental psychology
- ▶ Neurobiology
- ▶ Criminology
- ▶ Common sense and life experience?



What is an “emerging adult”?

Developmental Perspectives

- **Erickson** (1968): Prolonged adolescence... psychosocial moratorium on responsibilities...
- **Keniston** (1971): Tension between self and society... a “refusal” of socialization
- **Levinson** (1978): Age 17 – 33 (!) = a “novice phase” of stability seeking and identity construction



What is an “emerging adult”?

Developmental Perspectives

Emerging Adulthood: A Theory of Development from the Late Teens Through the Twenties (American Psychologist, May 2000)

...I propose a new theory of development from the late teens through the twenties, with a focus on ages 18 – 25... (T)his period, emerging adulthood, is **neither adolescence nor adulthood, but is theoretically and empirically distinct from them both... when many different directions remain possible, when little about the future has been decided for certain**, when the scope of independent exploration of life’s possibilities is greater for most people than it will be at any other period of the life course... **When adults later consider the most important events in their lives, they most often name events that took place during this period.”**

Jeffrey Jensen Arnett



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Takeoff of “emerging adulthood”

“The swift spread of the term and the idea has surprised me because normally any new theoretical idea meets initial resistance...”

Perhaps, the acceptance of emerging adulthood has been so swift because there really was no reigning paradigm. Instead, there was a widespread sense among scholars interested in this age period that ***previous ways of thinking about it no longer worked and there was a hunger for a new conceptualization.***”

Emerging Adulthood: What Is It, and What Is It Good For? (Child Development Perspectives) Jeffrey Jensen Arnett, December 2007



Is Emerging Adulthood Real?

Is “emerging adulthood” just a social construct?

Is it a uniquely American phenomenon?

Is “emerging adulthood” a consequence of a permissive society and lack of accountability for young adults?



What **is** an Emerging Adult? Findings from the neuroscience

**“Contrary to legal assumptions,
age 18 is not a fixed date of completion
of maturational processes for all young people.”**

Loeber & Farrington
From *Delinquency to Adult Crime*
(Oxford University Press, 2011)



When is a brain an “adolescent” brain?

“There is now incontrovertible evidence that adolescence is a period of significant changes in brain structure and function... **And the most important conclusion to emerge from recent research is that important changes in brain anatomy and activity take place far longer into development than had been previously thought.** Reasonable people may disagree about what these findings may mean as society decides how to treat young people, but there is little room for disagreement about the fact that adolescence is a period of substantial brain maturation with respect to both structure and function.”

Laurence Steinberg, *Should the Science of Adolescent Brain Development Inform Public Policy?*
Issues in Science and Technology (Spring 2012)



When is a brain an “adolescent” brain?

I think of adolescence today as beginning around age 10 and lasting until 25 or so for many people.

Lawrence Steinberg

Age of Opportunity : Lessons from the New Science of Adolescence (2014)



Lessons from the neuroscience: Some headlines

Different parts of the brain develop at different stages.

Maturity in one area (or area of function) does NOT indicate maturity in another.

Cognitive maturity (“intelligence”) is NOT indicative of developmental maturity.

Physical maturity is NOT indicative of developmental maturity.

Many serious psychological disorders and behavioral health problems emerge during this stage of life.



So what's going on in the "adolescent" brain?

4 major **structural** changes:

1. **Synaptic pruning:** getting rid of unused neural connections and increasing cognitive and logical abilities (**early adolescence**)
2. **Dopamine receptivity:** ramping up the density and distribution of dopamine receptors and heightening sensitivity to sensation and pleasure (**early adolescence**)
3. **White matter growth:** increasing myelination of the prefrontal cortex, which controls higher-order cognitive functions like planning, weighing risk / reward and complex decision-making (**late adolescence / emerging adulthood**)
4. **Linking brain regions:** strengthening connections between pre-frontal cortex and limbic system (**late adolescence / emerging adulthood**)



What does that mean for brain function?

3 major **functional** changes (as seen in the fMRIs):

1. **Increasing self-regulation:** adult brains employ a wider network of brain regions in tasks requiring self control
2. **Reward responses:** decreasing the “hypersensitivity” to *anticipated* rewards / stimulating activity of the adolescent brain (making risky behavior gradually less attractive)
3. **Responding to arousal:** adult brains engage multiple brain regions simultaneously in response to arousing stimuli (including aggression, anger and peers)



Behavioral Characteristics of Emerging Adulthood

- **Risks +Rewards, Regulation + Relationships:** Sensitivity to immediate rewards and peer perceptions (while struggling to weigh consequences). Strong, immediate responses to emotional or stimulating influences. Sensation seeking; a desire for new and intense experiences:
 - Sex (including unprotected)
 - Substance use, including binge drinking
 - Driving at high speeds / while intoxicated



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Plasticity: Peril and Promise

“Studies are showing that adolescence is a second period of heightened brain plasticity, just like the first three years of life.

This makes adolescence a really vulnerable time, because the brain can be damaged by harmful experiences, but it also makes it a time of tremendous opportunity...

Lawrence Steinberg

Age of Opportunity : Lessons from the New Science of Adolescence (2014)

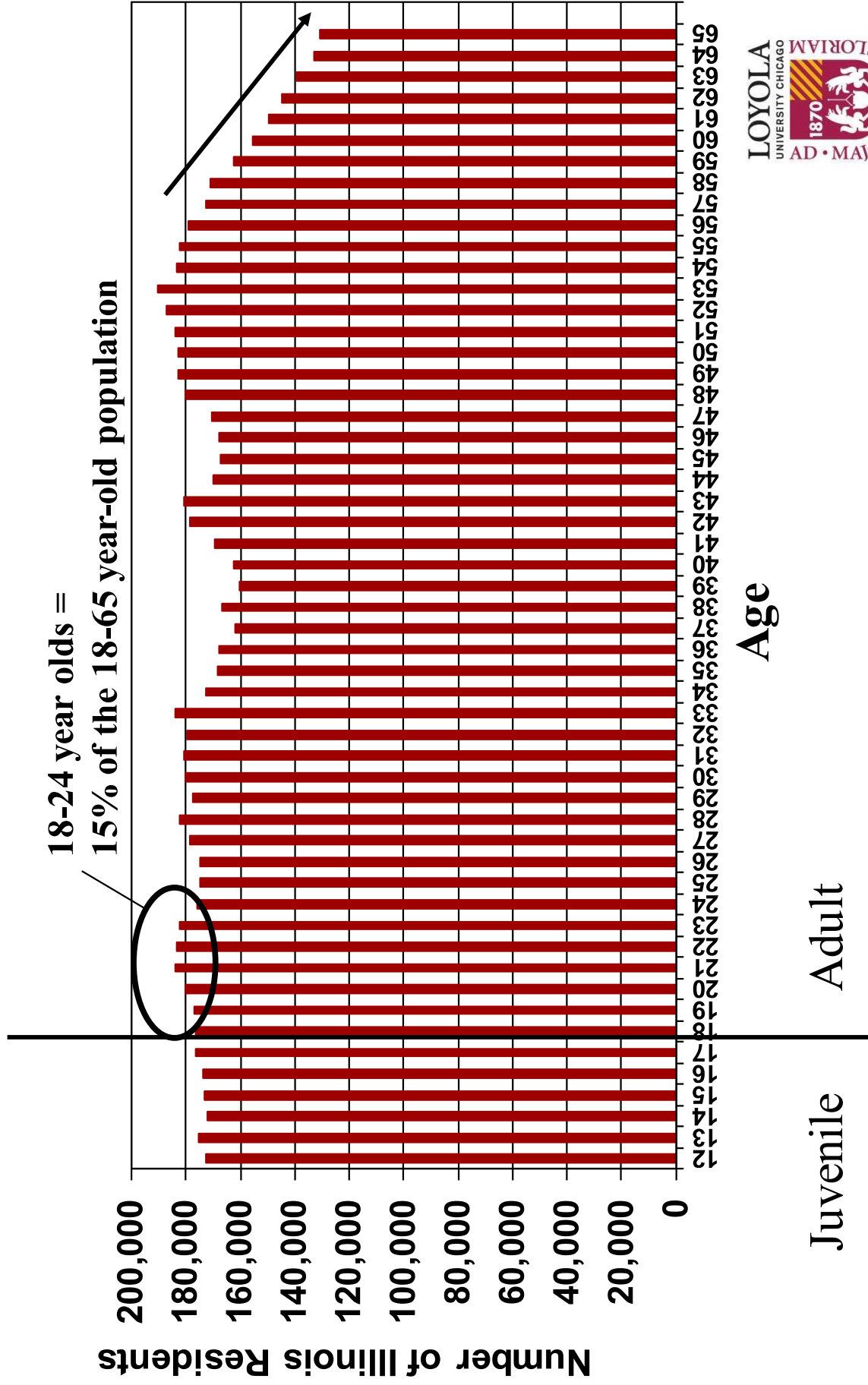


Should justice systems focus
on emerging adults?

Findings from the data...



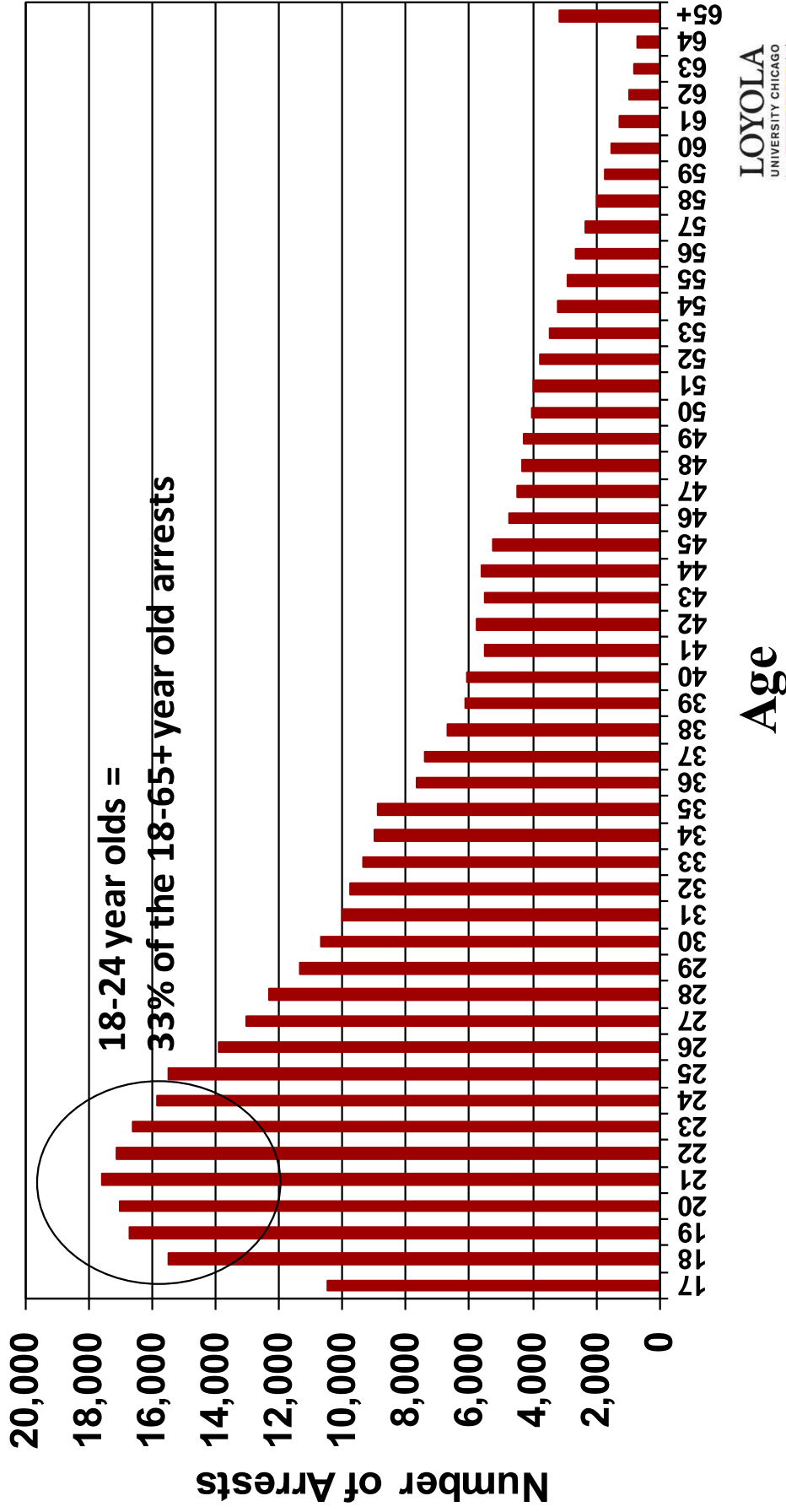
Age Distribution of the Illinois Population



Source: U.S. Bureau of the Census, Illinois extract files

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Total 2015 Age-Specific Arrests Reported in Illinois through CHRI

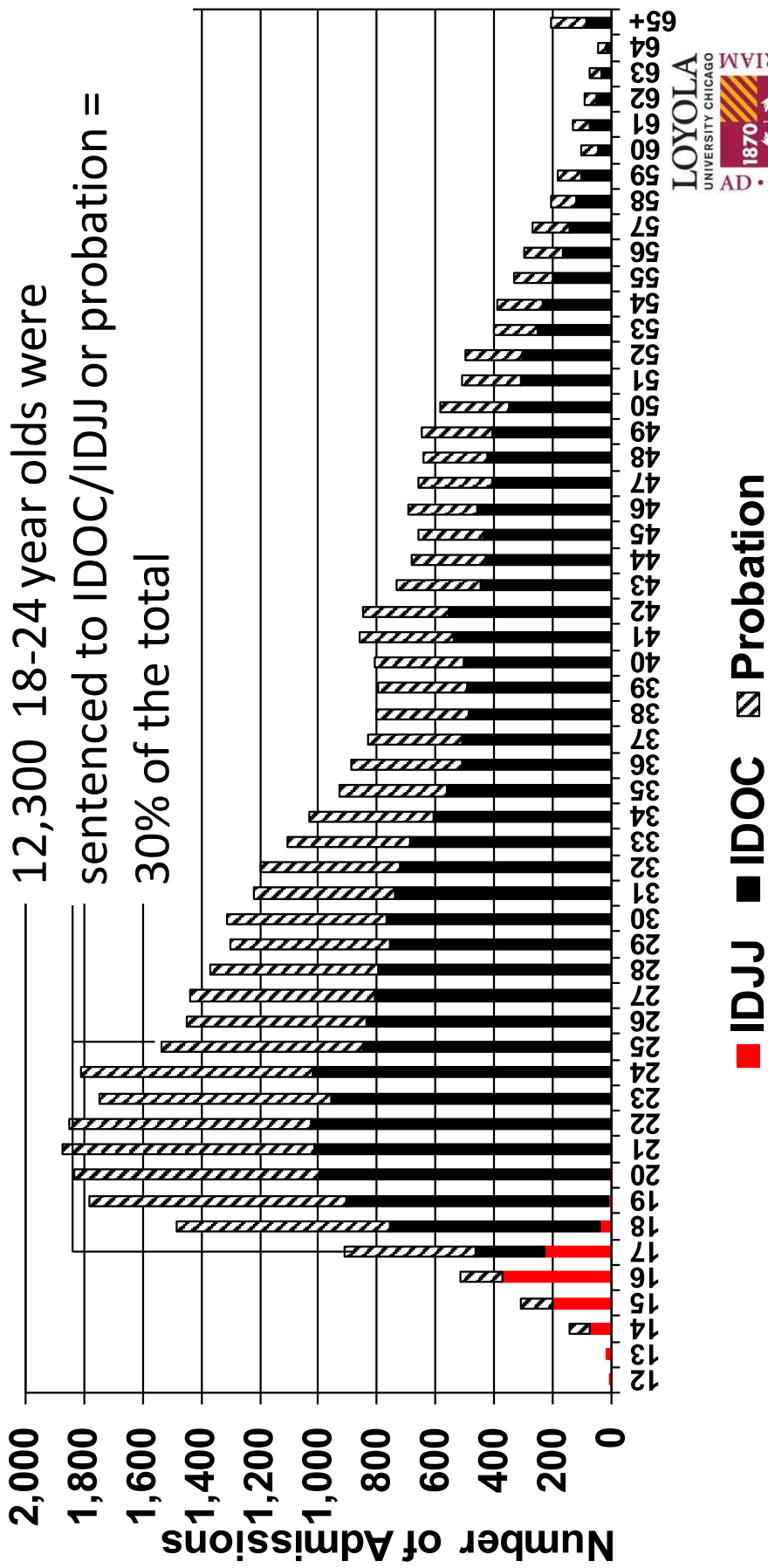


Source: Analyses by David E. Olson, Ph.D., of CHRI data generated and provided by Mark Powers, Research and Analysis Unit, Illinois Criminal Justice Information Authority



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Admissions to IDJJ (youth prisons), IDOC (adult prisons) & Probation (2013 Court Admissions Only)



Source: Analyses by David E. Olson, Ph.D., of data IDOC and IDJJ data provided by IDOC's Planning and Research Unit and CHRI data generated and provided by Mark Powers, Research and Analysis Unit, Illinois Criminal Justice Information Authority

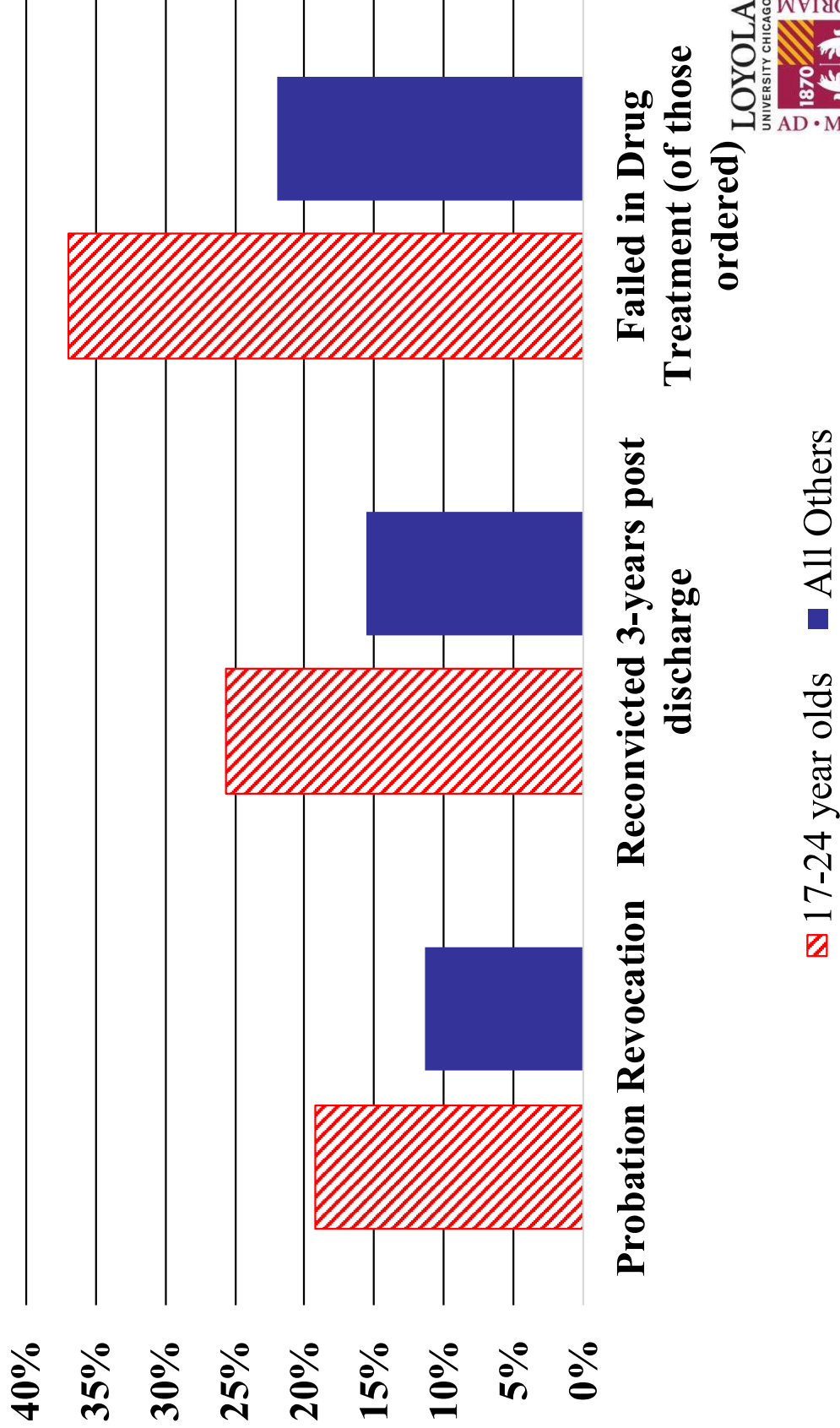


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What do we know about the
outcomes
of emerging adults in the Illinois
criminal justice system?



Outcomes of Emerging Adults on Probation (Based on 2000 Illinois Probation Outcome Study)

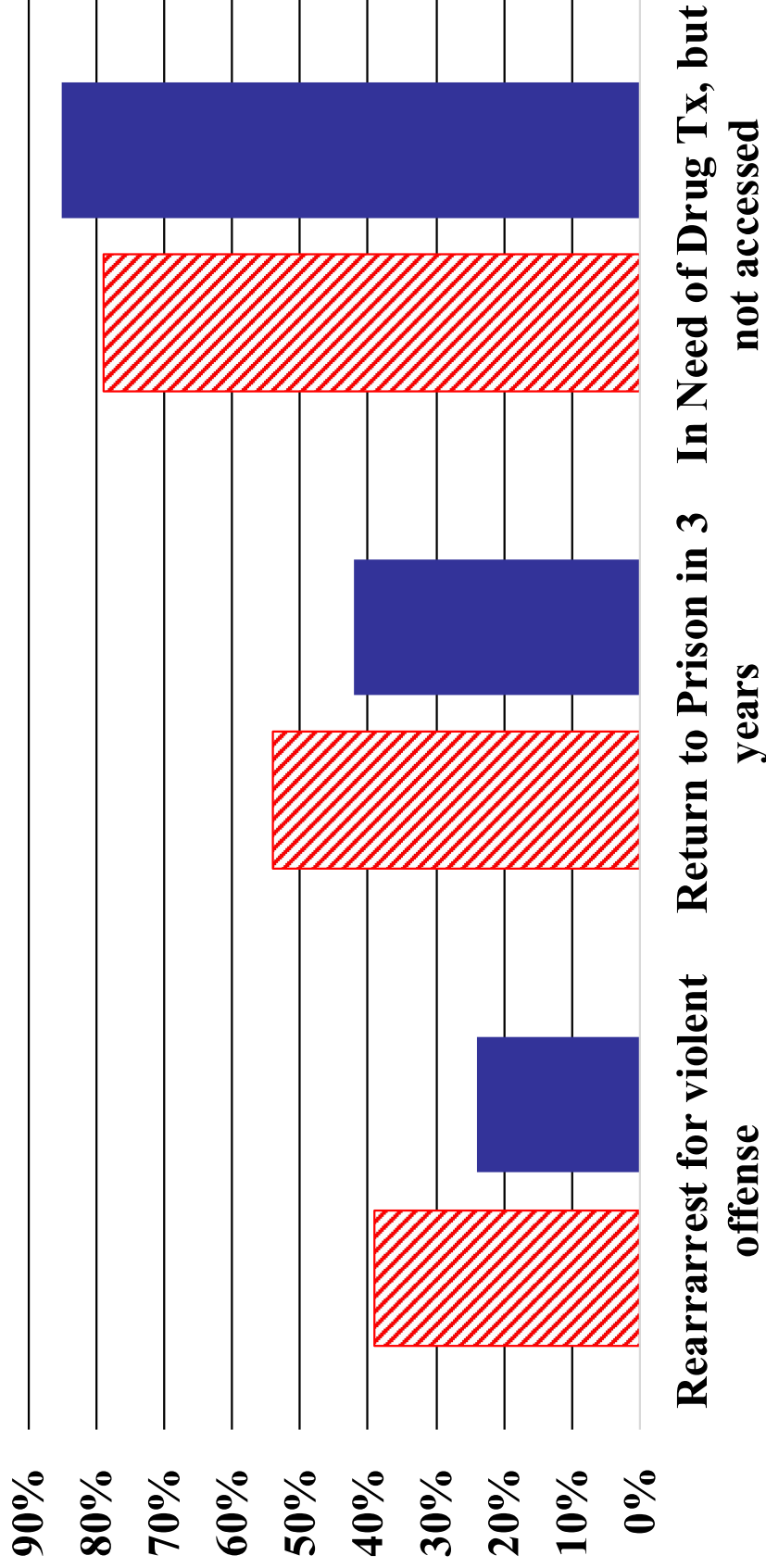


Source: Analyses by David E. Olson, Ph.D., of 2000 Illinois Probation Outcome Study data.



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Outcomes of Emerging Adults Released from Prison (Based on 2007 Outcome Study)



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Source: Analyses by Dr. David E. Olson of data from the study of offender recidivism by Olson, Stalans & Escobar. Data provided by IDOC's Planning and Research Unit

Where does this leave us?

“(W)e have not paid enough attention to the later teenage and early adult years as a discrete period of social and behavioral development... If we hope to gain a complete understanding of what works to prevent delinquency from evolving into persistent criminal behavior, we need to look more closely at this critical stage of life and develop our sense of effective interventions and categories of appropriate sanctions.”

Assistant Attorney General Laurie O. Robinson

Foreword, From Delinquency to Adult Crime

Oxford University Press (June 2011)



Options for Emerging Adults Reforms

- Raising the age of juvenile jurisdiction
- Creating a third justice system
- “Youthful offender” strategies
- Programmatic approaches



Programmatic Themes:

- Diverting / deflecting from formal system involvement
- Identifying and meeting needs of system involved EAs
- Transitioning EAs from system involvement to community

(But consider the limitations of local / programmatic approaches. Perhaps a “phase” of reforms?)



Stakeholder Recommendations

- The criminal justice system cannot “change” an emerging adult’s entire environment or history, but it must be structured and operationalized in a way to “do no harm” and to place young adults on a path toward positive outcomes.
- We need to ask (about policy and practice): Does this course of action support the emotional intelligence growth of youth? Does it lead to increased empathy? Does it develop coping skills and resilience for youth? Does it provide young people a platform to make amends with their past, understand their actions and consequences and reshape their future?

