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Reconsidering Child Saving

The Extent and Correlates of Public Support for Excluding Youths From the Juvenile Court

Brandon K. Applegate

University of Central Florida, Orlando

Robin King Davis

Macro International Inc., Atlanta, Georgia

Francis T. Cullen

University of Cincinnati

The 1990s saw concerted legislative efforts to increase the mechanisms through which juveniles could be transferred to the adult court. Beginning research exists on how the public feels about transferring youths out of the juvenile justice system, but it is somewhat dated and does little to illuminate the reasons people support transfer. Using a statewide sample and factorial survey design, this study assesses how public views are related to multiple factors, including offense and offender characteristics, views on the appropriate aims of juvenile sentencing, perceptions of juvenile maturity, and expectations about the results of transferring juvenile cases to the adult criminal justice system. Our findings suggest that people want transfer used sparingly and selectively and that support is greatest when they believe that the adult system can provide effective rehabilitation as well as punishment. Implications are discussed.

Keywords: *transfer; waiver; juvenile justice; public opinion*

Near the end of the 19th century, reformers who later became known collectively as the “child savers” championed a number of progressive criminal justice policies, including the establishment of a separate court for juveniles (Platt, 1977; Rothman, 1980). In their view, two types of children

Authors' Note: Please address correspondence to Brandon K. Applegate, Criminal Justice and Legal Studies, College of Health and Public Affairs, University of Central Florida, HPA 360, Orlando, FL 32816-1600; e-mail: bapplega@mail.ucf.edu.

in particular needed to be saved. On the one hand, at-risk youths and minor offenders were presumed to need assistance and supervision but often received little attention. On the other hand, many juveniles were being tried in adult courts where they were subjected to potential abuse and incarceration with adults (Myers, 2005). Furthermore, the adult court's mission of assigning personal guilt was at odds with the child savers' beliefs that juveniles were relatively blameless and that the roots of youth crime were a disorganized society and inadequate parenting (Platt, 1977). The resolution was to be found in the development of a separate juvenile justice system. With a benevolent orientation, the juvenile justice system sought to divert youths from the adult court and meet the needs of troubled juveniles.

Even at the inception of the juvenile court, however, not all juveniles were brought under its jurisdiction. State codes contained provisions for trying some juveniles as adults, prosecutors filed criminal charges against certain juveniles, and juvenile court judges were hesitant to claim jurisdiction over older juveniles facing serious charges (Tanenhaus, 2000). Thus, there has always existed some question of a dividing line—which youths should be transferred to the adult court and which should be adjudicated within the juvenile justice system. As youth crime rose in the 1960s and 1970s, so did claims that the juvenile court was coddling offenders (Fagan, 1990). Policymakers looked for ways to move more juveniles into the adult system. By 1978, 31 states had excluded certain offenses from juvenile court jurisdiction, and all but 4 states had provided mechanisms for juvenile court judges to waive jurisdiction (Hamparian et al., 1982). Likewise, the 1990s saw trends toward more expedient transfer of some juveniles to the adult system, including legislatively expanding the number of offenses for which transfer is possible, lowering the age at which juveniles accused of certain offenses can be excluded from juvenile jurisdiction, reducing the maximum age of juvenile court jurisdiction, and generally shifting the responsibility for transfer from juvenile court judges to the legislature and prosecutors (Bishop, 2000; Feld, 1999, 2000). Bishop (2000) reports that these changes were prompted by concerns about rising violent crime among youths (Bernard, 1999; Cook & Laub, 1998) and portrayals of juvenile offenders as vicious and savvy “super predators” (Bennett, DiIulio, & Walters, 1996; DiIulio, 1995).

The apparent shift in perceptions of the nature of children is particularly salient given that the concept of immaturity is central to the juvenile justice system. As Scott (2000, p. 292) observed, the early juvenile court was shaped by a “conception of errant youths as childlike, relatively innocent, and malleable.” Recent trends toward retributive concerns and offense-based

decision making signal that this view of juveniles may have faded (Applegate, Turner, Sanborn, Latessa, & Moon, 2000; Feld, 1999). Still, Zimring (2000) contended that there are two aspects of immaturity that provide a foundation for specialized handling of juveniles accused of criminal behavior. First, because youths are not fully developed in terms of their social, emotional, and cognitive capabilities, their responsibility for any criminal behavior is diminished. Second, youths need "room to reform" (Zimring, 2000, p. 283). They need time and experiences that allow them to learn the consequences of bad behavior without mortgaging their futures. Furthermore, although distinctions diminish by the late teens, the evidence suggests that the judgment of young adolescents is less mature than that of adults. Adolescents are more susceptible to peer influence, are less risk averse, are less future oriented, and are more impulsive (Scott, 2000; Steinberg & Schwartz, 2000). Countering the current policy trend, this evidence counsels against treating younger juveniles as adults by transferring them to criminal court when they are accused of criminal behavior.

There is clear tension over the future of the juvenile court and how to handle youths accused of serious crimes (Merlo, 2000). For various reasons, scholars have predominantly embraced one of three directions. Feld (1997) is perhaps the most vocal advocate of abolishing the separate juvenile system and has argued in favor of handling all juveniles in the adult criminal justice system, with youthfulness to be used as a mitigating factor during sentencing. Others have argued in favor of eliminating transfer and adjudicating all juvenile cases in the juvenile justice system (Bishop, 2000; Redding, 1999). The final perspective falls somewhere in between, urging the judicious use of transfer for only the most chronic and serious juvenile offenders (Butts & Harrell, 1998; Merlo, Benekos, & Cook, 1999; Van Vleet, 1999).

The public has been supportive of transferring at least some youths, particularly those accused of the most serious offenses, to the adult court, but the true nature of their views remains unclear. This study seeks to advance this body of literature by focusing on two lingering questions. First, we investigate the extent to which support for transfer varies depending on whether it is assessed as a global orientation or in response to a specific offender. Second, we examine the reasons underlying support for or opposition to transferring youths to the adult court. Here, we go beyond the typical explanatory variables such as respondent demographic characteristics and broad categories of the offense charged to also explore the potential impact of characteristics of the accused youth, details of the offense, and people's expectations about the outcomes of transferring a case to the criminal court.

To clarify this study's contributions, we first review the existing literature on public attitudes toward transferring juveniles to the adult court.

Public Perceptions of Juvenile Transfer

A number of studies completed over the past dozen years have examined public attitudes toward transferring juveniles to the adult court. Several general observations can be made about their findings. First, a large segment of the public supports transferring serious, youthful offenders to the adult criminal justice system (Baron & Hartnagel, 1996; Bouley & Wells, 2001; Hart, 1998; Mears, 2001; Schwartz, 1992; Wu, 2000). Using a nationally representative sample, for example, Triplett (1996) found that a majority of the respondents agreed or strongly agreed that youths charged with a serious property crime, serious drug crime, or serious violent crime should be tried as adults (62%, 69%, and 87%, respectively). Similarly, Sprott (1998) found that 64% of her Canadian sample opposed a separate justice system for youth charged with criminal offenses. Somewhat less support was uncovered by Schiraldi and Soler (1998, p. 598) when they asked people whether they agreed or disagreed that "federal prosecutors should have total discretion to try juveniles as adults for all felonies." Given the multiple issues included in this question, it is hard to determine whether respondents were reacting to the idea of transfer or to giving prosecutors broad discretionary power, but 41% agreed somewhat or strongly.

Second, the level of support varies depending on the type of offense presented to the respondent. Most studies have not asked for views on transfer overall. Rather, they have questioned respondents about their views on transferring youths accused of a particular class of crimes: selling illegal drugs, property offenses, or violent offenses. Public support for transfer is highest for serious, violent offenses. The absolute level of support for transferring juveniles accused of this class of offense varies somewhat among studies, reaching as high as 90% (Wu, 2000) and dipping to a low of 67% (Schwartz, Guo, & Kerbs, 1993). Selling large quantities of drugs and property offenses tend to elicit somewhat lower levels of preference for transfer (Bouley & Wells, 2001; Mears, 2001; Schwartz, 1992; Schwartz et al., 1993; Triplett, 1996; Wu, 2000; cf. Feiler & Sheley, 1999). For these types of offenses, 60% to 70% of respondents typically indicate that they favor transfer to adult court.

Third, some distinction can be made between public views on trying youths as adults and punishing youths as adults. The salience of separating

these aspects of processing is raised by Feld's (1992) assertion that youths should be tried by the adult system but their age should result in mitigated sentences. The evidence on public preferences is equivocal. Among Sprott's (1998) respondents who opposed a separate juvenile system, nearly 94% maintained that the current juvenile court dispositions were not as harsh as they needed to be. They also expressed the opinion that juvenile sanctions should be just as harsh as those given to adults. However, Sprott's respondents expressed little support for sentencing youths *with* adults. In contrast, Schwartz's (1992) analysis revealed little support for sentencing juveniles either *as* adults or to adult prisons.

Fourth, public support for transferring juveniles to adult court varies directly with a youth's age. Schwartz (1992, p. 226) posed the question, "At what age do you think a person accused of a crime should be brought before an adult criminal court rather than a juvenile court?" Of the respondents, 16% gave an age of 15 or younger, and the remaining 84% thought youths should not be eligible until they were at least 16. Stalans and Henry (1994) reported similar results. For both first-time and repeat offenders, respondents were significantly more likely to recommend adult court for 16-year-old youths than for 14-year-old youths when the victim was a stranger (also see Feiler & Sheley, 1999). Moving the issue of maturity beyond chronological age, Stalans and Henry also found that support for transfer increased significantly when respondents believed that the youth in question understood the moral wrongfulness of his actions. No other studies, however, have examined indicators of maturity other than the juvenile's age.

Fifth, some additional aspects of a juvenile and his or her case also may affect public support for transfer to adult court. Two studies that presented respondents with detailed scenarios are the most revealing. Using a randomly selected sample of Georgia adults, Stalans and Henry (1994) explored the correlates of public support for transferring juveniles accused of murder. Their results revealed that preference for transfer was higher when the victim was a stranger, when the youth had not been abused, and when he had a record of prior convictions. The suspect's race did not influence whether the respondents wanted him tried as a juvenile or as an adult. Feiler and Sheley (1999) conducted their study in Greater New Orleans, examining the correlates of transfer attitudes for youths accused of burglary and robbery. In their assessment, prior record was not significant, but youths who used a weapon, who assaulted their victim, or who were Black were more likely to elicit a desire for transfer among the survey respondents. It is unclear why these two studies produced discrepant findings regarding the effect of the suspect's race and prior record on transfer attitudes. The

location of the sample, the consideration of different offenses, or the focus on potentially mitigating factors (Stalans & Henry, 1994) versus aggravating factors (Feiler & Sheley, 1999) may have influenced the results. Regardless, these studies demonstrate that public support for transfer depends on multiple considerations and merits further investigation as a complex issue.

Finally, some research has examined respondents' demographic characteristics as correlates of support for juvenile transfer. In large part, the demographic variables examined—gender, race, age, political affiliation, marital status, level of education, income, fear of crime, and having children—were minimally or not related to public attitudes toward transfer (see, especially, Baron & Hartnagel, 1996; Bouley & Wells, 2001; Hart, 1998; Triplett, 1996). When relationships have been observed, men and respondents who are older, are less educated, do not have children, and are more politically conservative tend to be more supportive of waiver to adult court (Feiler & Sheley, 1999; Mears, 2001; Mears, Hay, Gertz, & Mancini, 2007; Schwartz et al., 1993; Triplett, 1996; Wu, 2000).

Limitations of Prior Research

The existing research shows consistent public support for transferring serious juvenile offenders out of the juvenile justice system and provides some insight into the nature of these preferences. The present study adds to this literature by specifically addressing three limitations of the current research on public views of trying juveniles as adults. First, prior studies in this area have used data collected during the early to mid-1990s (Baron & Hartnagel, 1996; Bouley & Wells, 2001; Feiler & Sheley, 1999; Hart, 1998; Mears, 2001; Schiraldi & Soler, 1998; Schwartz, 1992; Schwartz et al., 1993; Sprott, 1998; Stalans & Henry, 1994; Triplett, 1996; Wu, 2000). Our data provide a more contemporary assessment of the child-saving ideal.

Second, the extant literature does not systematically assess whether the degree of support for transfer is different when respondents are asked to consider the issue globally rather than in a more specific situation. Research on public punitiveness shows that global attitudes—those tapped by questions that provide little detail and do not refer to a particular person or situation—tend to be more punitive than specific ones (Applegate, Cullen, Turner, & Sundt, 1996; Cumberland & Zamble, 1992), although a study on the appropriateness of rehabilitation uncovered little difference between global and specific public views (Applegate, Cullen, & Fisher, 1997). The current study assesses global and specific attitudes toward juvenile transfer

to determine whether support may be higher when respondents are presented with a more general question.

Finally, the available research provides only minimal insight into why some people support transferring juveniles to the adult court. Several studies have shown that negative views of transfer are associated with support for rehabilitation as a sentencing aim in general for juveniles (Baron & Hartnagel, 1996; Bouley & Wells, 2001; Mears, 2001; Triplett, 1996; Wu, 2000). For example, in a national study 82% of those who favored rehabilitation as the appropriate goal of sentencing juveniles also supported transferring serious, violent juveniles to the adult court. In contrast, support for transfer reached 90% among respondents who embraced deterrence and 93% among those who favored incapacitative or retributive justifications for juvenile prosecution (Triplett, 1996). Similarly, Stalans and Henry (1994) found a larger percentage of their respondents recommended adult court processing if they believed that transferring the case to the adult court would deter other youths. Taken together, these findings seem to support the conclusion implied by several scholars that support for transfer is an expression of punitiveness (Mears, 2001; Schwartz et al., 1993; Triplett, 1996). Still, it is possible that the public has other reasons for supporting transfer, such as enhancing due process protections (Sanborn, 1994). The current study examines respondent demographic characteristics, support for different goals of juvenile sentencing, and people's beliefs about what happens when a juvenile case is transferred to the adult court. We assess to what extent these factors can explain support for transfer.

Method

Sample and Response Rate

We commissioned Survey Sampling, Incorporated, to provide a random sample of 1,000 Florida residents. One hundred ninety-eight of the initial sample members had moved, had incorrect addresses, were deceased, or were otherwise unreachable. These individuals were replaced with randomly selected individuals. Thirty-three of the replacements also could not be contacted but were not replaced. Thus, the total number of possible respondents was reduced to 967.

We mailed questionnaires to each member of the sample following many of the guidelines provided by Dillman (2000). The first mailing, which was sent in August 2002, included a cover letter, a postage-paid return envelope,

a copy of the questionnaire, and a \$1 incentive. A thank-you post card was sent to all members of the sample 1 week after the initial mailing. Follow-up mailings, which included cover letters, questionnaires, and return envelopes, were sent to all nonrespondents 3 and 7 weeks after the first mailing. These efforts resulted in 470 usable questionnaires being returned, for a response rate of 48.6%.

Because of our modest response rate, concerns might be raised about the representativeness of our sample. We found some differences between the demographics of our sample and those of the state of Florida, but the gaps are not large and are unlikely to substantially affect our results. Compared with 2000 census data, our sample slightly overrepresents men, 54% versus 49% (<http://quickfacts.census.gov>). Hispanics are somewhat underrepresented. Perhaps because we did not make a Spanish version of our survey available, only 5% of our sample reported that they were Hispanic, compared with 16.8% of all Floridians as reported by the U.S. Census Bureau. Furthermore, our sample is somewhat more educated than the general population. One third of our respondents had earned a high school diploma or less, but 37% had earned at least a bachelor's degree, which is somewhat higher than the 22% reported in 2000 census figures. The average age of our respondents was 52, which is comparable to the average age of adult Floridians (49.1, computed from grouped data). As noted, prior research has shown that the relationships between demographic characteristics and support for transfer are often nonsignificant or minimal. In addition, demographic characteristics were largely unrelated to public views on transferring juveniles in our sample. It is therefore unlikely that our results are substantially skewed. To the extent that the distribution of our sample may affect the results, the overrepresentation of men may inflate support and the substantial percentage of our respondents who are highly educated may deflate support.

Measures

Support for transferring juveniles. We assessed attitudes toward transferring juveniles to the jurisdiction of the adult court in two ways. First, people's views were measured by two global items that were similar to those used previously in other studies and public opinion polls. The respondents were asked to report their level of agreement or disagreement that "having a separate court system to handle juvenile cases makes good sense" and that "juveniles who commit violent crimes should be tried as adults." Possible responses were strongly *disagree*, *disagree*, *neutral*, *agree*, and *strongly agree*.¹

As a second measure of attitudes toward transferring youths to adult court, we presented the respondents with detailed descriptions of hypothetical juvenile defendants. Two separate vignettes were generated, one describing a felony and one describing a homicide. For the felony vignette, the offense possibilities were rape, robbery, assault and battery, burglary, grand theft, auto theft, and illegal drug sales. Also varied were the age, race, and sex of the juvenile as well as whether the crime was committed alone or with other youths, the juvenile's offending history, and whether the youth seemed older or younger than same-age youths. In the murder vignettes, the same dimensions were varied as well as the victim's race and sex and whether the murder was committed with a firearm. In this vignette, the offense possibilities covered manslaughter, attempted murder, murder in the process of a felony, and aggravated felony murder.²

Both scenarios were constructed as factorial survey vignettes (Rossi & Nock, 1982). With this methodology, each attribute for each variable is randomly assigned in each vignette.³ The result is that the vignettes rated by the respondents are a representative random sample of all possible vignettes. Moreover, each dimension (i.e., variable) is orthogonal (with the exception of chance correlation), allowing us to examine the independent influence of each dimension on support for transfer. The following are examples of the felony and homicide vignettes provided to the respondents:

G.R., a 15-year-old Black male youth, is charged with burglary. He is accused of breaking into a closed department store and stealing about \$1,000 worth of merchandise. The police believe he committed this crime with two other youths who are younger than him and have never been in trouble with the law before. Adults who know G.R. think that he seems older than most youths his age. His record shows that he has been in trouble with the juvenile court once before for a serious crime.

D.W., a 14-year-old White female youth, is charged with murder. She is accused of stabbing a convenience store clerk during a robbery. The clerk died from the injury. The victim was a 29-year-old Black woman. The police believe D.W. committed this crime with two other youths who are older than her and have been in trouble with the law before. Adults who know her think that she seems younger than most youths her age. Her record shows that she has been in trouble with the juvenile court three times before for minor crimes.

Following the vignettes, the respondents were asked, "On a scale of 1 to 5, where 1 means that G.R./D.W. should definitely be tried in the juvenile court and 5 means that s/he should definitely be tried in the adult court, please show how you think this case should be handled."⁴

Maturity of youths. As noted earlier, the immaturity of youths is the central reason that a separate juvenile justice system was developed and may be salient for considerations of whether juveniles should be handled separately from adults. In addition to manipulating the maturity of the youth described in the vignettes, we also explored public views on the maturity of teenagers in general. The first section of the survey informed the respondents that we wanted to know what they thought “about teens today.” We asked them whether they believed “that most teenagers 13 to 17 years old . . . plan ahead for the future,” “are able to resist temptation,” “think and act more like children than like adults,” and so on. In all, the respondents reacted to 16 statements by showing their agreement or disagreement on a scale ranging from 1 to 5 that was identical to that used for the global measures of support for transfer. The eight items on which higher scores would have indicated perceived immaturity were reverse coded, and the responses were combined to create a single index score (Cronbach’s $\alpha = .74$). Higher values on this index, Teen Maturity, indicate perceptions that today’s teenagers are more mature ($M = 2.53$, $SD = 0.43$).

We also asked the respondents to indicate at what age they believed it would be appropriate for youths to engage in several “adult” activities or make “adult” decisions. Specifically, they were asked how old they thought youths should be before they are allowed to vote, stay out late at night without a curfew, decide who to date, have sexual intercourse, choose when to stop attending school, and six other behaviors. The response options were 13, 14, 15, 16, 17, 18-20 (coded 19), and 21 or older (coded 21). Responses were combined into a single index, Appropriate Age (Cronbach’s $\alpha = .79$), on which higher values indicate a belief that juveniles should generally be older before they engage in adult activities ($M = 18.90$, $SD = 0.89$).

Purpose of the juvenile court. In line with previous research, we assessed people’s preference for the goal of the juvenile court. However, in contrast to prior studies that have assessed support for only a single goal (Stalans & Henry, 1994) or have required respondents to select only one purpose as the most important (e.g., Triplett, 1996), we asked our respondents to separately indicate the importance of five possible goals for sentencing juveniles: rehabilitation, retribution, incapacitation, specific deterrence, and general deterrence. Each goal was provided as a label and as a brief descriptive statement, such as “Deterrence—punishing each juvenile so as to discourage him or her from committing more crimes in the future.” Respondents answered on a 5-point scale ranging from 1 (*not important at all*) to 5 (*extremely important*).

Expected results of transfer. To assess what people think are the consequences of waiver to the adult court, we told each respondent that we wanted to know what they “believe happens when youth are sent to adult court as opposed to what would happen if they had been kept in the juvenile court.” For each of 11 possible consequences, respondents recorded on a 5-point scale whether they thought it would be *much less likely* (–2), *somewhat less likely* (–1), *not sure* (0), *somewhat more likely* (1), or *much more likely* (2) for juveniles who are tried in the adult court.⁵

Demographic and other respondent characteristics. Because past studies have focused on demographic correlates of support and have uncovered some significant relationships, we also measured several respondent characteristics. Standard demographics were age, race, sex, and education. We also determined whether the respondent had any children. To measure political orientation, we replicated the question used by the General Social Survey on which respondents place themselves on a scale ranging from *liberal* (1) to *conservative* (7; Davis, Smith, & Marsden, 1998). Finally, because religious fundamentalism has sometimes been linked to views on the appropriate handling of offenders (for a review, see Unnever, Cullen, & Applegate, 2005), we asked our respondents to self-report whether they considered their religious beliefs to be fundamentalist, conservative, or orthodox and whether they believed the Bible should be interpreted literally.

Results

Support for Transfer

Table 1 presents the results of questions measuring the public’s support for transferring juveniles to the adult court. The top portion of the table reports findings for the two global questions. More than 78% of the respondents believed that having a separate court system to handle juvenile cases makes good sense. When asked about juveniles who commit violent crimes, however, fewer than 15% of respondents opposed trying them as adults. Thus, Floridians favored the existence of a separate juvenile court but largely felt that violent youths should be transferred.

The bottom portion of Table 1 shows the overall results for the two factorial vignettes. These coefficients represent people’s feelings about transferring a specific juvenile charged with a felony to the adult system, without regard for the variations in individual characteristics. Because we weighted the proportion of vignettes that showed various characteristics

Table 1
Support for Transferring Juveniles to the Adult Court

Measure of Support	<i>Strongly Disagree</i> (1; %)	<i>Disagree</i> (2; %)	<i>Neutral</i> (3; %)	<i>Agree</i> (4; %)	<i>Strongly Agree</i> (5; %)	<i>M</i>
Having a separate court system to handle juvenile cases makes good sense.	4.4	6.1	10.9	46.0	32.7	2.03 ^a
Juveniles who commit violent crimes should be tried as adults.	5.5	8.8	12.7	36.0	37.1	4.27
	<i>Juvenile Court</i> (1; %)	(2; %)	<i>Not Sure</i> (3; %)	(4; %)	<i>Adult Court</i> (5; %)	<i>M</i>
Felony Vignette	33.3	17.2	9.2	19.1	21.1	2.77
Homicide Vignette	13.3	11.8	8.1	16.1	50.8	3.79

^aResponses were reverse-coded—*strongly disagree* = 5, *disagree* = 4, *neutral* = 3, *agree* = 2, and *strongly agree* = 1—so that a higher score indicates greater support for trying juveniles in the same court as adults.

according to the proportion of these attributes among youths referred to Florida juvenile courts in fiscal year 2000-2001, the sample of youths considered by our respondents is approximately representative of all referrals to the juvenile court on age, race, sex, and instant offense (within the offenses included in this study). For the felony vignette, half of the respondents at least somewhat favored juvenile court processing for the juvenile described. Responses were substantially different for the vignette that described a juvenile accused of homicide. More than two thirds of the respondents expressed a desire for the case to be handled by the adult criminal court. It is also notable that the most frequent responses for both vignettes are at the extremes, suggesting relatively unambiguous opinions—people tend to be solidly for or against transfer for a particular juvenile.

The results in Table 1 also allow consideration of whether support varies according to whether the question is global or specific. For the question about opposition to a separate court system for juveniles and the felony vignette, mean responses fell below 3, indicating some hesitancy to shift all or even substantial portions of juvenile cases to the adult court. As noted, however, support for transfer was quite high for “juveniles who commit violent crimes.” Comparisons suggest that when the respondents were asked the global question about violent crime, they were thinking of particularly

Table 2
Importance of Juvenile Sentencing Goals

Sentencing Goal	<i>Not at All Important</i> (1; %)	(2; %)	(3; %)	(4; %)	<i>Extremely Important</i> (5; %)	<i>M</i>
Rehabilitation	0.2	0.9	4.2	16.0	78.7	4.72
Retribution	1.8	4.3	16.1	21.0	56.8	4.27
Specific deterrence	0.9	2.9	15.8	30.4	50.0	4.26
General deterrence	3.4	6.3	21.0	29.8	39.6	3.96
Incapacitation	4.0	13.3	37.5	23.4	21.8	3.46

heinous or extreme cases as opposed to felony crimes in general. Support for transfer here was significantly greater than the mean level of support for the felony vignettes that described a violent offense ($M = 2.91$). The global item also resulted in a higher mean than the homicide vignette, although this difference was not significant. Thus, our findings are consistent with prior studies showing that when details are not provided to respondents, they tend to picture the worst offenders (Roberts & Stalans, 1997).

Purposes of Sentencing and Consequences of Transfer

Moving to Table 2, we begin to gain some context for people's support for transferring some juveniles to the adult court system. As shown, by and large the respondents thought that all five goals were at least moderately important for the juvenile court. Rehabilitation received the most support—nearly 8 in 10 respondents said that it was extremely important—but retribution and specific deterrence were also highly regarded. Even incapacitation, which ranked as the least essential of the five goals, was seen as a somewhat important aim of sentencing for juveniles.

Table 3 reports the respondents' expectations about the outcomes of transferring a juvenile's case. The responses are coded such that a positive mean indicates that respondents thought the result would be more likely; a negative mean shows a prevailing belief that the result would be less likely when a case is transferred to the adult court. Perhaps not surprisingly, many respondents believed that the adult court would be punitive. They generally thought that transferring a case would lead to a juvenile's receiving the punishment he or she deserved and that the youth would be punished harshly. Although substantial pluralities were "not sure" what the impact of transferring a case would be, on balance the respondents also tended to think that the adult court was more likely to be fair and that the chances of conviction

Table 3
Expectations About the Consequences of Transfer to the Adult Court

Consequence of Transfer	<i>Much</i>	<i>Somewhat</i>	<i>Not Sure</i>	<i>Somewhat</i>	<i>Much</i>	<i>M</i>
	<i>Less</i>	<i>Less</i>		<i>More</i>	<i>More</i>	
	<i>Likely</i>	<i>Likely</i>	<i>(0; %)</i>	<i>Likely</i>	<i>Likely</i>	
	<i>(-2; %)</i>	<i>(-1; %)</i>		<i>(1; %)</i>	<i>(2; %)</i>	
Receive the punishment they deserve	6.4	12.1	36.0	32.5	13.0	.34**
Be punished harshly if they are convicted	4.4	15.1	19.7	39.9	20.8	.58**
Be found guilty	2.9	10.7	50.7	27.6	8.1	.27**
Have their case handled fairly	4.4	13.2	40.5	30.6	11.2	.31**
Receive effective rehabilitative treatment	13.7	29.3	27.3	21.5	8.2	-.19**
Get attention for their individual problems and needs	12.7	35.2	28.4	16.7	7.0	-.30**
Become productive law-abiding citizens	11.9	26.7	42.1	13.0	6.4	-.25**
Commit more crimes in the future	5.9	18.6	40.0	24.7	10.7	.16**
Be made worse by being exposed to hardened adult criminals	4.6	10.5	22.4	32.0	30.5	.73**
Be beaten or raped by adult criminals	3.3	4.4	25.4	35.0	31.9	.88**
Have a hard time getting a good job later	3.5	5.9	19.7	39.9	30.9	.89**

**Significantly different from 0 at $p < .01$.

were higher in the criminal court. Many respondents believed, however, that rehabilitation, individualized attention, and subsequent conformity to the law would be jeopardized when a juvenile was transferred to the adult court. In fact, by a margin of almost 11 percentage points—35.4% versus 24.5%—more respondents thought the chances of a youth committing crimes in the future would be increased, not decreased, by transferring his or her case to the adult court. Furthermore, they thought that adult court processing would risk several negative collateral consequences: greater criminality through exposure to adult offenders, rapes and beatings at the hands of adults, and mortgaged future job prospects.

Correlates of Support for Transfer

The data in Table 4 begin our assessment of the extent to which the beliefs and orientations discussed above can explain the public's support for juvenile transfer. As shown, a belief that rehabilitation is an important goal of sentencing juveniles had little relationship in this study to support for transfer. They were negatively related for the broadest measure, opposition to a separate juvenile system overall, suggesting that those who favored rehabilitation also tended to embrace the idea of handling at least some

Table 4
Bivariate Correlations Between Independent Variables and Four
Measures of Support for Transfer

Independent Variable	Oppose Separate Juvenile Court	Try Violent Juvenile as Adults	Felony Vignette	Homicide Vignette
Importance of sentencing goals				
Rehabilitation	-.21**	-.02	-.08	.02
Retribution	.14**	.22**	.18**	.20**
Specific deterrence	.16**	.20**	.16**	.20**
General deterrence	.13**	.16**	.13**	.14**
Incapacitation	.30**	.13**	.21**	.17**
Expected consequences of transfer				
Punished harshly	-.10*	-.07	-.16**	-.07
Punished as deserved	.26**	.31**	.23**	.33**
Found guilty	-.03	-.13**	-.15**	-.07
Handled fairly	.22**	.32**	.24**	.25**
Effective rehabilitation	.20**	.20**	.15**	.19**
Individual attention	.19**	.22**	.21**	.18**
Productive citizens	.20**	.15**	.21**	.18**
Commit more crimes	-.20**	-.12**	-.21**	-.20**
Made worse	-.28**	-.24**	-.26**	-.28**
Beaten or raped	-.17**	-.19**	-.21**	-.21**
Hard time getting a job	-.21**	-.18**	-.12**	-.16**
Maturity				
Teen maturity	.01	-.08	.01	-.01
Appropriate age	.02	.02	-.02	-.03
Respondent characteristics				
Age	-.08	-.04	-.05	-.08
Race (1 = White, 0 = non-White)	-.04	.09	.08	.08
Sex (1 = male, 0 = female)	.16**	.05	.19**	.05
Education	-.02	.02	-.03	-.02
Conservatism	.06	.17**	.10*	.09
Have children (1 = yes, 0 = no)	-.06	-.06	-.18**	-.08
Fundamentalist (1 = yes, 0 = no)	-.07	.06	.04	.04
Biblical literalism (1 = yes, 0 = no)	-.01	-.10*	-.03	-.01

* $p < .05$. ** $p < .01$.

juveniles separately from adults. Rehabilitation was unrelated to the remaining three dependent measures. The other goals, however, were all significantly and positively associated with a tendency to favor transfer. The more respondents believed that retribution, specific deterrence, general deterrence, and incapacitation were essential objectives, the more they aligned with transferring juveniles to the adult court.

The relationships between transfer views and expectations about the results of transfer were also markedly consistent across measures of support for transfer. These results, however, are somewhat unexpected given the degree to which scholars have assumed that support for handling juveniles as adults equates with punitiveness. Although support for transfer was positively correlated with a belief that the adult court provides the punishment that is deserved, it was negatively associated with the expectation that criminal court processing would result in harsher punishment. Furthermore, support for transfer was greater when respondents believed that the adult court would provide individualized attention, effective rehabilitation, and fair handling. When reformative aspects of sentencing were perceived as less likely in the adult court, support for transfer likewise declined. Perhaps more in line with expectations, opposition to transfer was associated with beliefs that negative collateral consequences are more likely when juvenile cases are handled by the adult court rather than by the juvenile court.

The bottom rows of Table 4 show that beliefs about the maturity of teens in general and respondent demographic characteristics had very little influence on support for transfer. No significant relationships were revealed between any of the measures of support and respondents' beliefs about how mature most teens are today or how old youths should be before being allowed to make "adult" decisions. Demographic characteristics also had very little connection to public views of treating juveniles as adults.

Table 5 displays the results for the dimensions varied in the felony and murder vignettes. As mentioned earlier, one of the key characteristics of factorial vignette surveys is that the levels (i.e., attributes) of each dimension are assigned randomly, thus creating experimental manipulations. The independent effects of each dimension can be assessed using bivariate analyses.

As expected, prior offending and the instant offense both significantly predicted support for transfer. For both vignettes, there was a clear tendency toward increased desire for adult court processing when the suspect had accumulated more prior contacts with the juvenile justice system. In regard to offense type, preference for transfer was higher for drug trafficking and for the two most serious personal offenses than for property crimes. Favoring adult court processing increased monotonically across manslaughter, attempted murder, murder, and murder in the course of a robbery. Indicators of the youth's maturity also were significant. For the felony vignette, support was higher when the juvenile was described as seeming older, and for the murder vignette, older juveniles tended to elicit greater endorsement of transfer.

Table 5
Relationships Between Vignette Dimensions and Support for Transfer

Dimension	Felony Vignette Mean	Homicide Vignette Mean
Defendant age		
12	2.57	2.77*
13	2.83	3.78
14	2.58	3.64
15	2.51	4.03
16	2.97	3.86
17	2.98	3.93
Defendant race		
Black	2.77	3.81
White	2.72	3.82
Hispanic	2.96	3.67
Defendant sex		
Male	2.77	3.84
Female	2.78	3.62
Prior record		
No priors	2.24*	3.39*
One prior	2.69	3.85
Three priors	3.15	3.92
Peer involvement		
Alone	2.86	3.72
With older youths	2.66	3.68
With younger youths	2.79	3.97
Perceived maturity		
Seems younger than youths of same age	2.61*	3.79
Seems older than youths of same age	2.90	3.79
Offense type		
Rape	2.96*	
Robbery	3.46	
Assault	2.79	
Burglary	2.59	
Grand theft	2.50	
Motor vehicle theft	2.60	
Drug trafficking	3.22	
Manslaughter		3.04*
Attempted murder		3.48
Argument murder		3.86
Robbery murder		4.30
Aggravated robbery murder		4.30
Weapon type		
Gun		3.81
Other		3.78
Victim sex		
Male		3.80
Female		3.79
Victim race		
Black		3.84
White		3.75

*Means significantly different among vignette levels at $p < .05$.

Table 6
Regression of Support for Transfer on Independent Variables
(Standardized Coefficients)

Independent Variable	Oppose Separate Juvenile Court	Try Violent Juvenile as Adult	Felony Vignette	Homicide Vignette
Importance of sentencing goals				
Rehabilitation	-.208**	-.031	-.008	.061
Retribution	.031	.143**	.048	.081
Incapacitation	.184**	.052	.087	-.015
Expected consequences of transfer				
Punished as deserved	.102	.147**	.103	.198**
Found guilty	.066	-.125**	-.088	.004
Handled fairly	.070	.175**	.085	.080
Made worse	-.124*	-.152**	-.092	-.137*
Hard time getting a job	-.128*	.007	.099	-.052
Respondent characteristics				
Sex (1 = male, 0 = female)	.060	.042	.122*	-.017
Have children (1 = yes, 0 = no)	-.079	-.128**	-.132**	-.087
Biblical literalism (1 = yes, 0 = no)	-.048	-.108*	-.055	-.015
Vignette suspect characteristics				
Age				.242**
Priors			.218**	.121**
Maturity (0 = younger, 1 = older)			.130**	
Vignette offense				
Violent ^a			.148**	
Drugs ^a			.090*	
Attempted murder ^b				.126*
Murder ^b				.216**
Felony murder ^b				.270**
Aggravated felony murder ^b				.301**
<i>F</i>	4.651**	5.301**	4.599**	5.620**
<i>dfs</i>	26, 344	26, 344	30, 347	32, 338
Adjusted <i>R</i> ²	.20	.23	.22	.29

Note: The following variables were included in all models but were not significant, and their coefficients are not shown: specific deterrence, general deterrence, punished harshly, effective rehabilitation, individual attention, productive citizens, commit more crimes, beaten or raped, teen maturity, appropriate age, age, race, education, conservatism, and fundamentalist.

^aComparison category is property.

^bComparison category is manslaughter.

* $p < .05$. ** $p < .01$.

To examine the predictors of public attitudes toward juvenile transfer more thoroughly, we conducted multivariate regression analyses. These results are shown in Table 6. These models included all of the variables previously considered in Table 4 as well as the significant vignette dimensions. To conserve space, however, Table 6 shows only the coefficients for variables that were significant in at least one of the regression models.

It is notable that many of the variables that had significant bivariate correlations with transfer views did not survive in the more rigorous analysis. Beliefs about the importance of specific and general deterrence and perceptions of the maturity of teenagers were not significant predictors. Likewise, expectations of the chances for harsh punishment, effective rehabilitation, individualized attention, recidivism, abuse, and becoming productive citizens were not significantly related to support for transferring juveniles to the adult court.

Among the surviving correlates, most were significant for only one or two of the measures of public attitudes. Beliefs in the importance of rehabilitation, retribution, and incapacitation, for example, each significantly predicted only one of the global attitudes. When a factor was statistically significant across dependent measures, the direction of influence was always consistent. For example, the expectation that adult court processing would more likely result in deserved punishment was positively associated with a desire to try violent juveniles as adults and with preference for transferring the youth described in the murder vignette. Similarly, anticipating that the adult court would make a youth "worse" was negatively related to support for transfer across three measures and approached significance for the felony vignette ($p = .06$).⁶

Discussion

During the 1990s, nearly all states enacted or expanded provisions to transfer juvenile defendants from the juvenile court to the adult court (Feld, 2000). These legislative efforts increased the mechanisms of transfer, made transfer "automatic" for a larger number of offenses, and generally sought to remove more serious and violent juveniles from the special jurisdiction of the juvenile courts. Although several studies suggested that the public embraced these changes, little information was previously available about the meaning of their apparent support for transfer. The current study was an effort to provide some insight into why people favor transferring some juveniles to the adult court.

Our findings reaffirmed that two thirds or more of the public express at least some support for transferring serious, repeat juvenile offenders to the adult criminal justice system. Our study also demonstrates, however, that it would be a mistake to interpret these findings as indicating that the public advocates transferring large numbers of juvenile offenders to the adult court. Rather, the public appears to want transfer to be available as an option that is used sparingly and selectively. The existence of a separate juvenile justice system was endorsed by nearly 8 in 10 of our respondents, and half wanted the juveniles described in the felony offense vignette—all of whom were legally eligible for transfer—to remain in the juvenile court. Only for youths accused of especially serious crimes and for those with a history of failing to reform was transfer embraced widely. There is likely validity to Sanborn's (2003, 2006) contention that excluding some juveniles accused of particularly heinous crimes is necessary to preserve the viability of a separate, reform-oriented court system to handle most youths (also see Fagan & Zimring, 2000). The results of the current study add support to this assertion—people wanted transfer used selectively to handle the worst juvenile offenders.

Our findings comparing global and specific measures of support for transfer reinforce prior indications that reported public views are at least partly an artifact of the question used to operationalize them (Bishop, 2004; Schuman & Presser, 1981). Simplistic, global questions tend to overestimate punitiveness and fail to capture the complexity and nuance of public opinion about how to handle offenders (Cullen, Fisher, & Applegate, 2000). The current study revealed fairly widespread support for transfer in response to global questions similar to those used in several prior studies (e.g., Mears, 2001; Triplett, 1996; Wu, 2000). It also mirrored another finding from other public opinion research: When few details are provided, the public appears to base responses on worst-case scenarios (Roberts & Stalans, 1997). Thus, 73% of our respondents favored or strongly favored trying "juveniles who commit violent crimes" as adults, but this figure dropped to 67% for the homicide vignette and to only 40% for the felony vignette. Assessments of both global and specific attitudes are essential for a complete picture of public preferences.

Moving beyond the absolute level of support, other of our results contribute to our understanding of the meaning of public views on transferring juveniles to adult court. The findings on people's expectations about the results of transfer are instructive. On many aspects of criminal and juvenile justice, there are substantial gaps in public knowledge (Roberts, 2004; Roberts & Stalans, 1997). Many of our respondents acknowledged such

ignorance, with substantial portions of our respondents reporting that they felt unsure about the possible consequences of transfer. For 8 of 11 possible consequences, 25% or more of the respondents selected “not sure” as their response. Even so, on balance Floridians tended to report beliefs that were consistent with the results of studies on these issues. Although early studies suggested a “punishment gap” in which transferred juveniles were treated more leniently in the adult court than comparable youths whose cases were handled in the juvenile court, more recent research has shown that transfer may result in higher rates of conviction and a greater likelihood of incarceration. Furthermore, compared with their juvenile court counterparts, juveniles whose cases are transferred to the adult court are less likely to have rehabilitative programming available and are at greater risk of being victimized, but they are no more likely to be deterred (or to deter others; for a review, see Myers, 2005).

How expectations about consequences related to support for transfer paints a more complex portrait of the public’s position. Rather than being associated with an expectation of harsh punishment, favoring transfer was coupled with beliefs that the adult court would be more fair, would provide effective rehabilitation and individualized attention, and would result in the accused becoming a productive adult. Thus, it appears that people often support transfer not for punitive reasons but with hopes that it will result in reform. These findings seem to run counter to the principle asserted by scholars and politicians that adult court processing, at least symbolically, represents more punitive handling (Zimring, 2000). It is undeniable that determining guilt and setting punishment are primary functions of the adult criminal court system. Moreover, although a convincing argument can be made that the juvenile court system in the United States has become “adultified” (Feld, 1999), it is clear that assistance and efforts “for the good of the child” remain more prevalent here than in the adult system. Thus, our results may indeed reveal substantial public ignorance. Future research should directly examine whether support for transfer would decline if more people were aware of its actual consequences for young defendants.

Policy Implications

Public views of juveniles, particularly those accused of a crime, appear to have shifted somewhat. No longer are youths perceived as immature innocents who are merely in need of assistance (Feld, 1999). Rather, the public embraces the view that juveniles should be held accountable for their

actions (Roberts, 2004). In colloquial terms, the public seems oriented toward “tough love.” They want accountability, but they also endorse rehabilitation, efforts to intervene early in juveniles’ lives, and “second chances” (Cullen et al., 1998; Moon, Sundt, Cullen, & Wright, 2000; Nagin, Piquero, Scott, & Steinberg, 2006). In light of this orientation, it should perhaps not be surprising that people feel the need for adult court processing of apparently intractable and serious juvenile offenders or that they favor this approach most strongly when they believe it will result in fair punishment and when it will assist and not mortgage a juvenile’s future.

As the juvenile court celebrated its 100th anniversary, several scholars considered whether a separate juvenile justice system was still viable (Federle, 1999; Feld, 1997; Merlo, 2000; Merlo et al., 1999). It appears that public views pose no serious threat to its future. The public wants “bad kids” punished for what they have done, but they also support the existence of a separate court for juveniles. Complementing the results of the current study—which showed preference for juvenile court handling among substantial portions of the sample—Mears et al. (2007) reported that more than 80% of their respondents opposed elimination of the juvenile court. Moreover, the public still strongly believes rehabilitation is an important aim of the juvenile court, and even for youths transferred out of the juvenile system and treated like adults, people want meaningful interventions to take place. The public’s widespread expectations about the probable failings of the adult system make them hesitant to transfer juvenile cases there, and the public’s stance on the degree to which juveniles should be handled as adults should give pause to any policymakers who may be considering wholesale shifts toward adult court processing of youths. The public wants the option to exclude some juveniles from the juvenile system, but the ideal of child saving is not dead.

Numerous commentators have suggested that the underlying rationale for transferring juveniles to the adult system is punishment (e.g., Bortner, 1986; Fritsch, Caeti, & Hemmens, 1996). Our results, however, raise questions about whether the public’s desire to transfer some juveniles is based on punitiveness. As reported above, favoring transfer was linked with a belief that the juvenile would receive the punishment he or she deserved; however, it was not related to a belief that shifting jurisdiction would lead to harsh punishment. Perhaps instead of desiring transfer as a means of doing harm, one of the underlying principles for the public is accountability (see Fagan, 1990). People want juveniles who are accused of serious offenses to be held responsible for their actions, and they see transfer as a mechanism for achieving this goal. Thus, the extent of transfers in the

future may hinge, at least in part, on the capacity of the juvenile justice system to show that it is an instrument of accountability.

Bazemore and Umbreit (1995, 2004) have urged reconsideration of sanctions in the juvenile justice system, with an eye toward holding youths accountable without pursuing punishment for retribution—a direction, they argued, that is anathema to the *parens patriae* orientation of the juvenile court. These scholars have suggested an alternative framework for juvenile justice that would devote primary attention to reparation of harm to victims and communities—that is, it would concentrate on restorative justice. Rather than seeking accountability through retributive punishment, they observed, a restorative paradigm would hold youths to answer for their behavior by actively engaging them in making up for the consequences of their offenses. It is not yet clear to what extent a restorative justice approach can enhance public confidence in the juvenile justice system, but research has shown that most people embrace restorative justice approaches for juvenile offenders (Moon et al., 2000; Schwartz, 1992). Extending these investigations could reveal whether restorative efforts would be publicly acceptable alternatives to hold accountable juveniles for whom transfer would otherwise be favored. For the worst of the worst, the public may settle for nothing less than adult court processing. For many other juveniles, however, public concerns might be addressed by inducing offenders to admit their responsibility and make amends.

Notes

1. In the analyses that follow, the item about “having a separate [juvenile] court system” is labeled “oppose separate juvenile court,” and responses are reverse coded. In this way, higher scores indicate endorsement of handling juveniles in the adult court, just as they do for the other dependent measures.

2. For both vignettes, all cases would be eligible for transfer to the adult court under Florida statutes. The exact wording of the possible levels of each dimension for both vignettes is available from Brandon K. Applegate.

3. The chances of selection were weighted for the age, race, and sex of the accused youth and for the offense charged. Univariate distributions on these characteristics approximately match youths referred to Florida juvenile courts in fiscal year 2000-2001.

4. Research by Kasof (1993) has shown that names assigned in hypothetical vignettes can influence people’s perceptions. In an effort to minimize any such biases, we used initials only. Initials and gender-specific pronouns were adjusted in the judgment question to correspond with the juvenile described in the vignette.

5. On the questionnaire, responses were labeled 1 through 5. They have been recoded here to provide a more intuitive interpretation of the direction of the perceived likelihood of each consequence.

6. Chiefly because of the size of our sample and the number of independent variables included in our models, we had only modest statistical power to detect small effect sizes (Cohen, 1988). Weak but existent relationships, therefore, may not have been revealed in this study.

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Brandon K. Applegate, PhD, is associate professor of criminal justice at the University of Central Florida. He has published previously in the areas of punishment and rehabilitation policy, correctional treatment, juvenile justice, and public views of correctional policies. His work currently focuses on understanding jails in their social context, exploring the determinants of public attitudes toward criminal justice policies, and probationers' perceptions of their sentence.

Robin King Davis holds a PhD in public affairs from the University of Central Florida and is currently a senior research associate with Macro International Inc. Her published research has concentrated on issues of public attitudes toward juvenile justice and local corrections, and she is now studying prosecutorial decisions about transferring youth to the adult court.

Francis T. Cullen, PhD, is distinguished research professor of criminal justice and sociology at the University of Cincinnati. His most recent works include *Corporate Crime Under Attack: The Fight to Criminalize Business Violence*, *Criminological Theory: Context and Consequences*, and *Criminological Theory: Past to Present—Essential Readings*. His current research focuses on the impact of social support on crime, the measurement of sexual victimization, public opinion about crime control, and rehabilitation as correctional policy. He is past president of both the American Society of Criminology and the Academy of Criminal Justice Sciences.