

Daniela Guevara

Daniela Guevara

ESLM03

05 May 2019

### Teenage Crimes and Adult Punishments

When Cyntoia Brown was 16 years old, she ran away from home. Unfortunately, she became a teenage trafficking victim. Pimps beat her and forced her to prostitute herself for money. One day, a man picked her up and paid her to perform sexual acts. Brown was afraid the man would kill her, so she grabbed a gun and killed him as he slept. Although Brown claimed that she shot the man to protect herself, the courts tried her as an adult and sentenced her to life in prison (Hauser). Her case became famous around the world. Even celebrities like Kim Kardashian and Kanye West hired lawyers to represent her in court so she could be pardoned (Hauser). Brown claimed that she wanted to move forward with her life and integrate into society. In interviews, she explained that she had made poor decisions when she was younger, but at age 31, she had learned from her mistakes. Her case shows that trying teenagers as adults has too many disadvantages. Teenage criminal offenders should not be tried as adults because their underdeveloped frontal lobes negatively affect their judgment and decision-making skills and lengthy prison sentences will severely hinder their social adjustment when they leave prison.

The first reason teenage criminal offenders should not be tried as adults is that teenagers' brains are not fully developed. This means that teenagers cannot make decisions like an adult. McEntire writes, "Scientists believe that the frontal area of the brain...the part of the brain that controls planning, judgment, and emotion...does not mature until the age of 25 to 30" (McEntire 227). Stated simply, teenagers are more likely to behave impulsively because they are incapable

of planning like adults. This is a crucial consideration because many teenagers and adults receive the same punishment for “planning” a crime. However, teenagers’ planning is impaired by their lack of development while an adult over 23 years of age has a fully developed frontal area. Thus, a teenager cannot be responsible for “planning” a crime in the same way as an older adult.

Furthermore, researchers have found that teenagers have poor judgment. To illustrate, scientists performed an experiment to compare how teenagers and adults interpret the emotions of others. The scientists used an MRI to look at participants’ brains while they looked at pictures of facial expressions. The experiment indicated that adults used the part of the brain related to judgment and decision-making in order to interpret facial expressions. In contrast, teenagers used the part of the brain related to emotions (McEntire 227). In other words, teenagers are more likely to misjudge other people’s facial expressions. Teenagers may see a person’s facial expression and incorrectly determine that the person is angry with them or wants to harm them. Because teenagers also have poor impulse control, they may decide to fight the person to protect themselves. Indeed, this type of behavior is common in high schools around the world. This same behavior, however, is infrequent in workplaces and colleges because older adults are better able to interpret facial expressions and control their impulses. It cannot be expected that teenagers understand the consequences of their actions the same way that an adult can. Research shows that decision-making abilities and judgment skills do not fully mature until the age of 25. Because of this, teenagers who commit crimes should not be punished like adults.

The second reason teenagers should not receive harsh punishments is that lengthy prison sentences will severely hinder their social adjustment when they leave prison. This is especially true for young people in jail. Research shows that teenagers who are incarcerated have disrupted schooling and usually do not obtain their high school diploma (Harlow). In fact, statistics

indicate that only 26% of state prison inmates obtain their GED while they are incarcerated (Harlow). This is important because offenders with limited education are more likely to commit crimes when they leave prison. Specifically, 77% of inmates without a high school diploma had prior criminal convictions (Harlow). Most jobs require employees to hold a high school diploma and it is very difficult to get a job without this certificate. If teenagers spend too much time in prison, they will struggle to find a job when they leave because they have inadequate education. These inmates may be tempted to commit crimes to make money and survive. Even if inmates receive their high school diplomas, they struggle to get work because employers can see their criminal records. However, teenagers who are tried as juveniles have the right to seal their criminal records when they become 18 (Teigen 1). This means that potential employers cannot view their criminal convictions. However, if teenagers are tried as adults, their records cannot be sealed and it will be harder for them to get jobs. According to a poll conducted by The New York Times, 34% of unemployed men in the United States have criminal records (Appelbaum). Most of these men claim that their criminal records prevent them from getting jobs even at fast food restaurants (Appelbaum). This evidence indicates that teenage offenders will face too many social and employment obstacles if they are tried as adults in court.

Some may argue that teenagers are mature enough to understand right from wrong, so they should receive punishments similar to those of adult offenders. These critics cite recent research about morality and children. Specifically, a recent experiment has suggested that humans are born with a sense of morality. To test this theory, scientists conducted an experiment with two-year olds. The scientists acted out two plays with puppets. In the first play, one puppet was helpful with the other puppet. In the second play, one puppet was unhelpful and bullied the other puppet. Scientists then allowed the two-year old children to choose a puppet to play with. When presented with the two puppets, the children chose the “helpful” puppet more often than the “unhelpful puppet.” The

scientists concluded that babies can tell right from wrong even at the age of two (Bloom). In other words, scientists believe that if children understand moral behavior, then teenagers should also know the difference between right and wrong. The evidence, however, overwhelmingly supports the argument that their environment may affect teenagers' intellectual maturity. For example, people who live in poor areas may have inadequate resources and live in unhealthy environments. In fact, scientists have found a connection between the amount of lead in drinking water and crime rates. The "lead-crime hypothesis" states that lead is linked to an increase in crime. Specifically, researchers noticed that a 10% increase in lead-based gasoline led to a 7.9% increase in violent crime (Reyes 1582). In the 1990s, the use of lead dropped dramatically in the US. This drop resulted in a decreased crime rate. Stated simply, if children grow up in an unhealthy environment, they may suffer psychological damage. In this case, children drank water with lead and this may have contributed to criminal behavior. This evidence demonstrates that morality is complex and may be impacted by environment, not just biology.

A common counterpoint is that harsh punishments, such as trying teenagers as adults, will deter teens from committing crimes in the future. These critics cite Tomlinson to support their claims about deterrence theory. According to *deterrence theory*, criminal offenders who receive swift, just, and harsh punishments will be less likely to commit another crime (Tomlinson 34). If offenders receive light punishments, they will "not be deterred from engaging in additional criminal acts" (Tomlinson 34). In other words, crime rates will decrease if criminal offenders are punished severely and increase if they are punished lightly. Indeed, most people would agree that criminal punishments should depend on the severity of the crime committed. Nevertheless, this argument is weak because deterrence theory is an ineffective way to handle criminal cases. In fact, when people are punished severely for crimes, they are more likely to reoffend. This is because criminal offenders who receive longer sentences are more likely to

commit crimes, possibly because they have fewer opportunities for employment and weaker family ties (Tomlinson 34). When teenagers receive long prison sentences, they have limited educational and job training opportunities. Once they leave prison, they cannot find a job because they lack work experience and educational training. Additionally, employers may not want to hire them because of their criminal past. These obstacles make it almost impossible for young offenders to get a stable job, so they may commit crimes to make money. Furthermore, research indicates that minors sentenced to adult facilities were rearrested 82% of the time compared to their adult counterparts, who were only rearrested 66% of the time (Scialabba). This evidence illustrates that harsh punishments for teenage offenders may actually increase crime rates.

Because of intellectual immaturity and decreased rehabilitation opportunities, teenagers should not be tried as adults in criminal courts. Instead, I suggest that governments invest in community outreach programs and education in order to reduce crime rates among teenagers. Young criminal offenders should be guided to make healthy life choices instead of sentenced to long prison terms. As research shows, harsh punishments for juvenile offenders are more likely to increase crime rates. Many young people in prison would like another opportunity to better their lives, but they have been sentenced for long prison terms. In Cynthia Brown's case, she was finally released after serving 16 years in prison. She plans to complete her college degree, mentor other abused women, and open her own non-profit organization (Gafas and Burnside). Her case highlights how sentencing teenage offenders in adult courts can hinder rehabilitation for young offenders.

## Works Cited

- Appelbaum, Binyamin. "Out of Trouble, but Criminal Records Keep Men Out of Work." *The New York Times*, 28 Feb. 2015, <https://www.nytimes.com/2015/03/01/business/out-of-trouble-but-criminal-records-keep-men-out-of-work.html>. Accessed 05 May 2019.
- Bloom, Paul. "The Moral Life of Babies." *The New York Times Magazine*, 05 May 2010, <https://www.nytimes.com/2010/05/09/magazine/09babies-t.html>. Accessed 06 May 2019.
- Gafas, Mallory, and Tina Burnside. "Cyntoia Brown is Granted Clemency After Serving 15 Years in Prison for Killing Man Who Bought Her for Sex." *CNN*, 08 Jan. 2019, <https://www.cnn.com/2019/01/07/us/tennessee-cyntoia-brown-granted-clemency/index.html>. Accessed 05 May 2019.
- Harlow, Caroline. "Education and Correctional Populations." *Bureau of Justice Statistics*, 1 Jan. 2003, <https://www.bjs.gov/content/pub/pdf/ecp.pdf>. Accessed 05 May 2019.
- Hauser, Christine. "Cyntoia Brown is Granted Clemency After 15 Years in Prison." *The New York Times*, 07 Jan. 2019, <https://www.nytimes.com/2019/01/07/us/cyntoia-brown-clemency-granted.html>. Accessed 05 May 2019.
- McEntire, Jo, and Jessica Williams. "The Teenage Brain." *Making Connections 2: Skills and Strategies for Academic Reading*. Cambridge University Press, 2013.
- Reyes, Jessica. "Lead Exposure and Behavior: Effects on Antisocial and Risky Behavior Among Children and Adolescents." *Economic Inquiry*, vol. 53, no. 3, 2015, pp. 1580-1605.
- Scialabba, Nicole. "Should Juveniles be Tried as Adults in the Criminal Justice System?" *American Bar Association*, 03 Oct. 2016, <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2016/should-juveniles-be-charged-as-adults/>. Accessed 05 May 2018.

Teigen, Anne. "Automatically Sealing or Expunging Juvenile Records." *National Conference of State Legislatures*, vol. 24, no. 7, 2016, pp. 1-2.

Tomlinson, Kelli. "An Examination of Deterrence Theory: Where Do We Stand?" *Federal Probation*, vol. 80, no. 3, 2016, pp. 33-38.