


Manipulating Public Opinion About Trying Juveniles as Adults: An Experimental Study

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Abstract

Public attitudes about juvenile crime play a significant role in fashioning juvenile justice policy; variations in the wording of public opinion surveys can produce very different responses and can result in inaccurate and unreliable assessments of public sentiment. Surveys that ask about policy alternatives in vague terms are especially problematic. The authors conducted an experiment in which a large sample of respondents were presented with a crime scenario in which the offender's age and prior record, the type of crime, and the inclusiveness of the policy in question were varied. Respondents were asked about the extent to which they support trying juveniles in adult court. Responses varied significantly as a function of the offender's age, criminal record, and offense but not as a function of inclusiveness. For legislators using public opinion polls to guide their decisions, blanket statements describing the results of vaguely worded surveys items can be misleading and can lead to poorly informed policy making.

Keywords

juvenile justice, public opinion, public policy, juvenile delinquency

As a recent article noted, public attitudes and beliefs about juvenile crime have played a significant role in fashioning American juvenile justice policy

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(Mears, Hay, Gertz, & Mancini, 2007). Quoting Burgess (1998, p. 41), these authors wrote that “it is clear that ‘the effect [of public opinion on public policy] is so strong that public opinion is clearly more important than any other variable’” (Mears et al., 2007, p. 230). A well-known example is the get-tough rhetoric of the 1990s, in which exaggerated claims about “coming waves of superpredators” (DiIulio, 1995; Fox, 1996) created public fears of a violent juvenile crime epidemic. These fears, in turn, provided policy makers with the justification needed to introduce and approve increasingly punitive legislation governing the treatment of juvenile offenders (Zimring, 2005). Among the most notable results of this movement was the net-widening that occurred with respect to the adjudication and sanctioning of juveniles as adults (Fagan, 1996). Had it not been for the public’s fear of the impending outbreak of juvenile crime, it is doubtful that policy makers would have been able to pass such draconian legislation. As Scott and Steinberg (2008) describe, such moral panics have led to many policy changes, including the passage of Proposition 21 in California, a ballot initiative that greatly expanded criminal court jurisdiction over juveniles and limited the authority of the juvenile court in several ways. As they noted, Proposition 21 was the result of the interaction among “intense media interest in violent juvenile crime, public outrage and fear in response to the perceived threat, and politicians seeking to capitalize on these fears to win elections or retain popularity” (Scott & Steinberg, 2008, p. 102).

Public opinion is used not only by conservative politicians to argue for harsher juvenile justice policies but also by youth advocates to argue for less punitive policies. Not surprisingly, surveys cited by such advocacy organizations almost always indicate far less support for punitive policies than polls noted by those who favor harsher policies, such as trying youth as adults (Cullen, Fisher, & Applegate, 2000; Nagin, Piquero, Scott, & Steinberg, 2006; Scott & Steinberg, 2008). In 2007, for example, the Campaign for Youth Justice, a nonprofit organization that opposes trying juveniles as adults, issued a press release trumpeting the results of a survey commissioned by the National Council on Crime and Delinquency (NCCD), which showed “that the public *overwhelmingly* [italics added] supports rehabilitation and treatment for young people in trouble, *not* prosecution in the adult court or incarceration in adult jails or prisons” (NCCD, 2007, p. 1). Could public sentiment really have changed this dramatically between 2000, when Proposition 21, which was designed to funnel more juveniles into the adult system, had passed by a margin of 62% to 38% (Scott & Steinberg, 2008), and 2007, when the public had evidently become “overwhelmingly” against the prosecution of juveniles as adults?

Probably not. Although crime rates fell during this period (Blumstein & Wallman, 2000), which conceivably could have led to a liberalization of

public sentiment, a more likely account is that the specific questions asked in various polls are worded differently. Those that describe specific violent crimes understandably generate more support for adult incarceration than those that are more vague. For example, in a Field poll conducted shortly before the Proposition 21 referendum, a description of Proposition 21 as increasing punishment for “gang-related felonies such as home-invasion robbery, carjacking, witness intimidations, and drive-by shootings” found that 55% of respondents supported the proposition, whereas a poll conducted by the same organization at the same time, but that described the same proposition as merely increasing penalties for “juvenile felonies,” garnered only 30% support (Scott & Steinberg, 2008). Closer inspection of the NCCD report item wording shows that two thirds of the sample surveyed agreed with a similarly vague item: “Persons under age 18 should not be incarcerated in jails and prisons that hold adults.” It is impossible to know what “persons” the survey respondents had in mind when queried, and it is likely that this makes all the difference.

The fact that small (or in the cases above, not so small) variations in wording can produce very different patterns of responding is not a new insight (Roberts & Doob, 1989; Stalans & Diamond, 1990), and it is well known among those who create polls as well as those who commission them. Indeed, so-called push polls—surveys designed to create public opinion rather than assess it—are widely used to generate data that advocates of one position or another can point to as evidence of public support for their positions. Without knowing the specific wording of survey questions, it is impossible to know how to interpret the responses they generate. To the extent that legislators turn to public opinion polls to guide their legislative decisions, blanket statements describing the results of vague surveys, such as “the public overwhelmingly opposes [or favors] prosecution in adult court,” can be misleading and can lead to poorly informed policy making. The public’s opinion is far more fine-grained than such statements suggest (Roberts, 2004).

The purpose of the present article is not to review the literature on the nuanced nature of public opinion concerning juvenile crime and juvenile justice, a literature that has been exhaustively reviewed by Cullen et al. (2000), Redding (2003), and Roberts (2004), among others (Roberts, Stalans, & Indermauer, 2003; Schwartz, Guo, & Kerbs, 1992). These reviews come to similar conclusions about public attitudes toward juvenile offenders: that juvenile offenders should be held accountable for their acts, that we should attempt to rehabilitate them, and that only a certain small class of them (older violent juvenile recidivists) should be tried and sanctioned as adults. Rather, the purpose of this article is to demonstrate empirically the actual

extent to which public opinion about a particular policy question—trying juveniles as adults—can be systematically manipulated through changes in question wording.

As we have acknowledged, many others have noted that respondents' answers to questions about juvenile crime vary as a function of the specific questions asked. But most extant analyses of this phenomenon rely on comparisons between surveys to describe the effects of question wording, and because the surveys that are compared typically have been conducted at different points in time and with different samples (both of which are important influences on responses to questions about crime), it is hard to know whether any observed differences in survey results are due to question wording or to some other variable, such as the sample questioned or the historical era during which the survey was administered. In contrast, this study presents findings from a controlled experiment in which individuals were randomly assigned to respond to slightly different versions of the same question (should juveniles be tried as adults), varied along four dimensions hypothesized to influence their answer: the age of the offender, the seriousness of the crime, whether the crime was a first-time offense, and whether adult prosecution under the specific circumstances should apply to all or to some offenders. In addition, we extend prior research by investigating the extent to which these dimensions interact in meaningful ways to predict respondents' opinions about trying juveniles as adults.

This experimental design offers three main advantages over previous approaches. First, because all of the data were gathered at the same time and within the same sample, we can rule out the effects of historical time and other variables that might affect responding (and because we also gathered data on a range of demographic variables, we can impose additional statistical controls over these factors if by chance the experimental groups happen to differ on one or more of them). Second, our sample is sufficiently large to permit us to examine the independent effects of these four factors on respondents' answers. We know, for instance, that the public is more willing to try older violent offenders than younger nonviolent ones as adults, but we do not know whether this is due to the difference in age, crime, or some combination of the two. Finally, our multivariate analyses permit us also to examine the additive and interactive effects of our four factors as well as whether these factors have relatively stronger or weaker effects in certain demographic groups, which has not been a focus of prior research. Although we recognize that the results of this study may provide grist for push poll makers' mills (i.e., that they will be informed about just how to word a question to evoke the response they desire within the sample they are surveying), we hope that they will be

better used by other researchers and policy makers who are interested in digging deeper into survey results than is often the case.

Data and Method

A random-digit telephone interview was conducted with an original total sample of 29,532 telephone numbers from four states (Illinois, Louisiana, Pennsylvania, and Washington) during spring 2007. Respondents must have been at least age 18 to participate in the interview. A great many of the original telephone numbers were deemed ineligible for various reasons, including business or government number, fax machine, answering machine picked up, line disconnected, no answer, nonworking number, technical phone problems, number changed, and respondent never available. Of the remaining eligible numbers, about two thirds of those reached refused, leaving a completed sample across all four states of 2,282 (Illinois, $n = 563$; Louisiana, $n = 572$; Pennsylvania, $n = 588$; and Washington, $n = 559$).¹ The overall response rate was over 32%, with state-specific response rates of 27%, 37%, 29%, and 37% for Illinois, Louisiana, Pennsylvania, and Washington, respectively. These response rates are slightly lower than those reported in other similar studies (Cohen, Rust, Steen, & Tidd, 2004) but are quite consistent with the recent trend in telephone survey-based research, which has run into problems associated with a significant movement away from landlines to cell lines, which are not yet captured in many survey research centers' databases. This limitation notwithstanding, the final sample characteristics (race, sex, etc.) closely mirrored each state's population.²

Independent Variables

The question of interest comprising our central independent variables, which was embedded within a larger opinion poll concerning juvenile crime and juvenile justice, contained four variables, each of which had two possible options: "How much do you support trying [all/some] [first-time/repeat] [14-year-old/17-year-old] offenders arrested for [theft/rape] in adult court?" Cross-tabulating the four manipulated variables (inclusiveness, priors, age, and crime) yields 16 different combinations ($2 \times 2 \times 2 \times 2$), and respondents were randomly assigned to 1 of 16 cells for purposes of question administration.

Our rationale for choosing these particular factors (and the specific levels within each) is that prior research (e.g., Cullen et al., 2000; Mears et al., 2007; Scott & Steinberg, 2008) indicates that opinions vary as a function of whether transfer decisions should be individualized or absolute, the age of the offender (with a boundary around 15 or 16 emerging as especially salient

in distinguishing “younger” from “older” offenders), whether the offender had been given a previous chance to mend his or her ways, and whether the crime was violent or nonviolent. The specific ages chosen, 14 and 17, were selected to ensure that we were asking about “younger” versus “older” offenders. With respect to the choice of offense, we recognize that the distinction between theft and rape is substantial, but we wanted to ensure that respondents were assigned a crime for which there is (near) universal agreement as to whether it is violent; in informal pilot testing with college undergraduates, we learned that “assault” means different things to different people and that many individuals do not understand the difference between “burglary” and “robbery.”³ In the analyses that follow, we include dummy variables in the regression models, including age 14 (= 1), theft (= 1), first-time offender (= 1), and all offenders (= 1).

In addition to this question, we also collected information on the following demographic variables: race (non-White = 0, White = 1, 83.74%); ethnicity (non-Hispanic = 0, Hispanic = 1, 2.54%); sex (male = 1, female = 2, 57.67%); political philosophy (not conservative political philosophy = 0, conservative political philosophy = 1, 32.50%); household income (less than \$10,000 = 1, 6.23%; \$10,000-\$19,999 = 2, 8.75%; \$20,000-\$29,999 = 3, 11.17%; \$30,000-\$39,999 = 4, 12.71%; \$40,000-\$49,999 = 5, 9.98%; \$50,000-\$59,999 = 6, 10.09%; \$60,000-\$69,999 = 7, 7.31%; \$70,000-\$79,999 = 8, 7.15%; \$80,000-\$89,999 = 9, 5.82%; \$90,000-\$99,999 = 10, 4.22%; and \$100,000 and higher = 11, 16.57%); education (less than high school = 1, 1.59%; some high school = 2, 4.55%; high school graduate = 3, 25.57%; some college = 4, 26.86%; college graduate = 5, 24.03%; and postgraduate education = 6, 17.40%); urbanicity of residence (rural, city, and suburb recoded as nonrural = 0, rural = 1, 32.67%); age (mean = 52.40, *SD* = 16.38, range = 18-94); and state (Illinois = 1, 24.67%; Louisiana = 1, 25.07%; Pennsylvania = 1, 25.77%; with Washington serving as the reference state, 24.50%).⁴

Dependent Variable

To gauge respondents' attitudes toward treating juveniles in adult court, they were asked to respond to the following question: “How much do you support treating [all/some] [14-/17-] year-old [first-time/repeat] offenders convicted of [theft/rape] in adult court?”⁵ Original response options included *a great deal* (1), *some* (2), *a little* (3), and *none* (4). We recoded this variable so that higher scores are indicative of respondents' belief that juveniles should be tried as adults. To examine the validity of this item, we computed correlations between respondents' answers to this question with other attitudinal measures

included in the survey. Consistent with prior research (Cullen et al., 2000), respondents who expressed greater support for treating juveniles in adult court also reported having a conservative political philosophy, believe that juvenile records should be available and not sealed, and do not think that there should be a separate juvenile justice system.

Analytic Plan

Recall that our main interest is in assessing the extent to which respondents' attitudes toward trying a juvenile in adult court are a function of the offender's age, criminal record, severity of the offense, and inclusiveness of the waiver policy. We begin by presenting descriptive information regarding respondents' belief in trying juveniles as adults according to the 16 different possible combinations of the four principal independent variables. We follow this descriptive information with three ordinary least square (OLS)⁶ regression models predicting respondents' belief in trying juveniles as adults: (a) a baseline model containing only the four variables of interest, where we suspect significant additive effects that would indicate respondent's willingness to treat the more serious survey permutations in adult court; (b) a second model containing these four variables as well as demographic controls, where we anticipate some mediation, given perceptions among minorities, the poor, and the least educated to be more lenient in their punishment orientation; and (c) a final model that includes controls for three state indicators (with Washington serving as the reference state), where we anticipate no state-specific mediation. Finally, we also examine two-, three-, and four-way interactions⁷ between and among the four variables of interest in predicting respondents' belief in trying juveniles as adults, where we expect combinations of the more serious survey permutations (e.g., the case of an older, violent juvenile with a record of prior offenses) to be associated with more favorable attitudes toward adjudication in adult court.

Results

Table 1 summarizes the means and standard deviations for scores on the principal dependent variable across the 16 combinations. An analysis of variance (ANOVA) indicated a significant overall effect ($F = 13.96, p < .05$). Although not much should be made of this large overall effect, it is of interest to note that the groups with the strongest endorsement of the view that juveniles should be tried as adults are those individuals who received the most serious

Table 1. Descriptive Statistics for Additive Effects of Juvenile Offender Scenario Condition on Respondents' Support for Trying Juveniles as Adults

Scenario Condition	<i>n</i>	<i>M</i>	<i>SD</i>
1 (all offenders, 14-year-old, first time, theft)	139	2.069	1.135
2 (all offenders, 17-year-old, first time, theft)	139	2.770	1.119
3 (all offenders, 14-year-old, repeat, theft)	155	2.576	1.110
4 (all offenders, 14-year-old, first time, rape)	155	2.671	1.140
5 (all offenders, 17-year-old, repeat, theft)	133	3.124	1.068
6 (all offenders, 14-year-old, repeat, rape)	153	3.090	1.168
7 (all offenders, 17-year-old, first time, rape)	118	3.297	1.132
8 (all offenders, 17-year-old, repeat, rape)	126	3.228	1.142
9 (some offenders, 14-year-old, first time, theft)	132	2.265	1.083
10 (some offenders, 17-year-old, first time, theft)	145	2.832	1.068
11 (some offenders, 14-year-old, repeat, theft)	137	2.515	1.122
12 (some offenders, 14-year-old, first time, rape)	137	3.066	1.059
13 (some offenders, 17-year-old, repeat, theft)	132	2.944	1.104
14 (some offenders, 14-year-old, repeat, rape)	169	2.933	1.169
15 (some offenders, 17-year-old, first time, rape)	165	3.243	1.030
16 (some offenders, 17-year-old, repeat, rape)	147	3.190	1.129
Total (average <i>M</i> and <i>SD</i>)	2,282	2.862	1.161

survey permutations, including all/17/first-time/rape ($M = 3.297$), some/17/repeat/rape ($M = 3.243$), and all/17/repeat/rape ($M = 3.228$). Not surprisingly, the group reporting the weakest support for trying juveniles as adults included those individuals who received the least serious survey permutation, indicating all/14/first-time/theft ($M = 2.069$).

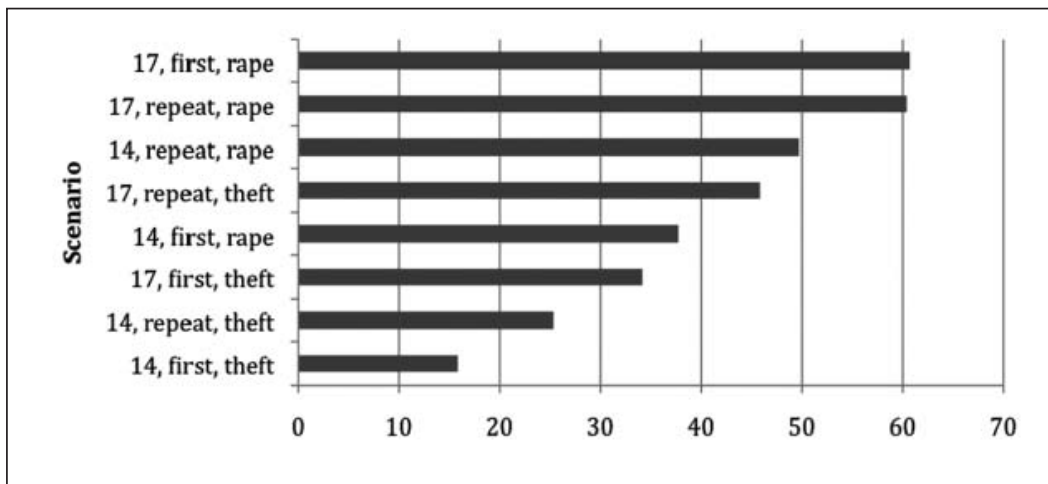


Figure 1. Proportion of Respondents Reporting a “Great Deal” of Support for Trying Juveniles as Adults as a Function of Offender Age, History of Priors, and Crime Type

Note: On the left, 14 and 17 refer to the age of the offender, *first* and *repeat* refer to whether this was the offender’s first offense, and *theft* and *rape* refer to the specific crime.

A bivariate correlation analysis indicated that respondents’ preference for trying juveniles as adults was significantly related to whether they were told that the offender was a repeat offender ($r = .072$), convicted of rape ($r = .191$), or age 17 ($r = .179$). A means-difference analysis indicated similar substantive conclusions. Specifically, respondents receiving the 17-year-old scenario were more likely to support trying juveniles as adults compared to those receiving the 14-year-old scenario (3.075 vs. 2.658, $t = 8.47$, $p < .05$), as were respondents receiving the rape compared to the theft scenario (3.081 vs. 2.637, $t = 9.044$, $p < .05$) and those receiving the repeat offender compared to the first-time offender scenario (2.944 vs. 2.776, $t = 3.365$, $p < .05$). The comparison of responses between those receiving the all offenders scenario and those receiving the some offenders scenario was not significant (2.836 vs. 2.887, $t = 1.022$, $p > .05$).

Figure 1 presents the proportions of individuals reporting a “great deal of support” for trying juveniles as adults as a function of the three variables that significantly predicted their response: age, crime, and priors. As Figure 1 illustrates, the degree of public support for trying juveniles as adults varies widely as a function of these variables. Indeed, four times as many respondents are enthusiastic about trying juveniles as adults when the offender is described as a 17-year-old rapist with a record of prior offenses as when the offender is described as a 14-year-old first-time thief.

Next, we turn to our three step-wise OLS regression models predicting respondents' support of trying juveniles as adults. These results may be found in Table 2. In the baseline model, which contains the four juvenile offender permutations, three of the four permutations are significantly associated with respondent perceptions. Specifically, respondents who were presented with the 14-year old, theft, or first-time offender scenarios were significantly less likely to support trying juveniles as adults.

When we add a number of demographic characteristics that have been found to be related to respondent punishment philosophies, we find that controlling for the demographic variables does not alter the three significant permutation effects previously identified—all of which continue to exert significant effects on respondents' support for trying juveniles as adults. We find that Hispanics and respondents with more education are less likely to support trying juveniles as adults, whereas political conservatives are more likely to do so.⁸

The final regression analysis adds the state dummy variables to the previous model. Results from this model indicate that none of the three states differs from the reference state of Washington with respect to supporting trying juveniles as adults, nor does controlling for the three state variables alter any of the previously discussed relationships regarding the scenario permutations and demographic correlates.⁹

Finally, we estimated two-, three-, and four-way interactions between all of the juvenile offender scenario permutations as well as interactions between key demographic characteristics (sex, race, ethnicity, conservative political philosophy, and rural living area). Because there were a large number of these interactions, in the interest of space we elected to report the substantive findings from these analyses in the text and a substantive summary and interpretation of the significant interactions in Table 3. A more complete detailing of these results is available upon request.

In general, the pattern of interactions is consistent with the main, additive effects. Three of the six possible two-way interactions between independent variables reached statistical significance: inclusiveness by priors, priors by crime, and crime by age, and all were in the expected directions given the main effects described earlier. Inspection of the interactions revealed that the impact of being told that the offender was a recidivist was substantially stronger among respondents who were asked about an all-inclusive policy and that the impact of being told that the offender was a recidivist or was 17 years old had a substantially greater effect on respondents who were polled about theft than about rape. More specifically, respondents polled about rape were more supportive of trying juveniles as adults regardless of their priors or age. Three

Table 2. Ordinary Least Squares Regression Analyses Predicting Respondent's Support of Trying Juveniles as Adults

Independent Variables	Model 1			Model 2			Model 3		
	Coefficient	Standard Error	t	Coefficient	Standard Error	t	Coefficient	Standard Error	t
14-year-old	-0.43039	0.048224	-8.92*	-0.447500	0.053358	-8.39*	-0.450230	0.053324	-8.44*
Theft	-0.44649	0.048183	-9.27*	-0.422310	0.053406	-7.91*	-0.417930	0.053389	-7.83*
First time	-0.17877	0.048178	-3.71*	-0.179790	0.053368	-3.37*	-0.181620	0.053334	-3.41*
All offenders	-0.01334	0.048221	-0.28	-0.007050	0.053523	-0.13	0.000584	0.053585	0.01
Race				0.044560	0.077066	0.58	0.054645	0.077313	0.71
Ethnicity				-0.684440	0.163971	-4.17*	-0.686890	0.163836	-4.19*
Sex				-0.019860	0.054577	-0.36	-0.021730	0.054549	-0.40
Conservative				0.255385	0.058094	4.4*	0.248535	0.058229	4.27*
Income				0.004846	0.009494	0.51	0.003618	0.009506	0.38
Education				-0.047310	0.024464	-1.93*	-0.048010	0.024490	-1.96*
Age				-0.003110	0.001735	-1.79	-0.002970	0.001742	-1.71
Rural				0.078399	0.057481	1.36	0.081816	0.057635	1.42
Illinois							0.007424	0.075547	0.10
Louisiana							0.051954	0.076578	0.68
Pennsylvania							-0.126360	0.076006	-1.66
Constant	3.396808	0.053056	64.02	3.61528	0.182163	19.85	3.627878	0.191341	18.96
R ²	0.075			0.099			0.102		

Note: Washington is the reference state.

* $p < .05$.

Table 3. Summary of Significant Interactions

Interaction	Interpretation
2-way interactions	
Inclusiveness × Priors	More support for inclusive policy to transfer juveniles when offender has priors than when offender has no priors
Priors × Crime	More support for transfer of juveniles with no priors when offense is violent than nonviolent
Crime × Age	More support for transfer of younger juveniles when offense is violent than nonviolent
3-way interactions	
Inclusiveness × Priors × Crime	More support for inclusive transfer policy when first-time offender commits a violent crime than when the crime is nonviolent
Inclusiveness × Priors × Age	More support for inclusive transfer policy when younger offender has priors than when younger offender has no priors
Priors × Crime × Age	More support for transfer of younger offenders with no priors when offense is violent than when offense is nonviolent
4-way interaction	
All Offenders × First-Time Offender × Theft × 14	More support for inclusive transfer policy for younger, first-time offenders when crime is violent than when crime is nonviolent

Note: We do not present interaction results for the demographic investigation because none were significant.

of the three-way interactions reached significance: inclusiveness by priors by crime, inclusiveness by priors by age, and priors by crime by age. As was the case with the two-way interactions, being told that the crime was rape, rather than theft, attenuated the importance of age or priors and increased support for a more inclusive transfer policy. Finally, the four-way interaction was also significant, indicating that support for a more inclusive transfer policy is greatest when the offender is a violent, older youth with a prior record (see Figure 2).

Finally, we estimated interactions between each juvenile offender scenario condition (first time, theft, all offenders, 14-year-olds) and the demographic characteristics of sex, race, ethnicity, political philosophy, and urbanicity of residence. Examination of these interactions failed to indicate any interpretable pattern of significant relationships between the demographic correlates and the specific juvenile offender scenario condition. Thus, the factors that

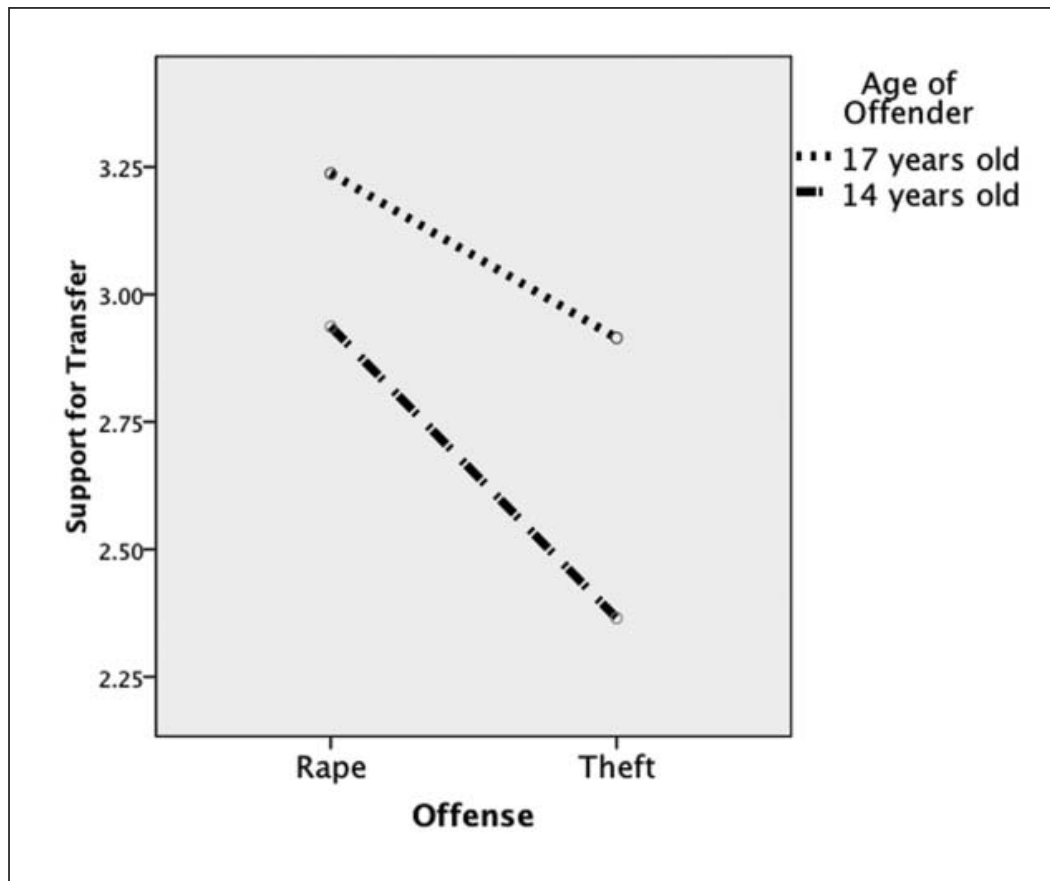


Figure 2. Interaction Between Age and Crime Seriousness in Prediction of Support for Transfer of Juveniles to Adult Court

influence attitudes toward trying juveniles as adults appear to operate similarly across demographic groups.

Discussion

When survey respondents are asked whether they support “trying juveniles as adults,” which juveniles do they have in mind? Fourteen-year-old shoplifters, 17-year-old carjackers, or some group that falls in between these two extremes? Without knowing the answer, any findings associated with respondents’ answers to a question this vague are meaningless. Yet, all too often, findings from surveys that employ equally vague items are used to advocate for changes in crime policy.

Using experimental data collected in four states, this study sought to examine how variation in the ways in which public opinion survey items are worded can produce differential response patterns regarding public preferences

associated with juvenile punishment. As expected, individuals who are asked if all 14-year-old, first-time offenders convicted of theft should be tried as adults are substantially less likely to endorse this policy than are those who are asked about trying some 17-year-old, recidivists convicted of rape. The magnitude of the difference between these two extremes is large: Whereas only 35% of the first group reports “some” or “a great deal” of support for trying juveniles as adults, 85% of the second group does. Under the first scenario, therefore, it would be perfectly accurate to say that the vast majority of respondents oppose trying juveniles as adults, whereas under the second, it would be just as accurate to describe the findings as indicating overwhelming support for the identical policy. In short, the results of the present study show that blanket statements about public attitudes toward juvenile crime policy should be interpreted with great caution.

When survey questions about juvenile crime are worded in specific terms, interpreting the public’s opinion is not difficult because its response can be linked to the specific instance described in the question. The problem, however, is that this is not often the case. In some instances, the survey item wording is vague, which renders the public’s real opinion completely unknowable because it is impossible to ascertain what respondents had in mind when answering the survey. In other instances, the original item was not vague, but the item content is not provided in the report, thus rendering the results uninterpretable. And in still other cases, the specific item content does not appear in the headline of the report or press release but is buried in the fine print, in a footnote, or in an appendix, which makes it easy for advocates to present public opinion as consistent with their advocacy stance when in fact it may not really be.

To our knowledge, this is the first experiment designed to examine the independent, additive, and, especially, interactive impact on public opinion of several factors believed to influence attitudes about trying juveniles as adults. Our results indicate that three such factors—the age of the offender, the seriousness of the crime, and the offender’s prior record—all exert an independent influence on public sentiment about this policy issue. Our analyses indicate that the age of the offender and the seriousness of the crime are of approximately equal importance, and both factors outweigh whether the juvenile imagined is a first-time offender or a recidivist. Interaction analyses show that the seriousness of the crime appears to be especially important, which attenuates the influence of other factors when the crime in question is violent and increases support for more inclusive transfer policies. The public is especially unfavorably inclined toward making transfer decisions on a case-by-case basis when the offender in question is an older, violent, repeat

offender. The extent to which these results generalize to public attitudes about other policies (e.g., how juveniles are sanctioned in the justice system, sentence lengths in the adult system) is not known, nor is it possible to tell how varying the factors in other ways (different crimes, different ages, etc.) would affect the results. It is likely that the influence of crime seriousness on public opinion is accentuated in the present study owing to the clear contrast between theft, a relatively minor offense that does not involve physical injury, and rape, a violent crime that evokes considerable emotion in many individuals. Importantly, the ways in which the factors examined here influence attitudes toward transfer policy do not vary across demographic groups.

Our findings make several distinct contributions to the literature on public opinion concerning the treatment of juvenile offenders. First, whereas most previous discussions of the factors that influence the ways in which survey participants respond to specific items have drawn conclusions based on comparisons between surveys, the present analysis relies on a controlled manipulation of item content within one survey. We can therefore rule out the possibility that observed differences in responses might be due to other factors that distinguish one survey from another (e.g., historical context, demographic differences between samples, differences in item presentation or response scale). Although our specific findings are not surprising, we can confidently say that public opinion about trying juveniles as adults can be easily manipulated by changing the description of the juvenile and the offense, and we show exactly how this can be achieved. Thus, those who use public opinion surveys to make policy recommendations about trying juveniles as adults must pay close attention to the ways in which items are worded.

Second, to our knowledge, this is the first attempt to systematically examine the independent and interactive contributions of offender age, prior record, and offense severity on participants' responses. In many prior studies, these variables have been confounded. According to our results, all three factors make a difference, and opinions about appropriate treatment of juveniles become increasingly harsh and support for more inclusive policies become increasingly favorable as a function of the number of these factors that tilt toward a description of the juvenile as older, more incorrigible, and more dangerous. Our finding that crime seriousness is the most important of these three factors helps us understand why especially heinous crimes appear to drive public opinion so strongly.

Finally, we built upon the extant literature by investigating the effect of a large array of interactions on punishment perceptions. Importantly, our failure to find that demographic factors moderate the overall pattern of results speaks to the generalizability of our findings. Although one might suspect

that individuals from groups that typically have more contact with the justice system (e.g., those from poor, ethnic minority backgrounds) might respond differently than those whose contact is more infrequent, this is not the case. Individuals from different ethnic and socioeconomic backgrounds take the same factors into account, and weigh them similarly, when judging whether juvenile offenders should be tried as adults.

It is important to keep in mind several limitations of this study. First, because we did not provide a definition of what it means to be “tried in adult court,” we cannot be sure that all respondents interpreted the question in the same way. Some may have interpreted the question with respect to the court proceeding, others with respect to the sanction, and still others with respect to both. Accordingly, we caution against making too much of the absolute percentages reported here and suggest instead that readers focus on the differences in responses as a function of the variables we manipulated experimentally. Because respondents were randomly assigned to the different scenarios, we can assume that any differences in the way in which the question was interpreted are distributed randomly across the scenario groups. Nevertheless, future research on the subject should take steps to define and “unpack” questions about trying juveniles as adults to assess public sentiment about adjudicating juveniles in adult court independently from public sentiment about exposing juveniles to adult sentences or sanctioning juveniles in adult facilities. Second, our effort only manipulated four specific characteristics, and the extent to which other characteristics may influence attitudes toward transfer to adult court remains an open question. Going forward, it will be of interest to examine how information regarding the sex and race of the offender influence public opinion about waiver policies; previous research indicates, for example, that African American perpetrators are viewed as more “adult-like” than their White counterparts (Graham & Lowry, 2004). Third, we only investigated two specific crime types in this study, and there are certainly other candidates worthy of investigation. It would be especially interesting to examine perceptions regarding the transfer to adult court in cases of drug distribution, an offense that funnels many juveniles into the adult system.

By and large, our results are consistent with those reported in other, non-experimental studies, which indicate that the public draws sharp distinctions between violent and nonviolent crimes. Our analyses indicate considerable public support for trying violent juveniles as adults, even in the case of 14-year-old first-time offenders; indeed, more than half of the respondents express either some or a great deal of support for trying *all* individuals in this category as adults. Similarly, our results indicate that the public has little

patience either for older offenders (even first-time, nonviolent ones) or for repeat offenders (even younger, nonviolent ones). Taken together, these findings indicate a public that is willing to give younger offenders who have made a first “mistake” a chance at rehabilitation in the juvenile system but only when they are perceived as not dangerous to the community.

In this regard, there is both consistency and inconsistency between the public’s view of the appropriateness of trying juveniles as adults and current policy and practice. To the extent that the public supports the adult prosecution of older, violent offenders, the public’s will is clearly reflected in the many state statutes that mandate that juveniles accused of serious violent crimes, such as aggravated assault, armed robbery, rape, and murder, be tried and sentenced as adults, especially in the case of offenders who are older than 14. However, more than half of all juveniles tried as adults are tried for drug, property, or public order offenses (Fagan, 1996), which clearly runs counter to public sentiment.

The results of this experiment confirm that the public’s attitudes toward the treatment of juvenile offenders are more nuanced than often portrayed by politicians, advocates, and quite frequently, public opinion researchers. Although the focus of this study was specifically on trying juveniles as adults, we suspect that the public’s view of other crime policy issues is similarly differentiated. Reasonable people can disagree about the extent to which public attitudes should influence policy making. But to the extent that public opinion is used to shape juvenile crime policy and practice, it is important that the way it is assessed and described fairly and accurately reflect the public’s view.

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Notes

1. There were no between-state differences with respect to reasons for ineligibility or refusal patterns and rates.
2. We are cognizant of the drop-off from the original random-digit dialing (RDD) total of 29,532 to the final sample of 2,282. Our calculation of the overall response

rate of 32% implies that of these 29,532, only about 7,132 were “eligible.” As stated above, about two thirds of those who were eligible refused to respond. The Council of American Survey Research Organizations has a standard method for estimating the eligible sample and hence the response rate—that allows for dropping unusable numbers such as business or fax machines; however, it does not allow for dropping those whose answering machines pick up, are never home, and so forth. Thus, some readers may believe that the underlying response rate is less than 32%. The study by Cohen, Rust, Steen, and Tidd (2004) claims a response rate of 58% using the method of this study when comparing only those who answered the phone to those who responded, and they report a 43% response rate when including all “eligible” respondents (including those who did not answer the phone, etc.). We believe that a 32% response rate, although not ideal, is acceptable, especially given the similarity in the demographics of the sample to the state-specific demographics. Still, given the growing use of cell phones and the fact that more and more respondents are now outside the sampling frame, this is a concern.

3. We recognize that there is a long literature with respect to public opinion regarding crime seriousness (Warr, 1995; Wolfgang et al., 1985) and that the general public does not always rank the same sorts of crimes as being more or less serious, especially over time. Nevertheless, there is sufficient agreement that violent crimes tend to be rated as more serious than nonviolent crimes, and our use of rape and theft fits into this research evidence.
4. One of the four states had to be chosen as a reference category, and there was no intentional reason as to why Washington was chosen in this regard.
5. Juvenile waiver policies are highly complicated and variable, yet the transfer provisions across the four states with respect to age boundaries were comparable (e.g., Illinois lower age = none, upper age = 16; Louisiana lower age = 10, upper age = 16; Pennsylvania lower age = 10, upper age = 17; Washington lower age = none, upper age = 17).
6. Investigation of OLS assumptions indicated no violations.
7. Interactions were computed by multiplying the specific survey permutations.
8. We did examine whether multicollinearity was a problem among our set of independent variables and did not find evidence of it. The largest correlation was between income and education ($r = .41$).
9. Although respondents were randomly assigned to the various scenario permutations, we checked to see if the scenario groups differed as a function of sex, race, ethnicity, conservative political philosophy, income, education, age, and rural living area. A series of bivariate analyses indicated that there were no differences on any of these demographic variables.

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Bios

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