Common Ground: What crime victims need from the juvenile justice system.

Executive Summary

“The overall effectiveness of the criminal justice system relies significantly on victims’ willingness and ability to participate in justice processes.” Pew Charitable Trusts

What do victims want from the juvenile justice system?

Victims in the juvenile justice system – like all victim groups – want to be informed, respected participants in the criminal justice system. They want past and ongoing harms they have experienced to be acknowledged; they want professionals in the system to be sensitive to their needs. More important to victims than punishment for its own sake, is accountability: they want the system to hold offenders accountable both for restitution and for rehabilitation. What victims actually experience in the juvenile justice system, however, stands in stark contrast.

A survey of Victims’ perspectives

The results from a series of focus groups with crime victims done on behalf of the Office of Victims of Crime found that crime victims have, overall, a negative experience with the juvenile justice system.

Five key themes emerged from victims. Firstly, they cited need for the system and personnel to acknowledge harm to victims. Surveyed crime victims report that juvenile professionals lacked understanding of the victimization experience and did not provide victims with information on the juvenile justice process.

Secondly, victims stressed the need for enhanced information on access to services, including the need for better information on the processes of the juvenile justice system, and the rights and roles of victims in that process.

Thirdly, victims want the tools to actively participate in juvenile justice proceedings. These tools include more information on opportunities for victims give input on how they were treated and the quality of the victims’ services that they had access to. These tools would also encompass more formal mechanisms to inform overall juvenile justice policy processes.

Fourthly, victims expressed their support for rehabilitation and restitution, with accountability. The Office of Victims of Crime survey showed that victims support efforts to rehabilitate youth, they are more than open to restorative justice, indeed they argue that the system should offer more restorative justice options and practices. Those surveyed saw rehabilitation and

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1 This is a summary of the literature survey collected by the National Center for Victims of Crime (NCVC), as of April, 2013. For the actual policy statements or research that was used to develop this summary, please see the draft literature survey prepared by NCVC. For a copy and to offer other literature the organization should review, please contact NCVC at info@ncvc.org.
alternatives linked to the overall accountability of the offender and the system, and to any restitution delivered.

Fifthly, victims argued that there are special challenges facing victims of juvenile crime that must be taken into account by the system. These challenges include, but are not limited to: increased trauma and vulnerability, reduced reporting by victims, reduced participation and opportunities for restitution, and more pronounced negative impacts on relationships where the victim and youth knew each other. Confidentiality (both for crime victims and for juveniles) is an additional special challenge cited by many victims.

Victims surveyed argued strongly that as a result of the unique challenges and issues involving juvenile crime, they should have formal opportunities to offer perspectives on the legal outcomes, the quality and quantity of the youth development and public safety services, and thereby have opportunities to inform the overall juvenile justice approach.

What are surveyed correctional perspectives?

Organizations in the correctional system who were surveyed echoed the need for a strong victim role in the juvenile justice system.

The American Correctional Association argued that the age of the offender should is no way mean that victims are discriminated against in terms of their ability to participate in and be informed on the justice system, and the American Probation and Parole Association stressed that more needs to be done to enhance victims services. The Office of Juvenile Justice and Delinquency Prevention put the view that the traditional debate between a retributive/punitive model of juvenile court versus those who advocate a traditional individual treatment mission have both failed to satisfy the needs of individual crime victims – as well ad the offenders and the wider community.

What are surveyed advocates perspectives?

Advocates who participated in the survey argue that fair treatment of both offenders and victims was essential to ongoing reform of the juvenile justice system.

The National Juvenile Justice Network and the Campaign for the Fair Sentencing of Youth both argued in favor of restorative system of justice that works for both offenders and victims. The CFSY noted that victims and survivors of serious crimes committed by youth endure significant hardship and trauma, and deserve to be provided with supportive services, and be notified about sentencing reviews related to their cases. “We believe in restorative practices that promote healing for the crime victims as well as the young people who have been convicted of crimes,” it said. The Partnership for Safety and Justice put the view that the system needs a “more balanced approach to public safety” alongside of increased social and community support for survivors of crime. The Pew Charitable Trusts Public Safety Performance Project also stressed the key role victims have to play in the overall policy and practice of the US juvenile justice system: “Crime victims and survivors have an integral role in America’s criminal justice system and efforts to promote individual and public safety, Pew said in its submission. “The overall effectiveness of the criminal justice system relies significantly on victims’ willingness and ability to participate in justice processes.”