Children become involved in the legal system in myriad ways, both as victims and offenders. Society faces a number of difficulties as it struggles to accommodate these children within the legal system. Law and policy must be informed by empirical evidence from theoretically sound research. The overarching premise of our book, Children as Victims, Witnesses, and Offenders: Psychological Science and the Law, is to identify how social science research can inform the creation, revision, interpretation, and implementation of laws and policy relevant to children.

The chapters in this volume, written by widely respected legal and social science scholars, examine a number of key questions currently at the intersection of psychology and law when children are involved in the legal system. For example, what are children’s capacities and competencies as witnesses and defendants? How are children vulnerable in the context of investigative interviews and interrogations? How do legal players such as jurors perceive child witnesses and child defendants? How does the legal system accommodate—or fail to accommodate—children’s special needs.
and rights? What should future research and policy goals be? What works in other countries and how can the United States learn from other justice systems? Thus, this book serves to increase awareness about a wide variety of issues in great need of theoretical, empirical, and legislative attention.

In this introductory chapter, we discuss a number of actual cases that underscore the theoretical and applied significance of the work reviewed in this volume. These cases illustrate the ways in which children and youth are involved with the law, both as victims and offenders. We hope these vivid depictions bring the important topics to life for the reader and set the stage for all the chapters that follow.

**CHILD VICTIMS**

The first part of our book addresses issues that arise when victimization ushers children into the legal system. Although reports of child physical and sexual abuse are decreasing across the nation (Finkelhor & Jones, 2006), child maltreatment is still a serious societal problem. For example, in 2006, children were abused or neglected at a rate of 12.1 per thousand children in the United States, resulting in an estimated 905,000 victims. These numbers are largely only representative of intrafamilial abuse and reports actually filed. Therefore, the true number of children facing abuse in the United States is likely much higher. Also, in 2006, an estimated 1,530 children died of abuse or neglect, at a rate of two children per 100,000 in the national population (U.S. Department of Health and Human Services, 2008). In many other countries, the rates might be much higher.

These statistics do not illustrate the complicated set of psychological issues that arise in individual cases of child abuse, nor do they convey the terrible consequences of individual cases. Consider this one case in particular, which illustrates the severity of child abuse and its devastating effects: The Los Angeles community, along with the nation, was shocked upon learning that a 5-year-old boy was hospitalized after being tortured and abused over a 2-year period by his mother and his mother’s girlfriend (City News Service, 2008). The young child was starved, repeatedly beaten, burned on his genitals, required to sit in his own urine and feces, and regularly forced to place his hands on a hot stove. Although relatives and neighbors were aware of the abuse, it was never reported until the boy told a stranger who inquired about the severe burns on his hands (Bloomekatz, Dimassa, & Blankstein, 2008). This 5-year-old boy is just one of many children who have faced abuse and will likely appear in the courtroom. A case like this leaves people both saddened and angry about the injustice done to an innocent child. How will this abuse influence the child? How will the case be handled in dependency and criminal court as the child must now recount
the abuse to authorities? Next, we discuss these and many other questions that arise after such crimes, questions that are addressed in the chapters of the first section of this book.

**Disclosing Abuse**

In the Los Angeles case, a significant concern is whether the boy will be willing and able to talk about the abuse. He disclosed the cause of his burns when asked by a stranger. What compelled him to do so? Will he disclose in the more formal context of a forensic interview? Or will he recant or deny the abuse in an attempt to protect his mother, despite her abusive behavior?

In Chapter 2, Thomas D. Lyon, a developmental psychologist and an attorney, explores factors that influence disclosure, recantation, and denial of abuse. He reviews disclosure research conducted with children as well as with adults who were abused as children. Lyon advises practitioners that although it would be wrong to assume that denial of maltreatment is an indicator that abuse actually occurred, it is also wrong to assume that denials always rule out abuse. Although Lyon focuses largely on child sexual abuse, many of the issues transcend such cases and apply to other types of child maltreatment as well.

**Trauma, Memory, and Suggestibility**

Two of the most actively researched topics in the study of child witnesses are children’s memory and suggestibility. For example, within the scientific community, there have been heated debates about the effects of trauma on memory, especially about whether special mechanisms (e.g., repression, dissociation) are involved in memory for traumatic childhood events. That is, maltreated children are often traumatized by their experiences, and some such children develop trauma-related psychopathology, such as posttraumatic stress disorder. The 5-year-old boy in Los Angeles surely suffered considerable psychological trauma. Will the trauma affect his memory of what occurred, if not initially perhaps years later? Andrea F. Greenhoot and Sarah L. Bunnell discuss trauma and memory in detail in Chapter 3. The authors review models of trauma memory as well as recent empirical studies of how children and adults remember traumatic events such as child maltreatment.

Scientists have also been motivated to study the accuracy of children’s memory for maltreatment and abuse as well as to study children’s ability to resist false suggestions that such events occurred. In legal cases, concerns are raised that child victims and child witnesses often fail to provide sufficient information for fact finders to make legal decisions. Concerns are also raised that children are easily led into false reports of child maltreatment or
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other crimes, even murder, through interviewers’ false suggestions. These concerns apply broadly, for example, to interviews by parents or teachers, to therapy sessions by clinicians, to formal child forensic interviews, and to formal courtroom testimony. Child age is consistently found to be related to the completeness and accuracy of children’s memory reports and to their resistance to false suggestions. In addition, a wide range of situational and individual difference factors influence children’s eyewitness testimony.

In Chapter 4, Iris Blandon-Gitlin and Kathy Pezdek focus on children’s eyewitness testimony; specifically, suggestibility, false memory, and individual differences are reviewed as they apply to the legal context. Factors that increase children’s accuracy as well as those that increase children’s errors are reviewed, and a discussion of individual difference factors (e.g., language ability, quality of attachment) that moderate accuracy/inaccuracy relations is also presented.

In Chapter 5, James M. Wood, Debbie Nathan, M. Teresa Nezworski, and Elizabeth Uhl discuss the lessons learned from forensic interviews and investigative practices in some of the most sensational child sexual abuse cases of the past few decades, in particular the famous McMartin Preschool case in which the children are widely believed to have been led into false reports of abuse. Problematic investigations such as this are far less likely to occur today given that practitioners in the field are adopting science-based interview practices. Karen J. Saywitz and Lorinda B. Camparo, in Chapter 6, identify and discuss improvements in child forensic interviewing over the last two decades. They describe state-of-the-art research-derived interview techniques and protocols for questioning children as well as multidisciplinary approaches to child abuse case investigation. Their call for a “holistic approach” to child interviewing that acknowledges that child interviews are embedded in a larger multisystemic infrastructure is of considerable importance.

Overall, understanding issues of disclosure, trauma, memory, and suggestibility is vital for clinicians, legal professionals, social workers, medical personnel, and laypersons (e.g., parents, potential jurors) who might be involved in child maltreatment cases. Moreover, the topics addressed tap vital theoretical issues of deep interest to scientists.

Children in Court

The 5-year-old boy in Los Angeles was placed in protective custody and removed from his abusive home. His case then went to the dependency division of the juvenile court system. The dependency courts hear cases of child abuse and neglect and determine the best interests of the child, such as whether the child should be returned home or placed in foster care. In Chapter 7, Jodi A. Quas, Alexia Cooper, and Lindsay Wandrey describe the
dependency court process and review recent research on children’s reactions to dependency court. They review research on children’s understanding of this unique legal intervention, children’s participation in dependency proceedings, and the effects of removal from home on maltreated children. As the authors point out, it is imperative to study children’s understanding of and ability to cope with dependency court so that the trauma of removal from home is not exacerbated by the legal system, in this case, by the very system designed to protect children from harm.

The boy in Los Angeles will also likely be involved in the criminal court system. His mother and her partner were criminally charged. In child physical abuse cases, the injuries sometimes speak for themselves, although even then the injuries might have to be linked to the perpetrators through the child victim’s testimony. This often requires the child to take the stand and submit to direct and cross-examination in open court. Testifying in court can be an emotional and confusing process for anyone; it can be especially difficult for children already traumatized by crime. In Chapter 8, Natalie R. Troxel, Christin M. Ogle, Ingrid M. Cordon, Michael J. Lawler, and Gail S. Goodman discuss child victims’ experiences in the criminal justice system. Specifically, Troxel and colleagues review the short- and long-term effects of legal involvement on child victims and describe special procedures for obtaining and presenting children’s evidence in criminal proceedings.

**Jurors and Experts in Legal Cases Involving Children**

In 2002, Alejandro Avila was sentenced to death for kidnapping, sexually molesting, and killing 5-year-old Samantha Runnion (CNN, 2002). As Samantha and her friend were playing outside of their apartment complex, Avila approached Samantha and asked her to help him find his dog. He then grabbed her and shoved her into his car. Samantha’s body was found less than 24 hours later on the side of a highway. Despite her youth, Samantha’s playmate, also 5 years old, provided invaluable information by describing the perpetrator and his car. In this case, a young child’s testimony was believed and used in the trial as evidence to convict Avila. He subsequently received the death penalty. A few years earlier, in 2001, however, Avila had been acquitted on charges of molesting two 9-year-old girls. Why did the juries consider the testimony of the 5-year-old girl (a bystander witness) reliable but the testimony of the 9-year-old girls (victim/witnesses) unreliable? Would expert testimony regarding the children’s disclosures of abuse and memory accuracy have changed the jurors’ perceptions of the child witnesses in the earlier trial? Distinguished legal scholar John E. B. Myers provides readers with an understanding of how the courts view expert testimony. He reviews common uses of psychological testimony related to child sexual abuse cases. Chapter 9 is essential reading for psychologists and oth-
ers who might be called to court to testify as experts in cases that involve child victims or witnesses.

As the Avila case reminds us, understanding jurors’ perceptions of children’s testimonies is crucial in cases involving children as victims or witnesses, especially in those with little or no physical evidence. In Chapter 10, Jonathan M. Golding, Emily E. Dunlap, and Emily C. Hodell elaborate on the ways jurors’ perceptions are affected by victim factors such as child gender, age, and race and juror factors such as gender. They also review research on the effects of expert testimony on jurors, providing an apt link to Chapter 9.

Perspectives on Child Victims and Child Witnesses

The first section of the book closes with two chapters that offer broad perspectives on issues of child witnesses in court. In Chapter 11, Kay Bussey provides an international overview of child witness research and legal reform. Protecting children on a global level requires understanding the nuances of culture, government, and history. Countries can benefit from exploring and understanding other cultures and worldviews as they consider their own laws regarding children.

Most countries have ratified international documents on children’s rights and protection. In practice, however, enforcement of treaty obligations can be difficult. In China, for example, despite its being a signatory to the United Nations Convention on the Rights of the Child, no formal child protection system exists (Hesketh, Hong, & Lynch, 2000). The complexity of child abuse in China is illustrated by the story of a 12-year-old girl named Ting-Ting Hongjie. In 2000, Ting-Ting’s father, Wang Hongjie, was given full custody of his daughter. From that time forward, Ting-Ting was denied education and was verbally and physically abused. Police confirmed that she never received medical attention for her injuries, which included broken bones, crushed fingers from pliers, and burned arms from scalding water. The police chief explained that “at the end of the day she won’t be able to prosecute her parents because parents are required to represent their children in court” (Jenkins, 2002). Kay Bussey describes cultural influences on legal systems and the difficulties that children face in the midst of maltreatment throughout numerous countries. She reminds us that accommodating child witnesses is predicated first on having systems in place for reporting child abuse and prosecuting perpetrators.

In Chapter 12, the closing chapter of the first part of the book, Bradley D. McAuliff provides both a legal and a psychological commentary on the child victim and child witness chapters. As an attorney and psychologist, he offers many valuable insights and reviews some of his own research, concluding that social scientists and legal professionals must work side by side
to ensure that children can participate in maltreatment proceedings effectively. He also reminds us that, through science-based policy change, society can have a positive impact on maltreated children’s lives.

CHILD OFFENDERS

The second part of *Children as Victims, Witnesses, and Offenders: Psychological Science and the Law* turns to issues that arise when children enter the legal system as offenders. One case in particular illustrates many such issues: As widely reported by major newspapers across the nation, in 1997, 11-year-old Nathaniel Abraham was arrested for fatally shooting Ronnie Greene (*People v. Abraham*, 1999). Taken from his fourth-grade classroom into police custody for questioning, Nathaniel admitted that he and a friend had been firing a stolen gun into trees when nearby Ronnie Greene was hit (Robinson, 1999; “Boy, 13, convicted,” 1999). Nathaniel was subsequently arrested and tried as an adult. The defense argued that Nathaniel had been shooting at trees when a bullet unfortunately ricocheted and hit Ronnie Greene in the head, and that Nathaniel was cognitively and emotionally impaired (as a result of both youth and learning disabilities) and, therefore, unable to form the intent to kill. The prosecution, however, claimed that Nathaniel planned to kill someone that day and bragged about it afterward. Ultimately, Nathaniel was convicted and, although eligible for an adult sentence, served time in a juvenile detention center until he turned 21 in 2007. As we elaborate herein, this and other cases demonstrate many of the topics addressed by authors in the second part of this volume.

How Children Become Offenders

What put Nathaniel on the path to the courtroom as a juvenile offender? Some factors evident in Nathaniel’s case include an overworked mother, an uninvolved father, a tough neighborhood, a lack of family supervision, and limited resources (Bailey & Audi, 1999). After Nathaniel’s father left his family, they struggled, and Nathaniel moved frequently and was often separated from his siblings. Perhaps as a result of these challenges, Nathaniel began acting out aggressively both at home and in school.

In Chapter 13, readers learn from Cathy Spatz Widom and Helen W. Wilson how these and other factors, such as a history of abuse or neglect, might increase the likelihood that a child will become aggressive and delinquent and consequently enter the justice system as a criminal offender. Clearly, it is important to understand factors that lead children to delinquency so that rehabilitation and prevention efforts can be well informed.
Police Interrogations and Juveniles’ Confessions

Another important question that arises—or should arise—whenever juveniles enter the legal system concerns whether they possess the level of competency required to navigate that system. Based on the belief that juveniles should be protected from their immaturity and inability to make certain decisions, our nation has adopted a number of paternalistic laws such as those preventing children and youth from driving, voting, marrying, and drinking alcohol. Yet when they are criminal suspects, juveniles are expected to be capable of making complex legal decisions that can significantly affect their lives.

Overall, juveniles’ rights to justice may be threatened by their developmental immaturity and diminished competencies, such as their inability to understand police interrogation procedures and their heightened suggestibility. When police use questionable tactics to interrogate juvenile suspects, especially young suspects who are actually innocent of crimes, there is considerable risk of miscarriage of justice. Juveniles’ heightened suggestibility puts them in particular danger of making false confessions (e.g., Redlich & Goodman, 2003). Consider Marty Tankleff’s case to understand the threat to justice posed by juvenile false confessions: As revealed by national news media, including The Chicago Tribune, The New York Times, and multiple episodes of CBS’s 48 Hours, 17-year-old Tankleff awoke to find his mother stabbed and bludgeoned to death and his father stabbed and beaten, barely alive. The lead detective, James McCready, spoke with Marty at the scene and, based on the feeling that Marty’s demeanor was odd, decided that he had killed his parents. Detective McCready explained in a 48 Hours interview that he first suspected Marty because he “was sitting calm as calm could be,” which violated McCready’s expectations that the boy should have been crying, shaking, and upset. On the basis of his impressions, Detective McCready took Marty to the police station, where he was questioned without legal representation. Marty maintained his innocence for 4 hours. Later, the detective told Marty that his father had identified him as the perpetrator. In fact, Marty’s father never regained consciousness. Confused and traumatized, Marty began to believe that it was possible he had committed the crime, even though he had no memory of it. He asked Detective McCready if he could have blacked out or if he could have been possessed, and McCready replied, “Marty, I think that is what happened to you.” A moment later, Marty stated, “It’s coming to me,” and McCready read Marty his Miranda rights (People v. Tankleff, 1993). Two minutes later, under the stress of having found his parents murdered a few hours earlier, the exhaustion of persistent and coercive interrogation, and the impression that his father had accused him of this heinous crime, Marty confessed and was charged with the murder of both of his parents. Although Marty
recanted almost immediately, refused to sign the confession, and begged to take a polygraph exam, the damage was done. Confessions are extremely persuasive evidence to jurors, who have trouble understanding why people would confess to a crime they did not commit. Marty was sentenced to 50 years to life in prison. After years of appeals arguing that his confession was false, a conclusion supported by psychological evidence, Marty’s conviction was overturned 20 years later.

The Tankleff case raises many interesting psychological issues surrounding suggestibility, interrogation tactics, and confessions, issues taken up in Chapter 14 by Allison D. Redlich and Saul M. Kassin. They consider juvenile suspects’ vulnerabilities during legal interrogations, the conditions that might induce juveniles to confess to crimes they did not commit, and individual difference factors such as background, suggestibility, maturity, and intellectual and emotional disabilities that can contribute to false confessions. Redlich and Kassin’s comprehensive review gives the reader much insight into understanding how people, especially vulnerable teenagers, could confess to crimes they never committed and, therefore, enter the legal system even though they are innocent.

**Children and Youth in Adult versus Juvenile Court:**
**To Punish or Rehabilitate?**

Whether falsely convicted or guilty, children and youth enter the legal system via one of two very different routes: (1) the adult criminal court system or (2) the juvenile or family court, which was designed for children more than 100 years ago. The former is becoming more common, as a consequence of juvenile waiver laws, which allow underage juveniles who are suspected of serious crimes to be automatically waived from the juvenile justice system to the adult criminal court system. Eleven-year-old Nathaniel Abraham, for example, was one of the first and youngest children to be charged and tried as an adult as a consequence of legislation enacted in Michigan in 1997. His case sparked national debates about whether children deserve the special protections offered by the rehabilitation-focused juvenile system or whether they should be sentenced with adult time for adult crimes. Judge Eugene Arthur Moore ultimately decided to keep Nathaniel in juvenile court, reportedly criticizing the Juvenile Waiver Law, arguing that the system should be less focused on punishment than rehabilitation to prevent the development of a criminal population in the first place (“Spared a Life Term,” 2000; Bradsher, 2000). Others agreed. Amnesty International chose Nathaniel Abraham’s face for the cover of a 1999 report claiming that our justice system is too harsh on juveniles (“Boy, 13, Convicted,” 1999).

These issues are taken up in detail by N. Dickon Reppucci, Jaime L. Michel, and Jessica O. Kostelnik in Chapter 15. Specifically, as context for
their discussion of juveniles’ competencies in a variety of domains that are central to the role of defendant and how psychology can assist the courts in the assessment of these competencies, they track the growing trend for juvenile offenders to be tried in adult criminal court instead of family or juvenile court. Reppucci and colleagues review the historical and sociopolitical background that spawned this movement and the implications of putting juveniles into a court system designed for adults. They explain how, since its inception, the juvenile justice system has focused on rehabilitating youthful offenders. They build a powerful, science-based argument that the current trend for harsher juvenile justice policies is misguided and that juveniles, at least those younger than 16, should not be treated as adults.

If juveniles are to be treated in a manner consistent with the goal of rehabilitation, then their cases should be heard in juvenile courts, where they are supposed to receive social and psychological services. There is much concern about the short- and long-term negative psychological effects resulting from juveniles’ experiences within the legal system and whether juvenile’s mental health needs are being met sufficiently in the juvenile system. The legal system failed to address Nathaniel Abraham’s needs in several ways, for example. First, although Nathaniel was suspected in many crimes before he was finally arrested for murder, he never received any assistance or counseling from the justice system (Bradsher, 1999). This was not the case of a neglected child who slipped through the cracks; Nathaniel’s mother claimed that she was repeatedly denied assistance when she asked for help from the police (Cooper, 1998; Bradsher, 1999). The police, however, claimed that they tried to get help for Nathaniel by notifying the prosecutor’s office about him and by asking the juvenile courts to place Nathaniel in its Youth Assistance Program (Bradsher, 1999). Regardless, Nathaniel’s needs were not addressed. Second, the treatment Nathaniel received at the detention center where he awaited trial (a center infamous for serious problems; Kurth & Jackson, 2000; Pardo, 2002) may have been inadequate, even after the judge ordered more therapy sessions. Some fear that the environment at such centers not only ignores youths’ mental health needs but also has the potential to inflict psychological damage. In fact, it appears that Nathaniel’s sentence did little to rehabilitate him. Only 1 year after his 2007 release from detention, Nathaniel was arrested on drug charges and sentenced to 93 days in jail.

All of these issues fall into the domain of therapeutic jurisprudence, the examination of whether and how the law can be helpful or therapeutic in the life of an offender. How can the mental health needs of juvenile offenders be met within the legal system? Is it possible to rehabilitate youthful offenders through treatment and services? In Chapter 16, Patrick Tolan and Jennifer Anne Titus take up this discussion by reviewing their and others’ work on the mental health needs of juvenile offenders. Specifically, these
authors review the harmful effects of juvenile defendants’ experiences in the legal system as well as the potential for policies and programs to address the mental health needs of juvenile offenders. Such knowledge is invaluable if we are to expect juveniles to exit the legal system with increased potential for contributing to society.

**Girl Offenders**

Girls account for more than one-quarter of all juvenile arrests in America (Federal Bureau of Investigation, 2002). Many psychologists have become interested in factors that have contributed to the increasing crime trend among young girls. As the reader learns from Widom and Wilson (Chapter 13), criminal behavior among girls is sometimes the consequence of their own experiences of abuse. For example, Tracie English was convicted of first-degree manslaughter after she shot and killed her father, who she claimed had sexually and physically abused her for most of her life (American Lawyer/Court TV Library Service, 1991). Several years later, however, the governor of Kentucky commuted Tracie’s sentence, and she was released on parole (Beattie & Shaughnessy, 2000). In 2007, she was given a full pardon along with several other women who had been convicted of killing their abusers (Kenning, 2007). Child abuse was also cited as a contributing factor in the case of 16-year-old Melinda Loveless, who brutally tortured and murdered 12-year-old Shanda Sharer. The Indiana Supreme Court declared that Melinda’s own sexual abuse and her witnessing of her sisters’ sexual abuse at the hands of their father should be considered mitigating factors in her sentencing, because those experiences “produce in the developing and dependent child a perverse view of human relationships which made her incapable of recognizing or responding to the pain of others” (Loveless v. State, 1994).

Of course, a history of child sexual abuse is not always the root of girls’ violent behavior. In Chapter 17, James Garbarino, Kathryn Levene, Margaret Walsh, and Sacha M. Coupet consider the complex constellation of social circumstances that lead to delinquency in girls. They elaborate on the plight of girls who are involved in the legal system as offenders, describe their pathway to crime, and discuss how their needs and circumstances are both different from and the same as those of boys. They provide an example of a treatment program that may be useful in getting girls back on track toward productive lives.

**Perceptions of Juveniles**

The ultimate outcome of a legal case will depend not only on actual guilt or innocence but also on the perceived guilt or innocence of a juvenile defen-
As just mentioned, Tracie English was convicted by a jury, who presumably did not find her credible. Yet she was pardoned by a governor who must have perceived the case facts differently. At Nathaniel Abraham’s sentencing hearing, the lead defense attorney commented that Nathaniel appeared much older at 13 years than he had as an 11-year-old boy whose prison uniform was too big for him when he was arrested (Robinson, 1999). Would Nathaniel’s sentence have been as harsh if he still appeared as young at his trial as when he was arrested? And beliefs about Marty Tankleff’s guilt were influenced by Detective McCready’s perceptions that he was not grieving appropriately.

Perceptions matter throughout a case: The perceptions formed by the first police to arrive at a crime scene determine the course of an investigation; the perceptions formed by prosecutors determine charges filed in a case; the perceptions formed by a judge determine whether a case is waived to adult court, the dispositions levied in juvenile court, and the sentences given in adult court; and the perceptions formed by jurors determine the verdict (and sometimes the sentence) in adult criminal court. In Chapter 18, Margaret C. Stevenson, Cynthia J. Najdowski, Bette L. Bottoms, and Tamara M. Haegerich provide the first comprehensive review of the new but growing body of psychological research on adults’ perceptions of child defendants in criminal court. They consider factors that can influence adults’ perceptions of juvenile offenders, including juveniles’ race, age, gender, history of abuse, and intellectual disability; jurors’ gender and preexisting stereotypes about juvenile offenders; and evidence and trial factors such as the presence or absence of confession evidence. It is important to understand these factors to appreciate the full spectrum of forces that can divert the course of justice in a case and to use this knowledge in planning interventions, such as modified jury instructions or extended voir dire.

International Perspectives on Juvenile Offenders

On August 19, 2008, Reza Hejazi was hanged in an Iranian prison for stabbing a man in a fight. Hejazi was only 15 years old at the time of the murder (Fathi, 2008). This execution was allowed under Iran’s Islamic law, wherein boys are punishable from the age of 15 and girls from the age of 9. Iran is a signatory to the International Convention on Civil and Political Rights and the United Nations Convention on the Rights of the Child, neither of which allow the execution of anyone younger than 18. The United States (in company with only Somalia) has not even signed the Convention on the Rights of the Child, and until very recently youth in the United States who committed crimes when they were younger than 18 years could be sent to death row.

Many countries have considered the human rights issues involved when
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children and youth commit crime, and internationally there are numerous models of legal approaches to juvenile offenses. Consideration of these systems is clearly needed as the United States and other countries strive for better policy to accommodate child offenders. John Petrila provides this global perspective in Chapter 19. He discusses international standards as well as recent international developments in juvenile justice, making it clear what the United States can learn from other countries and what other countries can learn from the United States in improving the legal response to offenses of children and youth.

Juvenile Offenders: The Big Picture

In the final chapter in the book, Christopher Slobogin provides an important legal perspective on juvenile justice that serves to integrate all prior chapters. He describes four ideal visions of legal response to juvenile offenders: the rehabilitative vision, the adult retribution model, the diminished retribution view, and the individual prevention vision. He then relates these visions to each of the chapters about juvenile offenders. This broad-thinking, legally sound commentary provides readers with a wealth of ideas about the implications that should be drawn from research and applied to legal practice and policy and about what is an appropriate agenda for future research that addresses ecologically valid questions of importance when children enter the legal system as offenders.

CONCLUSION

The cases we have described are only a few examples that illustrate the legal and psychological issues that arise when children and youth are involved in the legal system as victims, witnesses, and offenders. The legal system is complex and often challenging to negotiate, even for intellectually and emotionally mature adults. Numerous factors must be taken into account when working with child victims and child witnesses, such as the accuracy of their memory, their knowledge of the legal system, their emotional needs and level of comfort, and social (e.g., family) forces that surround the children. Similarly, child offenders must be understood in terms of why they offend and, when they do, their competency to navigate the legal system, including police interrogations and courts designed for adults. The issues we highlighted in this introduction are discussed further in the chapters to come, with each chapter providing psychological insights into potential solutions to difficulties that arise when children enter the legal system. Of course, our book cannot cover all of the issues relevant to child victims and child offenders. Much more research is needed to examine many additional issues
related to children’s involvement in the legal system, including their participation in dependency court hearings, effects of failed foster care, children’s psychological transformation from victims to offenders, and child victims’ increased risk for future victimization (e.g., Arata, 2000; Krinsky & Rodriguez, 2006; Widom, Czaja, & Dutton, 2008). Even so, this volume serves as a much-needed forum for information exchange among researchers and professionals interested in issues relating to children and the law and who share the goal of creating a deeper understanding of how the court system can better serve and meet the needs of child victims and child offenders.

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