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The Influences of Education, Antisocial Behavior, and Involvement in the Criminal Justice System on Adult Legal Understanding

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The Influences of Education, Antisocial Behavior, and Involvement in the Criminal Justice

System on Adult Legal Understanding

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Abstract

The current study examined the legal understanding and decision-making capacities of young adults compared to older adults. Furthermore, the current study examined these two age groups on the basis of a history of criminal justice involvement, antisocial behavior, and education level, in order to determine whether these variables also affect legal understanding and decision-making. One hundred and one subjects participated in this study, grouped by age into younger adults (18-34 years old) and older adults (35 years and older). The results of the current study found that participants with the lowest levels of education performed more poorly on the measure of legal understanding than subjects with higher levels of education. Adults with criminal justice system involvement were found to have lower levels of education and higher ratings of antisocial behavior than adults with no criminal justice system contact. Criminal justice contact was found to have no relation to legal understanding. Finally, there were no significant difference between the two age groups on education, antisocial behavior, and legal understanding, regardless of criminal justice contact. The findings of the current study demonstrate that contact with the criminal justice system, level of education, and antisocial behavior are related to legal understanding in significant ways that may impact adults in the community.

Keywords: Adolescents, Younger Adults, Older Adults, Criminal Justice System, Education, Antisocial Behavior

The influences of education, antisocial behavior, and criminal justice system involvement on
adult legal understanding

Age can normally be considered one of the main predictors of an individual's maturity and decision making skills. This is demonstrated clearly within the culture of the United States: age denotes when one can obtain a driver's license, purchase cigarettes, consume alcohol, and the exact point when a person is legally considered an adult. Research in the past decade has collectively shown that psychological immaturity is a contributing factor to juveniles' participation in crime, and that legally, juveniles should be treated separately from adults by the courts (Scott, Duell, & Steinberg, 2018).

In 2004, the American Psychological Association and the Missouri Psychological Association submitted a brief to the U.S. Supreme Court in the case of *Roper v. Simmons* (2005). This brief presented empirical evidence on developmental characteristics of late adolescents in order to assist the court in determining whether the death penalty constitutes cruel and unusual punishment for juveniles (apa.org, 2015). The brief also examined other developmental characteristics such as juvenile's impulsivity, risk-taking, less mature decision-making and vulnerability to coercion and false confession. With the assistance of this brief, the court ruled that executing juvenile offenders who committed a crime before turning 18 was in fact "cruel and unusual punishment" and thus banned the use of it for this group.

The United States (US) criminal justice system assumes that an individual is fully autonomous and capable of making legal decisions at the age of eighteen, so much so that it is the age where one is treated and sentenced as an adult, despite several studies suggesting that neural development may not be complete until well into an individual's late twenties (Hudspeth & Pribram, 1990; Giedd et al., 1999; Johnson, Blum, & Giedd, 2009). To impose such a strict and all-encompassing standard for legal punishment fails to acknowledge the developmental

differences between different groups in the US, as well as individual differences in psychological maturity once an individual surpasses the age of eighteen (Gillen, 2006).

Aside from the research on individual neurodevelopment, research examining deficits in legal understanding has been performed across juveniles and young adults in order to determine discrepancies of legal understanding between age groups. Research on the cognitive abilities of young people in relation to legal understanding has focused on two aspects: knowledge of particular legal principles, processes, or roles, and the decision making process based on that knowledge (Peterson-Badali & Amramovich, 1993).

There is agreement within the legal community that cognitive and emotional maturity must be present if one is to meaningfully participate in the legal system (Peterson-Badali & Amramovich, 1993). An example of this is that the majority of instruments designed to assess legal competency examine factual knowledge of the legal system and an individual's reasoning processes. A comprehensive understanding of one's legal rights is foundational to justice being fairly served, however, many individuals who are accused of crimes may not have an accurate understanding of their legal rights, even if they are considered fully mature by the legal system. Although the existing research demonstrates a general trend of legal understanding increasing as individuals get older, one study found that young adults were equally as likely as children and adolescents to misunderstand the concept of pleading not guilty (Peterson-Badali & Amramovich, 1992).

This same study found that areas of legal knowledge that were problematic for children posed considerable difficulty for young adults, and that there were some areas in which legal misconceptions were actually more prevalent for young adults than for children (Peterson-Badali & Amramovich, 1992). These findings prompt the need for further research into the deficits of

legal understanding in adult populations. It is also important to note that much of the existing research on this topic is between one and two decades old, demonstrating the significant need for more current research on legal understanding.

Another study examined the standard for legal competency previously defined by the *Dusky v. U.S.* supreme court case, which states that a defendant must be “able to assist his or her attorney with a reasonable degree of rational understanding, and, further, have a rational as well as factual understanding of the adjudicatory proceedings,” (*Dusky v. U.S.*, as cited in Poythress, Lexcen, Grisso, & Steinberg, 2006, p. 75). This study found that although legal competency related abilities, including understanding of legal proceedings, generally increased with age, there was not a significant difference in these abilities between the 16-17 year old juvenile group and the 18-24 year old young adult group (Poythress, Monahan, Bonnie, Otto, & Hoge, 2002). The implications for this may be important to consider; If there is no difference between the older adolescent and young adult groups, it is necessary to consider an additional comparison group of older adults. It may be that younger adults and older adults differ in their understanding of the legal system as well.

Education and Legal Understanding

It can be expected that, no matter the age of an individual, much of the knowledge required for competent participation in the legal process is not likely to exist in an individual’s initial knowledge base (Peterson & Abramovich, 1992). Therefore, it is imperative to explore the relationship between legal understanding and other relevant risk factors. A number of other factors aside from age and neural development have been empirically shown to influence legal understanding and competency across juveniles and young adults.

Redlich, Silverman, and Steiner (2003) looked at juveniles’ and young adults’ ability to

stand trial, and the relationship of their age, suggestibility, grades in school, and police involvement to their legal knowledge. The study examined grades in school as a factor that could possibly influence legal understanding and decision making. Redlich and colleagues (2003) found that that grades in school were strong predictors of competency to stand trial, in that those with higher grades in high school were more likely to be considered competent. It is important to note that this study did not include a comparison group of older adults to determine if this pattern continued into older adulthood.

A study done by Cox and Zapf (2004) examined 466 adult defendants referred for competency evaluations and reported several demographic variables that they found were related to legal competency. The authors found that, in comparison to defendants found to be competent to stand trial, those who were found to be incompetent were more likely to be older and to have only completed less than or up to tenth grade. The findings of the study done by Cox and Zapf (2004) also show that in their sample of defendant's, who were all criminally involved, the overwhelming majority (70%) had received a high school education or less. The present study will examine whether education level is significantly related to involvement with the criminal justice system.

Interestingly, a study conducted by Cooper and Zapf (2003) on 75 individuals in a psychiatric inpatient unit found that education level was not associated with legal competency, which is inconsistent with the findings of previous studies. However, Cooper and Zapf's study used a sample in which only 50% of the participants had completed eleventh grade or higher, which may have influenced the results. Regardless, the inconsistencies in these findings require further examination in order to determine the degree to which education status is related to legal understanding and reasoning across age groups.

Antisocial Behavior and Legal Understanding

Antisocial behavior patterns have been shown to strongly predict criminal behavior, and this pattern has remained consistent for defendants found incompetent to stand trial (Schreiber et al., 2006). One study done by Schreiber et al. (2006) showed that out of 266 defendants found incompetent to stand trial, 70% had committed violent offenses. This may suggest a connection between a lack of legal understanding and a tendency to behave violently. The same study found that the majority of individuals who were found incompetent and had been charged with a violent crime had an extensive history of prior arrests. It seems possible that there is a relationship between being found incompetent to stand trial, violent behavior, and number of prior arrests (Schreiber et al., 2006). The goal of the current study was to further explore this relationship.

It is important to note the established trends between antisocial behavior and age as it relates to the criminal justice system. Previous research has shown that juveniles are more likely to engage in antisocial and risky behavior, such as drug and alcohol use and criminal activity, than adults. Recently, research has shown that 18-21 year old young adults are more similar to juveniles in their impulsivity, particularly during moments of emotional arousal, than they are to older adults (Cohen et al., 2018).

It has also been shown that young adults engage in antisocial behaviors, including involvement in criminal activity, more frequently than older adults (Scott, Duell, & Steinberg, 2018). The possibility that these risky behaviors are a product of psychological and social immaturity, as opposed to purely neural development, raises the question of whether young adult offenders should be considered equal to juveniles within the legal system, in terms of reduced culpability for their actions and potential for rehabilitation (Scott, Bonnie, & Steinberg, 2018).

Prior Criminal Justice Involvement and Legal Understanding

Warren et al. (2006) examined 8,416 forensic evaluations of competency to stand trial and found that defendants who had been found incompetent to stand trial were less likely to have prior convictions than defendants who were found competent. However, a study done by Redlich et al. (2003) on young adults and juveniles found contradicting results, showing that there was not a significant relationship between contact with the police and legal understanding.

It is important to note that although these two studies (Warren et al., 2006; Redlich et al., 2003) examined different populations (one clinical and one criminal justice involved) the contradicting results suggest the need for further research in order to clarify this relationship. Another study looking at defendants who were found incompetent showed that these defendants had extensive histories of prior arrests (Schreiber et al., 2006). Out of 266 defendants found incompetent to stand trial, only 34 of them had not previously been arrested, and the median number of arrests for those individuals who had been arrested before was seven.

Further supporting the relationship between prior criminal justice involvement poor legal understanding are the results from two additional studies (Grisso, 1981; Saywitz & Jaenicke, 1987). These two studies found that individuals who have had prior contact with the legal system actually have poorer understanding of legal concepts than individuals without prior contact. Further research on how prior criminal justice system involvement affects legal understanding is needed to clarify these discrepancies in previous research. The current study attempted to address these discrepancies and examined them across age groups.

The Current Study

There is currently no research (to our knowledge) designed to specifically compare the

relevant risk factors for reduced legal decision-making capacities of younger adults and older adults. One of the goals of the current study was to look at risk factors that may affect legal understanding abilities, specifically the factors of age, education level, prior criminal justice involvement, and individual antisocial behavior. A large portion of the existing research on legal understanding and decision making focuses specifically on adolescents compared to young adults. These studies are informative, but they tend to lack comparison groups of older adults.

Competence risk factors need to be assessed in the context of these different samples in order to understand their magnitude. Fogel, Schiffman, Mumley, Tillbrook, and Grisso (2013) reviewed publications from 2001-2010 that were relevant to assessments of competence to stand trial. Their discussion on empirical correlates of competence judgments and psycho-legal capabilities revealed mixed results. Thus, it is necessary to address these mixed results in the existing literature.

The current study examined relevant risk factors for legal understanding across two age groups: younger adults (18-34) and older adults (35 years old and older). The benefit of using comparison groups of both younger and older adults is to determine the magnitude of the difference between decision making capabilities of these groups. Previous research has focused mainly on comparing adolescents to young adults, therefore comparing young adults to older adults may demonstrate the magnitude of these risk factors at different developmental timepoints.

Based on the findings by Cox and Zapf (2004) that incompetent defendants are more likely to have received no more than a high school education, we hypothesized that adult participants with the lowest levels of education would perform more poorly on the measure of legal understanding than subjects with higher levels of education. Additionally, we hypothesized

that adults with criminal justice system involvement would have lower levels of education, higher ratings of antisocial behavior, and lower scores on measures of legal understanding than adults with no criminal justice system contact. Finally, we hypothesized that young adults with criminal justice system involvement would have lower levels of education, higher ratings of antisocial behavior, and lower scores on measures of legal understanding than older adults with criminal justice system involvement and both young adults and older adults without criminal justice system contact.

Method

Design

A quasi experimental design was used to examine the interactions between the independent variables of education level, criminal justice system involvement, and antisocial behavior, and the dependent variables of legal understanding. Participants were assigned to one of two separate groups based on their age: younger adults (18-34 years old) and older adults (35 years old and older). Data was analyzed using a Pearson correlation to determine the relationship between education level and legal understanding. Next, a multivariate analysis of variance was run to evaluate the relationship of criminal justice involvement with education level, antisocial behavior, and legal understanding. Finally, a multivariate analysis of variance was run to evaluate the interaction between age and criminal justice system on the risk variables.

Participants

One hundred and twenty one individuals from the community of a large north eastern metropolitan city were recruited for participation in the current study. Participants were recruited via craigslist.org in order to obtain a diverse sample. Survey results from twenty five subjects were excluded due to incomplete answers, leaving ninety-six participants. The comparison

groups were those 18-34 years old who reported previous arrest/conviction history (N=17), 18-34 years old who did not report previous arrest/conviction history (N=23), participants 35 years old and older who reported previous arrest/conviction history (N=29), and participants 35 years old and older who did not report previous arrest/conviction history (N=26).

The participants in this study had education levels ranging from tenth grade to education beyond college. The average education level was 13.2 years, or some college. Fifty three of the participants identified as male (43%), while fifty six identified as female (44%), and the remaining thirteen participants identified as a gender other than male or female or chose not to disclose their gender (13%). Participants varied racially (18.2% White, 41.3% Black, 12.4% Latino, 3.3% other). Assessments of psychosocial maturity and legal competence lasted approximately 15-20 minutes each and interviews lasted approximately an hour overall. Participants were compensated \$20 for their involvement in the study.

Measures

Self-report measure of delinquent behavior and antisocial behavior.

A self-report measure of delinquent behavior was presented on Qualtrics and was used to assess previous arrest/conviction history, symptoms of antisocial behavior, as well as criminal behavior the participant was never arrested for (Elliot, Huizing, & Menard, 1989). Subjects were asked to report how often they had engaged in thirty antisocial behaviors, ranging from never, seldom, sometimes, fairly often, and often. An example item on the questionnaire was “Attacked someone with the idea of seriously hurting or killing him or her”. A summary score based on the sum of ratings for each item was computed.

Plea comprehension measure.

Redlich and Summers' (2012) Plea Comprehension measure was presented on Qualtrics

in order to assess participant's legal understanding and decision making. The questionnaire consists of statements about the definition of a guilty plea, what a plea bargain entails, and what can happen if people do and do not do everything they are supposed to do as a condition of pleading guilty. One example item states, "It is legal for prosecutors to lie to defendants during plea discussions." Participants were asked whether the statements presented were true, false, or they did not know. Each answer was scored as correct or incorrect and "don't know" answers were scored as incorrect. Participants were then presented with a series of legal vignettes and asked questions about what they thought the individual in the vignette should do. A summary score was then created by summing the 40 correct-incorrect scores. Redlich and Summers (2012) reported the Cronbach's alpha for the Plea Comprehension measure was .82.

Demographics

Participants were asked to report their gender, age, race, highest level of education, their current living arrangement (who they are living with), and who within their current living situation has the highest level of education.

Procedure

Participants were recruited from Craigslist.org. Participants responded to advertisements on Craigslist via email (Appendix A) and were scheduled an individual hour-long time slot to participate in the study. Participants completed the study in a lab space at a small university in a large metropolitan city. Individual time slots were scheduled and run by student research assistants. The entire study was completed on a desktop computer with the research assistant supervising. Participants were provided with an informed consent and informed that their responses within the study would be anonymous. Participants were informed at the beginning of the study that they would be compensated with \$20 in cash. Each participant was assigned a

number in order to ensure anonymity.

Participants were then asked to take a survey on Qualtrics consisting of the Plea Comprehension Measure and the Self report measure of delinquent behavior and antisocial behavior (Elliot, Huizing, & Menard, 1989; Redlich & Summers, 2012). Finally, participants were asked to provide demographic information. The duration of the study was approximately one hour. Participants were given \$20 in cash upon completion of the study and dismissed.

Results

Hypothesis 1.

A Pearson product-moment correlation was calculated to test the first hypothesis that participants with higher levels of education would score higher on measure of legal understanding. Results of the correlation indicated there was a significant positive relationship between education and legal understanding, $r(99) = .27, p = .007$.

Hypothesis 2.

A multivariate analysis of variance (MANOVA) was conducted to test the hypothesis that adults with criminal justice system involvement would have lower levels of education, higher ratings of antisocial behavior, and lower scores on measures of legal understanding than adults with no criminal justice system contact. Results revealed there was a significant multivariate main effect, $F(3, 90) = 4.03$, Wilks' $\lambda = .01$, Partial $\eta^2 = .12$. The univariate analyses revealed a main effect of criminal justice involvement on antisocial behavior scores such that participants who reported prior criminal justice involvement scored higher on the measure of antisocial behavior ($M = 43.05, SD = 4.06$) than did participants who did not report prior criminal justice involvement ($M = 37.89, SD = 4.06$).

Additionally, univariate analyses revealed there was a significant main effect of criminal

justice involvement on reported education level, $F(1,92)=9.8$, $p=.002$, partial $\eta^2=.097$.

Participants who reported prior criminal justice involvement reported a significantly lower level of education ($M = 12.6$, $SD = 2.26$) compared to participants who reported no prior criminal justice involvement ($M = 13.69$, $SD = .75$).

However, there was no significant difference in legal understanding for individuals who reported prior criminal justice involvement and those who did not, $F(1,92)=.53$, $p=.088$, partial $\eta^2=.001$. The results supported the hypothesis that participants with prior criminal justice involvement would have higher levels of antisocial behavior and lower levels of education than individuals without prior involvement. The results did not support the hypothesis that individuals with prior criminal justice involvement would have lower scores on the measure of legal understanding than those without prior involvement. Participant mean scores are represented in Table 1.

Table 1. *Mean Scores for Participants With and Without Criminal Justice Involvement*

	Antisocial Behavior	Education	Legal Understanding
Criminal Justice			
Involvement	43.05**	12.60**	34.14
No Criminal Justice			
Involvement	37.89**	13.69**	34.29

** $p < .05$

Hypothesis 3.

A MANOVA was run to test the hypothesis that young adults with criminal justice system involvement would have lower levels of education, higher ratings of antisocial behavior,

and lower scores on measures of legal understanding than older adults with criminal justice system involvement and both young adults and older adults without criminal justice system contact. Results showed there was no significant difference between reported antisocial behavior ($F(1,90)=.24, p=.63, \text{partial } \eta^2=.00$), education level ($F(1,90)=1.26, p=.27, \text{partial } \eta^2=.01$), and legal understanding ($F(1,90)=1.71, p=.194, \text{partial } \eta^2=.02$) for younger adults compared to older adults.

Additionally, the interaction between age and criminal justice involvement was not significant for the dependent variables of reported antisocial behavior ($F(1,90)=.14, p=.47$), legal understanding ($F(1,90)=.52, p=.71$), and education level ($F(1,90)=.25, p=.62$). The hypothesis was not supported by the results of the MANOVA. Participants mean scores are represented in Table 2. Implications of these findings are discussed in the following section.

Table 2. *Mean Scores for Young and Older Adults With and Without Criminal Justice Involvement*

	Antisocial Behavior	Education	Legal Understanding
Younger Adults	41.13	12.93	33.84
Older Adults	39.84	13.33	34.51
Younger Adults with Criminal Justice Involvement	42.66	12.47	33.84
Older Adults with Criminal Justice Involvement	43.28	12.70	34.31
Younger Adults with No Criminal Justice Involvement	39.60	13.39	33.84
Older Adults with No Criminal Justice Involvement	36.37	13.96	34.70

Discussion

The current study investigated the relationship between education level, antisocial behavior, and legal understanding for young adults compared to older adults. Participants were also grouped by whether or not they had prior contact with the criminal justice system in order to examine the relationship between the relevant risk factors, contact with the criminal justice system, and legal understanding. The purpose of the study was to understand what risk factors may have an effect on legal understanding and decision making in younger adults compared to older adults in order to help understand any significant differences in functioning between younger adults and older adults.

It is important to note that the majority of previous research on this topic has used competency evaluations to assess legal understanding in a clinical population (Poythress, Monahan, Bonnie, Otto, & Hoge, 2002; Redlich, Silverman, & Steiner, 2003; Cox & Zapf, 2004; Cooper & Zapf, 2003). Although the measures used in the current study incorporate both a rational and factual understanding of the legal system, they are in no way equivalent to the measures used to declare someone incompetent to stand trial. However, because the participants of the current study were recruited from the community, there may be important implications within the findings of the current study for the legal understanding and decision making abilities of the broader population. The results of this study are likely to be more generalizable to other populations and the broader community than in comparable studies that use a clinical or criminally involved sample.

The results from the test of the first hypothesis found a significant positive relationship between education level and legal understanding, indicating that as education level increases, plea comprehension and ability to make correct judgements on legal vignettes also increases. The

sample used in the current study had an average education level of 13.8 years of school, or “some college”. This is a higher education level than those found in the majority of samples used in previous studies conducted on this topic, which have mainly consisted of clinical or correctional samples (Cox & Zapf, 2004; Cooper & Zapf, 2003). This is likely due to the fact that the current sample included both younger and older adults, and because a higher education level is more likely to be reflective of the education level found in the general population.

It is important to note that despite the higher average level of education within the sample, the results demonstrated a significant relationship between education level and legal understanding. Adults with a lower level of education may be at risk for poor legal understanding and decision making, despite their age and mature neural development. This finding may hold important legal implications, as education is not a factor that is often considered in adults who interact with the criminal justice system, but it may be a factor that influences their rational and factual understanding of the legal system, and their ability to make appropriate decisions when interacting with the legal system.

One example of this is within the context of plea bargains, a topic which was directly addressed in the measure of legal understanding used in the current study. Many individuals fail to comprehend the concept of pleading guilty or pleading not guilty, and this is a pattern that has been shown to continue into young adulthood (Poythress, Monahan, Bonnie, Otto, & Hoge, 2002). This is not a pattern that has been examined in a sample including older adults to our knowledge, and the results of the current study show that adults who have lower levels of educational attainment, such as those who dropped out of high school or did not pursue higher education, may be equally at risk for misunderstanding a plea deal as juveniles.

This may be connected to the findings of the second hypothesis, that individuals who had

prior criminal justice involvement had significantly lower levels of education (on average about one year less) compared to individuals without prior criminal justice involvement. Individuals in the current study who reported prior criminal justice involvement had on average completed high school ($M=12.6$ years of education), while individuals without prior criminal justice involvement had on average some years of college education ($M=13.7$ years of education). Cox and Zapf (2004) found that individuals who had not completed high school were more likely to be found incompetent to stand trial, therefore the relationship between graduating high school, legal understanding, and criminal justice involvement should continue to be explored in future research.

The results of the current study additionally found that participants who reported prior criminal justice involvement had significantly higher levels of self-reported antisocial behavior than individuals without prior criminal justice involvement. While this finding may seem fairly commonsensical, it has important implications for several reasons. It may be assumed that juveniles who report antisocial behavior are going through a rebellious teenage phase or are being influenced by their peers or even the media surrounding them. These same explanations are not awarded for adults, although the behaviors may have continued in the same individual from their teenage years, when they were more excusable or able to be rehabilitated.

The finding that individuals who have had contact with the criminal justice system have higher levels of antisocial behavior may be representative in part of behaviors learned while incarcerated or behaviors that lead to arrest or incarceration. Either way, it suggests an opportunity where a behavior may be addressed through mental health or behaviorally focused treatment in order to prevent the outcome of contact with the criminal justice system. This could also be examined in the context of recidivism in a further study, in order to prevent those who

have had contact with the criminal justice system from having further contact due to their continued antisocial behaviors.

Additionally, because this study used a sample of community members, it is important to examine the reported antisocial behaviors of individuals who did not have contact with the criminal justice system. The results indicated that although the reported level of antisocial behavior was significantly lower for individuals who did not report prior criminal justice involvement, it was not the case that those individuals had never engaged in antisocial behavior. It would be interesting to examine this further by exploring what factors protected these individuals from coming in contact with the criminal justice system despite their antisocial behaviors.

The final hypothesis set out to examine whether young adults with criminal justice system involvement had lower levels of education, higher ratings of antisocial behavior, and lower scores on the legal understanding measure than older adults with criminal justice system involvement and both young adults and older adults without criminal justice system contact. The results showed no significant differences on education level, antisocial behavior, or legal understanding between younger and older individuals, whether or not they had been involved in the criminal justice system.

One possible explanation for this is that the younger adults in the sample had achieved higher levels of education than the older adults, and due to this, they had higher scores of legal understanding (as was shown in the results from the first hypothesis). Additionally, because the sample was representative of the larger community, there may not have been a significant number of younger individuals who had prior criminal justice involvement. This would not be the case if the sample was from a clinical or criminally involved sample.

Due to the age range of the sample in the current study, younger adults were defined as 18-34 years of age, while older adults were 35 years of age and older. The large range of the older age group may have influenced the findings, as individuals who are significantly older may have completed more schooling past the expected time frame or reported fewer antisocial behaviors, as they participated in those behaviors when they were much younger and chose not to disclose. Previous research on this topic has defined a sample of young adults up to the age of 25, so the results of the current study may be influenced by the young adult group including participants up to 34 years of age.

Additionally, the finding that there was no significant difference between younger and older adults who have prior criminal justice involvement and those who do not on legal understanding, education level, and antisocial behavior demonstrates that these are risk factors that may be present in a wide variety of individuals, and that they may not decrease as individuals age.

The results of the current study show that legal understanding and decision making abilities are not significantly better for older adults who have never had prior criminal justice involvement than for young adults who have been arrested before. A young adult who has interacted with the criminal justice system may engage in no more antisocial behaviors than an older adult who has never come into contact with the system. The lack of significant findings regarding this hypothesis certainly warrants future research into the relationship between age, criminal justice involvement, antisocial behavior, and legal understanding.

Future Research

The results of the current study leave unanswered questions for future research on this topic to explore. It would be interesting to replicate this study with a clinical or criminal

population so that researchers do not have to rely on participant self-report of legal experiences and antisocial behaviors. It would also be interesting to use similar measures as those used in the current study to examine if and how they are related to different types of criminal offenses. An example of a possible research questions might be: how do age, antisocial behavior, and prior criminal justice involvement related to the type of offense that an individual commits?

Limitations of the Current Study

Possible limitations of the current study include a lack of participants in the criminal justice system involved group. Participants were self-reporting previous experiences and there is stigma associated with having prior involvement with the criminal justice system, therefore they may be less likely to report prior involvement. This may also be the case with individuals reporting their antisocial behaviors.

Because participants were recruited from the community via craigslist, as opposed to a clinical or criminal population, there is also a smaller chance that participants viewing and responding to the craigslist ads have had prior contact with the criminal justice system. One solution to this that could be implemented in future research would be to recruit participants from a parole program or another criminal justice program to ensure that the criminal justice involved group was larger. Data from several participants was excluded from analyses due to incomplete survey answers. Additionally, mean substitution for legal understanding score and antisocial behaviors was implemented for some participants for the purpose of analysis.

The sample of the current study was on average of an older age than samples used in previous research. In order to run the analysis for this study, we chose to include individuals aged 18-34 in the younger adult group, as opposed to using 25 years old as the cutoff age, due to the skewed age range. This may have directly influenced the results of the final hypothesis, as

some may not consider 25 years and older as younger adults. In future research, this should be avoided by recruiting more individuals in the 18-25 year old age range, in order to understand how the risk factors for poor legal understanding are conceptualized in younger adults.

Another limitation of the current study is that legal understanding is measured by plea comprehension and vignette decision making, which does not encompass multiple aspects of the legal system. Operationally defining legal understanding by the score on the legal understanding measure may misrepresent how well participants actually understand the legal system by only asking questions about pleas.

Future research may remedy this by including a measure that asks participants about other aspects of the legal system. It is also important to note that the majority of existing research focuses on legal competency, and while one component of competency is an understanding of the legal system, there may be inconsistencies with the internal validity of studies who use measures of legal understanding compared to studies who examine defendants incompetent to stand trial. This may be remedied by the development of future measures to better examine legal understanding in community samples.

The results of the current study show that education, antisocial behavior, and prior criminal justice involvement influence legal understanding in a community sample of adults in ways that may be clinically relevant. The findings of the current study and future research on this topic may be able to influence policy, prevention, and treatment efforts for adult individuals who have both been involved with the criminal justice system or who are at risk for future involvement.

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Appendix A

Online Advertisement of the Study

Are you 18 years old or older?

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