CHAPTER OBJECTIVES

After reading this chapter you should:

1. Be familiar with the problems of youth in American culture.
2. Be able to discuss the concept of adolescence and risk taking.
3. Develop an understanding of the history of childhood.
4. Be familiar with the concept of parens patriae.
5. Be able to discuss development of a special status of minor offenders.
6. Know what is meant by the terms juvenile delinquent and status offender.
7. Be able to describe the differences between delinquency and status offending.
8. Be able to discuss what is meant by parental responsibility laws.
9. Be familiar with juvenile curfew laws.
10. Identify the efforts being made to reform status offense laws.
There are now more than 70 million children under age eighteen in the United States many who share some of the same problems as Aaliyah. Though, down from a peak of 36 percent at the end of the baby boom, in 1964, minors still make up more than 25 percent of the population.1 Children are projected to remain a substantial percentage of the total population, expected to reach 80 million or about 24 percent of the population in 2020.2 The present generation of adolescents has been described as cynical, preoccupied with material acquisitions, and uninterested in creative expression.3 By age eighteen they have spent more time in front of a television set than in the classroom; each year they may see up to one thousand rapes, murders, and assaults on TV.

CASE PROFILE

Aaliyah Parker ran away from home at the age of seventeen. She struggled with family issues and felt she could no longer live with her mother, stepfather, and younger siblings in their California home. Arriving in Colorado with no family support, no money, and no place to live, she joined other runaway adolescents, homeless on the streets. Aaliyah began using drugs and was eventually arrested and detained at a juvenile detention center for possession of methamphetamine and providing false information to a police officer. At only five feet, seven inches tall and weighing only ninety-five pounds, Aaliyah was an addict—her health and quality of life were suffering greatly.

When Aaliyah entered the juvenile justice system she was a few months from turning eighteen. Due to issues of jurisdiction, budget concerns, and Aaliyah's age, system administrators encouraged the case worker assigned to Aaliyah to make arrangements for her to return to her family in California. After interviewing her at length about her situation and need for treatment, the case worker could see that Aaliyah had a strong desire to get her life back on track. She needed assistance, but the cost of her treatment would be over three thousand dollars per month, and the county agency's budget was already stretched. Despite objections from administrators, the case worker remained a strong advocate for Aaliyah, convincing them of the harsh reality she would face back at home without first receiving drug treatment. The case worker's advocacy on her behalf, combined with her own motivation to get her life together, compelled the department to agree to pay for Aaliyah's treatment program, but only until she turned eighteen. She was transported from the juvenile detention center to a ninety-day drug and alcohol treatment program where she was able to detoxify her body and engage in intensive counseling. The program also provided family therapy through phone counseling for Aaliyah’s mother, allowing the family to reconnect.

Despite this renewed contact, returning home was not an option for Aaliyah.

Nearing the end of the program, Aaliyah was again faced with being homeless, but she was determined not to return to the streets. She needed an environment where she could make new friends who did not use drugs, and where she could be supported in her sobriety. Because of her age, the county department of human services had to close the case and could no longer assist her with housing or an aftercare program. The case worker provided Aaliyah with some places to call, but she would have to be her own advocate.

Aaliyah contacted a group home run by a local church that takes runaway adolescents through county placements and provides a variety of services for clients and their families. In Aaliyah’s case, no funding was available, so she contacted the therapist at the group home and explained her situation. Initially, they indicated that they would not be able to assist her, but Aaliyah was persistent and determined to find a quality living environment for herself. She continued to contact professionals at the group home to plead her case and was eventually successful. Aaliyah entered the group home, was able to get her high school diploma, and eventually enrolled in an independent living program that assisted her in finding a job and getting her own apartment. Aaliyah has remained in contact with her juvenile case worker. Although she has struggled with her sobriety on occasion, she has been able to refrain from using methamphetamines and is now at a healthy weight. Her case worker continues to encourage Aaliyah and has been an ongoing source of support, despite the fact that the client file was closed several years ago. Aaliyah’s success can be credited to the initial advocacy of her case worker, the effective interventions, and to the strong determination demonstrated by this young woman.
In the 1950s, teenagers were reading comic books, but now they are watching TV shows and movies that rely on graphic scenes of violence as their main theme. Today teens are listening to rap CDs, such as 50 Cent’s “In da Club,” and Kanye West’s “Gold-digger,” whose sexually explicit lyrics routinely describe substance abuse and promiscuity. How will this exposure affect them? Should we be concerned? Maybe we should. A recent study by Steven Martino and his colleagues found that kids who listen to music with a sexual content are much more likely to engage in precocious sex than adolescents whose musical tastes run to the Mormon Tabernacle Choir and the “Sound of Music.”

THE ADOLESCENT DILEMMA

The problems of American society have had a significant effect on our nation’s youth. Adolescence is a time of trial and uncertainty, a time when youths experience anxiety, humiliation, and mood swings. During this period, the personality is still developing and is vulnerable to a host of external factors. Adolescents also undergo a period of rapid biological development. During just a few years’ time, their height, weight, and sexual characteristics change dramatically. A hundred and fifty years ago girls matured sexually at age sixteen, but today they do so at twelve-and-a-half years of age. Although they may be capable of having children as early as fourteen, many youngsters remain emotionally immature long after reaching biological maturity. At age fifteen, a significant number of teenagers are unable to meet the responsibilities of the workplace, the family, and the neighborhood. Many suffer from health problems, are underachievers in school, and are skeptical about their ability to enter the workforce and become productive members of society.

In later adolescence (ages sixteen to eighteen), youths may experience a crisis that psychologist Erik Erikson described as a struggle between ego identity and role diffusion. Ego identity is formed when youths develop a firm sense of who they are and what they stand for; role diffusion occurs when youths experience uncertainty and place themselves at the mercy of leaders who promise to give them a sense of identity they cannot develop for themselves.

Youth in Crisis

Problems in the home, the school, and the neighborhood have placed a significant portion of American youths at risk. Youths considered at risk are those who engage in dangerous conduct, such as drug abuse, alcohol use, and precocious sexuality. Although it is impossible to determine precisely the number of at-risk youths in the United States, one estimate is that 25 percent of the population under age seventeen, or about 18 million youths, are in this category. The teen years bring many new risks—including some that are life-threatening. Each year almost fourteen thousand Americans ages fifteen to nineteen lose their lives in such unexpected incidents as motor vehicle accidents, homicide, and suicide. It is estimated that three-quarters of teen deaths are due to preventable causes, yet little is being done to reduce the death rate. The most pressing problems facing American youth revolve around five issues.

Poverty

According to watchdog group, the Children’s Defense Fund, almost 37 million people living in America can be classified as poor, 13 million of them children. Today, real incomes are falling and poverty in the United States is more prevalent now than in the late 1960s and early 1970s, and has escalated rapidly since 2000. For every five children living in poverty, three are in “extreme poverty,” a term describing families living at less than one-half of the poverty level (see Figure 1.1). This means that these families have to get by on less than $7,500 a year, or $20 a day. Working hard and
playing by the rules is not enough to lift families out of poverty: even if parents work full-time at the federal minimum wage, the family still lives in poverty.¹¹

Hundreds of studies have documented the association between family poverty and children’s health, achievement, and behavior impairments.¹² Children who grow up in low-income homes are less likely to achieve in school and less likely to complete their schooling than children with more affluent parents.

### Health Problems
Receiving adequate health care is another significant concern for American youth. There are some troubling signs. For the first time in our nation’s history, the life expectancy for children may be less than that of their parents. More than 9 million children in the United States lack health insurance and budget cuts threaten many child health programs.¹³ As might be expected, children who are not healthy, especially those who live in lower-income families and children from ethnic and minority backgrounds, are subject to illness and early mortality. Recently, the infant mortality rate rose for the first time in more than forty years, and is now seven per one thousand births. The United States currently ranks twenty-fifth in the world among industrialized nations in preventing infant mortality, and the percent of children born at low birth weight has increased.¹⁴

### Family Problems
Divorce strikes about half of all new marriages and many families sacrifice time with each other to afford more affluent lifestyles. A national study sponsored by National Center for Health Statistics found that the probability of a first marriage ending in separation or divorce within five years is 20 percent. If the couple is not married, but lives together, the odds of breaking up within five years jumps to 49 percent. After ten years, the probability of a first marriage ending is 33 percent, compared with 62 percent for cohabitations.¹⁵

As families undergo divorce, separation, and breakup, kids are often placed in foster care. About 800,000 kids spend some time in foster care each year and the daily

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**What Does This Mean to Me?**

**Older, But Wiser**

“When I was a boy of fourteen, my father was so ignorant I could hardly stand to have the old man around. But when I got to be twenty-one, I was astonished at how much he had learned in seven years.” (Mark Twain, “Old Times on the Mississippi,” *Atlantic Monthly*, 1874).

Do you agree with Mark Twain? When you look back at your adolescence are you surprised at how much you thought you knew then and how little you know now? Did you do anything that you now consider silly and immature? Of course, as they say, “Hindsight is always 20/20.” Maybe there is a benefit to teenage rebellion. For example, would it make you a better parent knowing firsthand about all the trouble your kids get into and why they do?
count is about 500,000. Children of color are significantly overrepresented in foster care; although African American children make up 16 percent of the nation’s children, they make up 35 percent of children in foster care.16

These social conditions have a significant impact on kids. Children are being polarized into two distinct economic groups: those in affluent, two-earner, married-couple households and those in poor, single-parent households.17 Kids whose parents divorce may increase their involvement in delinquency, especially if they have a close bond with the parent who is forced to leave.18

Substandard Living Conditions Many children live in substandard housing—such as high-rise, multiple-family dwellings—which can have a negative influence on their long-term psychological health.19 Adolescents living in deteriorated urban areas are prevented from having productive and happy lives. Many die from random bullets and drive-by shootings. Some adolescents are homeless and living on the street, where they are at risk of drug addiction and sexually transmitted diseases (STDs), including AIDS. Today about one-third of U.S. households with children have one or more of the following three housing problems: physically inadequate housing, crowded housing, or housing that costs more than 30 percent of the household income.20

Inadequate Education The U.S. educational system seems to be failing many young people. We are lagging behind other developed nations in critical areas, such as science and mathematics. The rate of retention (being forced to repeat a grade) is far higher than it should be. Retention rates are associated with another major problem: dropping out. As Figure 1.2 shows, there are fewer kids dropping out of school today than thirty years ago. Yet, more than 10 percent of minority youths never finish high school; the Hispanic drop-out rate is almost five times the European American rate.

Why the discrepancy? Poor minority-group children attend the most underfunded schools, receive inadequate educational opportunities, and have the fewest opportunities to achieve conventional success.

Considering that youth are at risk during the most tumultuous time of their lives, it comes as no surprise that they are willing to engage in risky, destructive behavior.
Is There Reason for Hope?

Despite the many hazards faced by teens, there are some bright spots on the horizon. Teenage birthrates nationwide have declined substantially during the past decade, with the sharpest declines among African American girls. Over the past decade, the teen birthrate has dropped significantly and so has the teen abortion rate. These data indicate that more young girls are using birth control and practicing safe sex. Fewer children with health risks are being born today than in 1990. This probably means that fewer women are drinking or smoking during pregnancy and that fewer are receiving late or no prenatal care. In addition, since 1990 the number of children immunized against disease has increased.

Education is still a problem area, but more parents are reading to their children, and math achievement is rising in grades four through twelve. And more kids are going to college. Enrollment in degree-granting institutions increased (21 percent), from 14.3 million to 17.3 million during the past decade. Much of the growth was in female enrollment; the number of men enrolled rose 16 percent, whereas the number of women increased by 25 percent.\(^2\)

There are also indications that youngsters may be rejecting hard drugs. Teen smoking and drinking rates remain high, but fewer kids are using heroin and crack cocaine and the numbers of teens who report cigarette use has been in decline since the mid-1990s.\(^2\) Although these are encouraging signs, many problem areas remain, and the improvement of adolescent life continues to be a national goal.

THE STUDY OF JUVENILE DELINQUENCY

The problems of youth in modern society are an important subject for academic study. This text focuses on one area of particular concern: juvenile delinquency, or criminal behavior engaged in by minors. The study of juvenile delinquency is important both because of the damage suffered by its victims and the problems faced by its perpetrators.
About 1.5 million youths under age eighteen are arrested each year for crimes ranging from loitering to murder. Though most juvenile law violations are minor, some young offenders are extremely dangerous and violent. More than seven hundred thousand youths belong to street gangs. Youth involved in multiple serious criminal acts, referred to as repeat, or chronic juvenile offenders, are considered a serious social problem. State juvenile authorities must deal with these offenders while responding to a range of other social problems, including child abuse and neglect, school crime and vandalism, family crises, and drug abuse. In addition, research shows that teens engage in many other risky behaviors:

- 10% had driven a car or other vehicle when they had been drinking alcohol
- 18% had carried a weapon
- 43% had drunk alcohol
- 20% had used marijuana
- 36% had been in a physical fight
- 8% had attempted suicide
- 53% of high school students had engaged in sexual intercourse
- 37% of sexually active high school students had not used a condom at last sexual intercourse
- 2% had injected an illegal drug
- 23% of high school students have smoked cigarettes during the past thirty days
- 80% had not eaten five portions of fruits and vegetables during the past week
- 67% did not attend physical education classes daily
- 13% were overweight

Clearly, there is an urgent need for strategies to combat juvenile delinquency. But formulating effective strategies demands a solid understanding of the causes of delinquency. Is it a function of psychological abnormality? A reaction against destructive social conditions? The product of a disturbed home life? Does serious delinquent behavior occur only in urban areas among lower-class youths? Or is it spread throughout the social structure? What are the effects of family life, substance abuse, school experiences, and peer relations?

The study of delinquency also involves the analysis of the juvenile justice system—the law enforcement, court, and correctional agencies designed to treat youthful offenders. How should police deal with minors who violate the law? What are the legal rights of children? What kinds of correctional programs are most effective with delinquent youths? How useful are educational, community, counseling, and vocational development programs? Is it true, as some critics claim, that most efforts to rehabilitate young offenders are doomed to failure? The reaction to juvenile delinquency frequently divides the public. People want to insulate young people from a life of crime and drug abuse. Research suggests that a majority still favor policies mandating rehabilitation of offenders. Evidence also exists that many at-risk youths can be helped successfully with the proper treatment. However, many Americans are wary of teenage hoodlums and gangs. How can we control their behavior? Should we embrace a “get tough” policy in which violent teens are locked up? Or should we continue to treat delinquents as troubled teens who need a helping hand? Many juvenile court judges today base their sentencing decisions on the need to punish offenders and are more concerned about protecting the rights of victims of crime.

**LOOKING BACK TO AALIYAH’S STORY**

Many juvenile delinquents commit crimes while under the influence of alcohol or drugs or because they are addicted and need to support their habit. If this is the case, should these juveniles be court ordered into a treatment program? Why/Why not? What can be done to prevent alcohol and drug abuse in the teen population?

**juvenile justice system**

The segment of the justice system including law enforcement officers, the courts, and correctional agencies that is designed to treat youthful offenders.

**chronic juvenile offenders (also known as chronic delinquent offenders, chronic delinquents, or chronic recidivists)**

Youths who have been arrested four or more times during their minority and perpetuate a striking majority of serious criminal acts; this small group, known as the “chronic 6 percent,” is believed to engage in a significant portion of all delinquent behavior; these youths do not age out of crime but continue their criminal behavior into adulthood.
than rehabilitating juveniles. Concerned with the treatment of children, the Supreme Court has banned the death penalty for children until they reach age eighteen. Should the juvenile justice system be more concerned about the long-term effects of punishment? Can even the most violent teenager one day be rehabilitated?

In summary, the scientific study of delinquency requires understanding the nature, extent, and cause of youthful law violations and the methods devised for their control. We also need to study environmental and social issues, including substance abuse, child abuse and neglect, education, and peer relations. All of these aspects of juvenile delinquency will be discussed in this text. We begin, however, with a look back to the development of the concept of childhood and how children were first identified as a unique group with their own special needs and behaviors.

**THE DEVELOPMENT OF CHILDHOOD**

Treating children as a distinct social group with special needs and behavior is a relatively new concept. Only for the past 350 years has any formal mechanism existed to care for even the neediest children. In Europe during the Middle Ages (A.D. 700–1500), the concept of childhood as we know it today did not exist. In the *paternalistic family* of the time, the father exercised complete control over his wife and children. Children who did not obey were subject to severe physical punishment, even death.

**Custom and Practice in the Middle Ages**

During the Middle Ages, as soon as they were physically capable, children of all classes were expected to take on adult roles. Boys learned farming or a skilled trade such as masonry or metalworking; girls aided in food preparation or household maintenance. Some peasant youths went into domestic or agricultural service on the estates of powerful landowners or became apprenticed in trades or crafts. Children of the landholding classes also assumed adult roles at an early age. At age seven or eight, boys born to landholding families were either sent to a monastery or cathedral school or were sent to serve as squires, or assistants, to experienced knights. At age twenty-one, young men of the knightly classes received their own knighthood and returned home to live with their parents. Girls were educated
at home and married in their early teens. A few were taught to read, write, and do sufficient mathematics to handle household accounts in addition to typical female duties, such as supervising servants.

Some experts, most notably Philippe Aries, have described the medieval child as a “miniature adult” who began to work and accept adult roles at an early age and were treated with great cruelty. In his work, Medieval Children (2003), historian Nicholas Orme disagrees with this standard vision. Orme finds that the medieval mother began to care for her children even before their delivery. Royal ladies borrowed relics of the Virgin Mary from the Church to protect their unborn children, whereas poorer women used jasper stones or drawings of the cross, which were placed across their stomachs to ensure a healthy and uneventful birth. Parents associated their children’s birthdays with a saint’s feast day. As they do today, children devised songs, rhymes, and games. Some used cherry pits and hazelnuts in their games. They had toys, including dolls, and even mechanical toys made for royalty.

**Child Rearing and Discipline** In many families, especially the highborn, newborns were handed over to wet nurses who fed and cared for them during the first two years of life; parents had little contact with their children. Discipline was severe. Young children of all classes were subjected to stringent rules and regulations. Children were beaten severely for any sign of disobedience or ill temper, and many would be considered abused by today’s standards. Children were expected to undertake responsibilities early in their lives, sharing in the work of siblings and parents. Those thought to be suffering from disease or retardation were often abandoned to churches, orphanages, or foundling homes.

The impersonal relationship between parent and child can be traced to the high mortality rates of the day. Parents were reluctant to invest emotional effort in relationships that could so easily end because of violence, accident, or disease. Many believed that children must be toughened to ensure their survival, and close family relationships were viewed as detrimental to this process. Also, because the oldest male child was the essential player in a family’s well-being, younger male and female siblings were considered liabilities.

**The Development of Concern for Children** Throughout the seventeenth and eighteenth centuries, a number of developments in England heralded the march toward the recognition of children’s rights. Among them were changes in family style and child care, the English Poor Laws, the apprenticeship movement, and the role of the chancery court.

**Changes in Family Structure** Family structure began to change after the Middle Ages. Extended families, which were created over centuries, gave way to the nuclear family structure with which we are familiar today. It became more common for marriage to be based on love rather than parental consent and paternal dominance. This changing concept of marriage from an economic arrangement to an emotional commitment also began to influence the way children were treated. Although parents still rigidly disciplined their children, they formed closer ties and had greater concern for the well-being of their offspring.

Grammar and boarding schools were established in many large cities during this time. Children studied grammar, Latin, law, and logic. Teachers often ruled by fear. Students were beaten for academic mistakes as well as for moral lapses. Such brutal treatment fell on both the rich and the poor throughout all levels of educational life, including boarding schools and universities. This treatment abated in Europe during the Enlightenment, but it remained in full force in Great Britain until late in the nineteenth century.
Toward the close of the eighteenth century, the work of such philosophers as Voltaire, Rousseau, and Locke launched a new age for childhood and the family. Their vision produced a period known as the Enlightenment, which stressed a humanistic view of life, freedom, family, reason, and law. These new beliefs influenced the family. The father’s authority was tempered, discipline became more relaxed, and the expression of affection became more commonplace. Upper- and middle-class families began to devote attention to child rearing, and the status of children was advanced.

As a result of these changes, children began to emerge as a distinct group with independent needs and interests. Serious questions arose over the treatment of children in school. Restrictions were placed on the use of the whip, and in some schools academic assignments or the loss of privileges replaced corporal punishment. Despite such reforms, punishment was still primarily physical, and schools continued to mistreat children.

**Poor Laws**

As early as 1535, the English passed statutes known as Poor Laws. These laws allowed for the appointment of overseers to place destitute or neglected children as servants in the homes of the affluent, where they were trained in agricultural, trade, or domestic services. The Elizabethan Poor Laws of 1601 created a system of church wardens and masters who, with the consent of justices of the peace, identified vagrant, delinquent, and neglected children and put them to work. Often this meant placing them in poorhouses or workhouses or apprenticing them to masters.

**The Apprenticeship Movement**

Apprenticeship existed throughout almost the entire history of Great Britain. Under this practice, children were placed in the care of adults who trained them in specific skills, such as being a blacksmith or a farrier (a shoer of horses). Voluntary apprentices were bound out by parents or guardians in exchange for a fee. Legal authority over the child was then transferred to the apprentice’s master. The system helped parents avoid the costs and responsibilities of child rearing. Involuntary apprentices were compelled by the legal authorities to serve a master until they were twenty-one or older. The master–apprentice relationship was similar to the parent–child relationship in that the master had complete authority over the apprentice and could have agreements enforced by local magistrates.

**Chancery Court**

Throughout Great Britain in the Middle Ages, chancery courts were established to protect property rights and seek equitable solutions to disputes and conflicts. Eventually, its authority was extended to the welfare of children in cases involving the guardianship of orphans. This included safeguarding their property and inheritance rights and appointing a guardian to protect them until they reached the age of majority.

The courts operated on the proposition that children were under the protective control of the king; thus, the Latin phrase parens patriae was used, which refers to the role of the king as the father of his country. The concept was first used by English kings to establish their right to intervene in the lives of the children of their vassals. In the famous 1827 case Wellesley v. Wellesley, a duke’s children were taken away from him in the name and interest of parens patriae, because of his scandalous behavior. Thus, the concept of parens patriae became the theoretical basis for the protective jurisdiction of the chancery courts acting as part of the Crown’s power. As time passed, the monarchy used parens patriae more and more to justify its intervention in the lives of families and children.

The chancery courts did not have jurisdiction over children charged with criminal conduct. Juveniles who violated the law were handled through the regular criminal court system. Nonetheless, the concept of parens patriae grew to refer primarily to the responsibility of the courts and the state to act in the best interests of the child.
Childhood in America

While England was using its chancery courts and Poor Laws to care for children in need, the American colonies were developing similar concepts. The colonies were a haven for people looking for opportunities denied them in England and Europe. Along with the adult early settlers, many children came not as citizens, but as indentured servants, apprentices, or agricultural workers. They were recruited from workhouses, orphanages, prisons, and asylums that housed vagrant and delinquent youths.44

At the same time, the colonists themselves produced illegitimate, neglected, and delinquent children. The initial response to caring for such children was to adopt court and Poor Law systems similar to those in England. Poor Law legislation requiring poor and dependent children to serve apprenticeships was passed in Virginia in 1646 and in Massachusetts and Connecticut in 1673.45

It was also possible, as in England, for parents to voluntarily apprentice their children to a master for care and training. The master in colonial America acted as a surrogate parent, and in certain instances apprentices would actually become part of the family. If they disobeyed their masters, they were punished by local tribunals. If masters abused apprentices, courts would make them pay damages, return the children to the parents, or find new guardians for them. Maryland and Virginia developed an orphans’ court that supervised the treatment of youths placed with guardians. These courts did not supervise children living with their natural parents, leaving intact parents’ rights to care for their children.46

By the beginning of the nineteenth century, the apprenticeship system gave way to the factory system, and the problems of how to deal with dependent youths increased. Early settlers believed hard work, strict discipline, and education were the only reliable methods for salvation. A child’s life was marked by work alongside parents, some schooling, prayer, more work, and further study. Work in the factories, however, often placed demands on child laborers that they were too young to endure. To alleviate this problem, the Factory Act of the early nineteenth century limited the hours children were permitted to work and the age at which they could begin to work. It also prescribed a minimum amount of schooling to be provided by factory owners.47 This and related statutes were often violated, and conditions of work and school remained troublesome issues well into the twentieth century. Nevertheless, the statutes were a step in the direction of reform.

Controlling Children

In the United States, as in England, moral discipline was rigidly enforced. Stubborn child laws were passed that required children to obey their parents.48 It was not uncommon for children to be whipped if they were disobedient or disrespectful to their families. Children were often required to attend public whippings and executions, because these events were thought to be important forms of moral instruction. Parents referred their children to published writings on behavior and expected them to follow their precepts carefully. The early colonists, however, viewed family violence as a sin, and child protection laws were passed as early as 1639 (in New Haven, Connecticut).

These laws expressed the community’s commitment to God to oppose sin, but offenders usually received lenient sentences.49 Although most colonies adopted a protectionist stance, few cases of child abuse were actually brought before the courts.
This neglect may reflect the nature of life in extremely religious households. Children were productive laborers and respected by their parents. In addition, large families provided many siblings and kinfolk who could care for children and relieve the burden on parents. Another view is that although many children were harshly punished, in early America the acceptable limits of discipline were so high that few parents were charged with assault. Any punishment that fell short of maiming or permanently harming a child was considered within the sphere of parental rights.

**THE CONCEPT OF DELINQUENCY**

Until the twentieth century, little distinction was made between adult and juvenile offenders. Although judges considered the age of an offender when deciding on punishment, both adults and children were eligible for prison, corporal punishment, and even the death penalty. In fact, children were treated with extreme cruelty at home, at school, and by the law.

Over the years this treatment changed as society became sensitive to the special needs of children. Beginning in the mid-nineteenth century, there was official recognition that children formed a separate group with their own special needs. In New York, Boston, and Chicago, groups known as *child savers* were formed to assist children. They created community programs to service needy children and lobbied for a separate legal status for children, which ultimately led to development of a formal juvenile justice system. The child-saving movement will be discussed more fully in Chapter 11.

**Delinquency and Parens Patriae**

The current treatment of juvenile delinquents is a by-product of this developing national consciousness of children’s needs. The designation *delinquent* became popular at the onset of the twentieth century when the first separate juvenile courts were instituted. The child savers believed that treating minors and adults equally violated the humanitarian ideals of American society. Consequently, the emerging juvenile justice system operated under the *parens patriae* philosophy. Minors who engaged in illegal behavior were viewed as victims of improper care at home. Illegal behavior was a sign that the state should step in and take control of the youths before they committed more serious crimes. The state should act in the *best interests of the child*. Children should not be punished for their misdeeds, but instead should be given the care necessary to control wayward behavior. It makes no sense to find children guilty of specific crimes, such as burglary or petty larceny, because that stigmatizes them as thieves or burglars. Instead, the catchall term *juvenile delinquency* should be used, because it indicates that the child needs the care and custody of the state.

**The Legal Status of Delinquency**

The child savers fought hard for a legal status of juvenile delinquent, but the concept that children could be treated differently before the law can actually be traced to the British legal tradition. Early British jurisprudence held that children under the age of seven were legally incapable of committing crimes. Children between the ages of seven and fourteen were responsible for their actions, but their age might be used to excuse or lighten their punishment. Our legal system still recognizes that many young people are incapable of making mature judgments and that responsibility for their acts should be limited. Children can intentionally steal cars and know that the act is illegal, but they may be incapable of fully understanding the consequences of their behavior. Therefore, the law does not punish a youth as it would an adult, and it sees youthful misconduct as evidence of impaired judgment.

Today, the legal status of *juvenile delinquent* refers to a minor child who has been found to have violated the penal code. Most states define *minor child* as an individual who falls under a statutory age limit, most commonly seventeen years of age (see Exhibit 1.1).
Juveniles are usually kept separate from adults and receive different treatment under the law. Most large police departments employ officers whose sole responsibility is delinquency. Every state has some form of juvenile court with its own judges, probation department, and other facilities. Terminology is also different. Adults are tried in court; children are adjudicated. Adults can be punished; children are treated. If treatment is mandated, children can be sent to secure detention facilities, but they cannot normally be committed to adult prisons.

Children also have a unique legal status. A minor apprehended for a criminal act is usually charged with being a juvenile delinquent, regardless of the offense. These charges are confidential, and trial records are kept secret. The purpose of these safeguards is to shield children from the stigma of a criminal conviction and to prevent youthful misdeeds from becoming a lifelong burden.

Each state defines juvenile delinquency differently, setting its own age limits and boundaries. The federal government also has a delinquency category for youngsters who violate federal laws, but typically allows the states to handle delinquency matters.

Legal Responsibility of Youths

In our society the actions of adults are controlled by two types of law: criminal law and civil law. Criminal laws prohibit activities that are injurious to the well-being of society, such as drug use, theft, and rape; criminal legal actions are brought by state authorities against private citizens. In contrast, civil laws control interpersonal or private activities and legal actions are usually initiated by individual citizens. Contractual relationships and personal conflicts (torts) are subjects of civil law. Also covered under civil law are provisions for the care of people who cannot care for themselves—for example, the mentally ill, the incompetent, and the infirm.

Today juvenile delinquency falls somewhere between criminal and civil law. Under parens patriae, delinquent acts are not considered criminal violations. The legal action against them is similar (though not identical) to a civil action that, in an ideal situation, is based on their need for treatment. This legal theory recognizes that children who violate the law are in need of the same treatment as are law-abiding citizens who cannot care for themselves.

Delinquent behavior is treated more leniently than adult misbehavior, because the law considers juveniles to be less responsible for their behavior than adults. Compared with adults, adolescents are believed to

- have a stronger preference for risk and novelty;
- be less accurate in assessing the potential consequences of risky conduct;

...
be more impulsive and more concerned with short-term consequences;
■ have a different appreciation of time and self-control; and
■ be more susceptible to peer pressure.53

Even though youths have a lesser degree of legal responsibility, like adults they are subject to arrest, trial, and incarceration. Their legal predicament has prompted the courts to grant children many of the same legal protections conferred on adults accused of criminal offenses. These include the right to consult an attorney, to be free from self-incrimination, and to be protected from illegal searches and seizures.

Although most children who break the law are considered salvageable and worthy of community treatment efforts, there are also violent juvenile offenders whose behavior requires a firmer response. Some state authorities have declared that these hard-core offenders cannot be treated as children and must be given more secure treatment that is beyond the resources of the juvenile justice system. This recognition has prompted the policy of waiver—also known as bindover or removal—that is, transferring legal jurisdiction over the most serious and experienced juvenile offenders to the adult court for criminal prosecution. To the chagrin of reformers, waived youth may find themselves serving time in adult prisons.54 So although the parens patriae concept is still applied to children whose law violations are considered not to be serious, the more serious juvenile offenders can be treated in a manner similar to adults.

STATUS OFFENDERS

A child can also become subject to state authority for committing actions that would not be considered illegal if committed by an adult. Conduct that is illegal only because the child is underage is known as a status offense. Exhibit 1.2, showing the status offense law of Maryland, is representative of this type of statute. Eleven states classify these youths using the term child in need of supervision, whereas the remainder use terms such as unruly child, incorrigible child, or minor in need of supervision.55 The court can also exercise control over dependent children who are not being properly cared for by their parents or guardians.

State control over a child’s noncriminal behavior supports the parens patriae philosophy, because it is assumed to be in the best interests of the child. Usually, a status offender is directed to the juvenile court when it is determined that his parents are unable or unwilling to care for or control him and that the adolescent’s behavior is self-destructive or harmful to society. Each year approximately 150,000 youths are sent to juvenile court as status offenders.56

A historical basis exists for status offense statutes. It was common practice early in the nation’s history to place disobedient or runaway youths in orphan asylums, residential homes, or houses of refuge.57 When the first juvenile courts were established

**Exhibit 1.2** Status Offense Law: Maryland

| (d) Child. “Child” means an individual under the age of 18 years. |
| (e) Child in need of supervision. “Child in need of supervision” is a child who requires guidance, treatment, or rehabilitation and: |
| (1) Is required by law to attend school and is habitually truant; (2) Is habitually disobedient, ungovernable, and beyond the control of the person having custody of him; (3) Deports himself so as to injure or endanger himself or others; or (4) Has committed an offense applicable only to children. |

in Illinois, the Chicago Bar Association described part of their purpose as follows:

The whole trend and spirit of the [1889 Juvenile Court Act] is that the State, acting through the Juvenile Court, exercises that tender solicitude and care over its neglected, dependent wards that a wise and loving parent would exercise with reference to his own children under similar circumstances.58

Until relatively recently, however, almost every state treated status offenders and juvenile delinquents alike, referring to them either as wayward minors or delinquent children. A trend begun in the 1960s has resulted in the creation of separate status offense categories that vary from state to state: children, minors, persons, youths, or juveniles in need of supervision (CHINS, MINS, PINS, YINS, or JINS). The purpose is to shield noncriminal youths from the stigma attached to the juvenile delinquent label and to signify that they have special needs and problems (see Concept Summary 1.1). But even where there are separate legal categories for delinquents and status offenders, the distinction between them has become blurred. Some noncriminal conduct may be included in the definition of delinquency, and some less serious criminal offenses occasionally may be labeled as status offenses.59 In some states the juvenile court judge may substitute a status offense for a delinquency charge.60 This possibility can be used to encourage youths to admit to the charges against them in return for less punitive treatment.

The Status Offender in the Juvenile Justice System

Separate status offense categories may avoid some of the stigma associated with the delinquency label, but they have little effect on treatment. Youths in either category can be picked up by the police and brought to a police station. They can be petitioned to the same juvenile court, where they have a hearing before the same judge and come under the supervision of the probation department, the court clinic, and the treatment staff. At a hearing, status offenders may see little difference between the treatment they receive and the treatment of the delinquent offenders sitting across the room. Although status offenders are usually not detained or incarcerated with delinquents, they can be transferred to secure facilities if they are considered uncontrollable.

Concept Summary 1.1

<table>
<thead>
<tr>
<th>Treatment of Juveniles</th>
<th>Juvenile Delinquents</th>
<th>Status Offenders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act</td>
<td>Burglary, shoplifting, robbery</td>
<td>Truancy, running away, disobedient</td>
</tr>
<tr>
<td>Injured party</td>
<td>Crime victim</td>
<td>Themselves, their family</td>
</tr>
<tr>
<td>Philosophy</td>
<td>Parents patriae</td>
<td>Best interests of the children</td>
</tr>
<tr>
<td>Legal status</td>
<td>Can be detained in secure confinement</td>
<td>Must be kept in nonsecure shelter</td>
</tr>
<tr>
<td>Is there resulting stigma?</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Aiding the Status Offender

Efforts have been ongoing to reduce the penalties and stigma borne by status offenders. In 1974, the U.S. Congress passed the Juvenile Justice and Delinquency Prevention Act (JJDPA) that provides the major source of federal funding to improve states’ juvenile justice systems. Under the JJDPA and its subsequent reauthorizations, in order to receive federal funds, states were and are required to remove status offenders from secure detention and lockups in order to insulate them from more serious delinquent offenders. The act created the Office of Juvenile Justice and Delinquency Prevention (OJJDP), which was authorized to distribute grants and provide support to those states that developed alternate procedural methods. Title III of the JJDPA, referred to as the Runaway and Homeless Youth Act (RHYA) of 1974, provides funds for nonsecure facilities where status offenders who need protection can receive safe shelter, counseling, and education until an effective family reunion can be realized.

This has been a highly successful policy, and the number of status offenders kept in secure pretrial detention has dropped significantly during the past three decades. Nevertheless, juvenile court judges in many states can still detain status offenders in secure lockups if the youths are found in contempt of court. The act that created the OJJDP was amended in 1987 to allow status offenders to be detained for violations of valid court orders. At last count, more than forty states were in compliance with the OJJDP mandate and were eligible for receiving federal funds.

Changes in the treatment of status offenders reflect the current attitude toward children who violate the law. On the one hand, there appears to be a movement to severely sanction youths who commit serious offenses and transfer them to the adult court. On the other hand, a great effort has been made to remove nonserious cases from the official agencies of justice and place these youths in community-based treatment programs.

Reforming Status Offense Laws

For more than thirty years national crime commissions have called for limiting control over status offenders. In 1976 the National Advisory Commission on Criminal Justice Standards and Goals, created by the federal government to study the...
crime problem, opted for the nonjudicial treatment of status offenders by arguing that the only conduct that should warrant family court intervention is conduct that is clearly self-destructive or otherwise harmful to the child. The commission suggested that juvenile courts confine themselves to controlling five status offenses: habitual truancy, repeated disregard for parental authority, repeated running away, repeated use of intoxicating beverages, and delinquent acts by youths under the age of ten.66

These calls for reform prompted a number of changes. Kentucky, for example, has amended its status offense law in order to eliminate vague terms and language. Instead of labeling a child who is “beyond control of school” as a status offender, the state is now required to show that the student has repeatedly violated “lawful regulations for the government of the school,” with the petition describing the behaviors “and all intervention strategies attempted by the school.”67 A few states, including Maine, Delaware, and Idaho, have attempted to eliminate status offense laws and treat these youths as neglected or dependent children, giving child protective services the primary responsibility for their care.

There is serious debate over the liberalization of status offense laws. Some juvenile court judges believe that reducing judicial authority over children will limit juvenile court jurisdiction to hard-core offenders and constrain its ability to help youths before they commit serious antisocial acts.68 Their concerns are fueled by research that shows that many status offenders, especially those who are runaways living on the streets, often have serious emotional problems and engage in self-destructive behaviors ranging from substance abuse to self-mutilation; they have high rates of suicide.69 Consequently, some jurisdictions have resisted weakening status offense laws and gone in the opposite direction by mandating that habitual truants and runaways be placed in secure detention facilities, and if found to be in need of supervision, placed in secure treatment facilities. There has been a call for greater rather than less control over wayward youth, a policy that has spawned both curfew laws and parental responsibility laws, discussed in the Preventing and Treating Delinquency feature.

Although this debate will not end soon, we cannot lose sight of the fact that a majority of youths engage in some status offenses.70 Illegal acts such as teen sex and substance abuse have become commonplace. Does it make sense, then, to have the juvenile court intervene in cases when no criminal act occurred? The predominant view today is that many status offenders and delinquents share similar problems, and that both categories should fall under the jurisdiction of the juvenile court.
Preventing and Treating Delinquency

Increasing Social Control over Juveniles and Their Parents

Those in favor of retaining the status offense category point to society’s responsibility to care for troubled youths. Others maintain that the status offense should remain a legal category so that juvenile courts can force a youth to receive treatment. Although it is recognized that a court appearance can produce stigma, the taint may be less important than the need for treatment. Many state jurisdictions, prompted by concern over serious delinquency, have enacted laws that actually expand social control over juveniles.

Curfew Laws

Beginning in 1990, a number of states created or amended curfew laws aimed at restricting the opportunity kids have for getting in trouble. A survey of seventy-seven large U.S. cities found that fifty-nine of them have such laws. Each year about sixty thousand youths are arrested for curfew violations and there is little conclusive evidence that curfews have a significant impact on youth crime rates. Evaluations of the benefits of curfews yield mixed results. Andra Bannister and her associates surveyed more than four hundred police agencies and found that most had curfew ordinances in effect for several years. In the vast majority of cases, police felt that curfews were an effective tool to control vandalism, graffiti, nighttime burglary, and auto theft. Those jurisdictions that did not have curfew laws reported that their absence was a result of political objections rather than perceived ineffectiveness. However, although this research is supportive of curfews, other efforts, such as the national survey by Ken Adams, have found that juvenile arrests and juvenile crime do not seem to decrease significantly during curfew hours. Some research efforts have even found that, after curfews were implemented, victimizations increased significantly during noncurfew hours. This indicates that, rather than suppressing delinquency, curfews merely shift the time of occurrence of the offenses. Some studies have found that strict enforcement of curfew laws actually increases juvenile crime rates. The failure of curfews to control crime coupled with their infringement on civil rights prompted the American Civil Liberties Union to condemn the practice and say in part:

“Curfews are just the latest in a long line of misguided anti-crime strategies that divert public attention from the real root causes of crime. The fact is that such laws are empty political gestures: they will do nothing to make our streets safer. It is absurd to think that any teenager who is selling drugs or carrying a gun—crimes that could lead to years in prison—would rush home at 11:00 to avoid violating curfew, or that this same teenager won’t have a false ID. And certainly any crime that would be committed after midnight can just as easily be committed earlier. In fact, most juvenile crimes are committed right after school, between 3:00 and 6:00 P.M.”

Disciplining Parents

Since the early twentieth century, there have been laws aimed at disciplining parents for contributing to the delinquency of a minor. The first of these was enacted in Colorado in 1903, and today all states have some form of statute requiring parents to take some responsibility for their children’s misbehavior. All states make it either mandatory or discretionary for the juvenile court to require a parent or guardian to pay at least part of the support costs for a child who is adjudicated delinquent and placed out of the home. Even when the payment is required, however, payment is based on the parent’s financial ability to make such payments. During the past decade, approximately one-half of the states enacted or strengthened existing parental liability statutes that make parents criminally liable for the actions of their delinquent children. Such laws allow parents to be sanctioned in juvenile courts for behaviors associated with their child’s misbehavior. Some states (Florida, Idaho, Virginia) require parents to reimburse the government for the costs of detention or care of their children. Others (Maryland, Missouri,

Summary

• The study of delinquency is concerned with the nature and extent of the criminal behavior of youths, the causes of youthful law violations, the legal rights of juveniles, and prevention and treatment.
• The problems of American youths have become an important subject of academic study. Many children live in poverty, have inadequate health care, and suffer family problems.
• Adolescence is a time of taking risks, which can get kids into trouble.
• Our modern conception of a separate status for children is quite different than in the past. In earlier times, relationships between children and parents were remote.

Punishment was severe, and children were expected to take on adult roles early in their lives.
• With the start of the seventeenth century came greater recognition of the needs of children. In Great Britain, the chancery court movement, Poor Laws, and apprenticeship programs helped reinforce the idea of children as a distinct social group. In colonial America, many of the characteristics of English family living were adopted.
• In the nineteenth century, delinquent and runaway children were treated no differently than criminal defendants.
• During this time, however, increased support for the parens patriae concept resulted in steps to reduce the responsibility of children under the criminal law.
The concept of delinquency was developed in the early twentieth century. Before that time, criminal youths and adults were treated in almost the same fashion. A group of reformers, referred to as child savers, helped create a separate delinquency category to insulate juvenile offenders from the influence of adult criminals.

The status of juvenile delinquency is still based on the parens patriae philosophy, which holds that children have the right to care and custody and that if parents are not capable of providing that care, the state must step in to take control.

Juvenile courts also have jurisdiction over noncriminal status offenders, whose offenses (truancy, running away, sexual misconduct) are illegal only because of their minority status.

Some experts have called for an end to juvenile court control over status offenders, charging that it further stigmatizes already troubled youths. Some research indicates that status offenders are harmed by juvenile court processing. Other research indicates that status offenders and delinquents are quite similar.

There has been a successful effort to separate status offenders from delinquents and to maintain separate facilities for those who need to be placed in a shelter care program.

The treatment of juveniles is an ongoing dilemma. Still uncertain is whether young law violators respond better to harsh punishments or to benevolent treatment.
KEY TERMS

ego identity, p. 3
role diffusion, p. 3
at-risk youths, p. 3
juvenile delinquency, p. 6
chronic juvenile offenders, p. 7
juvenile justice system, p. 7
paternalistic family, p. 8
Poor Laws, p. 10
chancery courts, p. 10
parens patriae, p. 10
child savers, p. 12
delinquent, p. 12
best interests of the child, p. 12
need for treatment, p. 13
waiver, bindover, removal, p. 14
status offense, p. 14
wayward minors, p. 15
Office of Juvenile Justice and Delinquency Prevention (OJJDP), p. 16

QUESTIONS FOR DISCUSSION

1. Is it fair to have a separate legal category for youths? Considering how dangerous young people can be, does it make more sense to group offenders on the basis of what they have done rather than on their age?
2. At what age are juveniles truly capable of understanding the seriousness of their actions? Should juvenile court jurisdiction be raised or lowered?
3. Is it fair to institutionalize a minor simply for being truant or running away from home? Should the jurisdiction of status offenders be removed from juvenile court and placed with the state’s department of social services or some other welfare organization?
4. Should delinquency proceedings be secretive? Does the public have a right to know who juvenile criminals are?
5. Can a “get tough” policy help control juvenile misbehavior, or should parens patriae remain the standard?
6. Should juveniles who commit felonies such as rape or robbery be treated as adults?

APPLYING WHAT YOU HAVE LEARNED

You have just been appointed by the governor as chairperson of a newly formed group charged with overhauling the state’s juvenile justice system. One primary concern is the treatment of status offenders—kids who have been picked up and charged with being runaways, sexually active, truant from school, or unmanageable at home. Under existing status offense statutes, these youth can be sent to juvenile court and stand trial for their misbehaviors. If the allegations against them are proven valid, they may be removed from the home and placed in foster care or even in a state or private custodial institution.

Recently, a great deal of media attention has been given to the plight of runaway children who live on the streets, take drugs, and engage in prostitution. At an open hearing, advocates of the current system argue that many families cannot provide the care and control needed to keep kids out of trouble and that the state must maintain control of at-risk youth. They contend that many status offenders have histories of drug and delinquency problems and are little different from kids arrested on criminal charges; control by the juvenile court is necessary if the youths are ever to get needed treatment.

Another vocal group argues that it is a mistake for a system that deals with criminal youth also to handle troubled adolescents, whose problems usually are the result of child abuse and neglect. They believe that the current statute should be amended to give the state’s department of social welfare (DSW) jurisdiction over all noncriminal youths who are in need of assistance. These opponents of the current law point out that, even though status offenders and delinquents are held in separate facilities, those who run away or are unmanageable can be transferred to more secure correctional facilities that house criminal youths. Furthermore, the current court-based process, where troubled youths are involved with lawyers, trials, and court proceedings, helps convince them that they are “bad kids” and social outcasts.

■ Should status offenders be treated differently than juvenile delinquents?
■ Should distinctions be made between different types of status offenders? That is, are runaways different from truants?
■ Are these behavioral problems better handled by a social service or mental health agency than a juvenile court?
■ What recommendations would you make to the governor?

DOING RESEARCH ON THE WEB

For reports on deinstitutionalization and respite care for status offenders, and to read about the problems of high-risk kids, go to the website www.thomsonedu.com/criminaljustice/siegel.
CHAPTER OBJECTIVES

After reading this chapter you should:

1. Know what is meant by the term official delinquency.
2. Understand how the FBI’s Uniform Crime Report (UCR) is compiled.
3. Be familiar with recent trends in juvenile delinquency.
4. Understand how self-report data are collected and what they say about juvenile crime.
5. Recognize the factors that affect the juvenile crime rate.
7. Appreciate the factors that cause racial differences in delinquency.
8. Be able to debate the issue of class position and delinquency.
9. Be aware of the debate over the role age plays in delinquency.
10. Understand the concept of the chronic persistent offender.
11. Be familiar with the relationship between childhood and victimization.
High-risk kids such as Jamesetta get involved in more than 1 million serious illegal acts each year. Who commits delinquent acts, and where are they most likely to occur? Is the juvenile crime rate increasing or decreasing? Are juveniles more likely than adults to become the victims of crime? To understand the causes of delinquent behavior and to devise effective means to reduce its occurrence, we must seek answers to these questions.

Delinquency experts have devised a variety of methods to measure the nature and extent of delinquency. We begin with a description of the most widely used sources of data on crime and delinquency. We also examine the information these resources furnish on juvenile crime rates and trends. These data sources will then be used to provide information on the characteristics of adolescent law violators.

***OFFICIAL STATISTICS***

Each year the U.S. Justice Department’s Federal Bureau of Investigation (FBI) compiles information gathered by police departments on the number of criminal acts reported by citizens and the number of persons arrested. This information is published in the annual Uniform Crime Report (UCR), which is the most widely used source of national crime and delinquency statistics.
The UCR is compiled from statistics sent to the FBI from more than seventeen thousand police departments. It groups offenses into two categories. **Part I offenses**, include homicide and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny, arson, and motor vehicle theft. Police record every reported incident of these offenses and report them on a quarterly basis to the FBI. Data are broken down by city, county, metropolitan area, and geographical divisions. In addition, the UCR provides information on individuals who have been arrested for these and all other criminal offenses, including vandalism, liquor law violations, and drug trafficking. These are known as **Part II offenses**. The arrest data are presented by age, sex, and race.

The UCR uses three methods to express crime data. First, the number of crimes reported to the police and arrests made are expressed as raw figures (for instance, 16,692 murders occurred in 2005). Second, crime rates per 100,000 people are computed. That is, when the UCR indicates that the murder rate was 5.6 in 2005, it means that almost 6 people in every 100,000 were murdered between January 1 and December 31, 2005. This is the equation used:

\[
\text{Rate per 100,000} = \frac{\text{Number of Reported Crimes}}{\text{Total U.S. Population}} \times 100,000
\]

Third, the FBI computes changes in the number and rate of crime over time. Murder rates increased 3.5 percent between 2004 and 2005, and the number of murders increased by about 500.

**Crime Trends in the United States**

As measured by the UCR, crime rates increased gradually following the 1930s until the 1960s, when the growth rate became much greater. The homicide rate, which had actually declined from the 1930s to the 1960s, also began a sharp increase that continued through the 1970s. In 1981 the number of index crimes rose to about 13.4 million and then began a consistent decline until 1984, when police recorded 11.1 million crimes. By the following year, however, the number of crimes once again began an upward trend, so that by 1991 police recorded about 15 million crimes. Since then the number of crimes has been in decline; Figure 2.1 illustrates crime rate trends between 1960 and 2005, the last data available. Although the general crime rates did not increase in 2005, violent crimes, especially murder, ticked upward and continued to do so during the first half of 2006. Although this recent increase in violence is disturbing, it is too soon to tell whether it is the beginning of a new long-term trend or a single year aberration.
Shaping Delinquency Trends

Crime experts have identified a variety of social, economic, personal, and demographic factors that influence crime rate trends. Although crime experts are still uncertain about how these factors affect these trends, directional change seems to be associated with changes in crime rates.

Age

Because teenagers have extremely high crime rates, crime experts view changes in the population age distribution as having the greatest influence on crime rates. As a general rule, the crime rate follows the proportion of young males in the population. Kids who commit a lot of crime early in childhood are also likely to continue to commit crime in their adolescence and into adulthood. More teens in the population means a higher crime rate. The number of juveniles should be increasing over the next decade, and some crime experts fear that this will signal a return to escalating crime rates. However, the number of senior citizens is also expanding, and their presence in the population may have a moderating effect on crime rates (seniors do not commit much crime), offsetting the effect of teens.

Economy/Jobs

There is debate over the effect the economy has on delinquency rates. It seems logical that when the economy turns down, people (especially those who are unemployed) will become more motivated to commit theft crimes. Kids who find it hard to get after school jobs or find employment after they leave school may be motivated to seek other forms of income such as theft and drug dealing. As the economy heats up, delinquency rates should decline because people can secure good jobs; why risk breaking the law when there are legitimate opportunities? Recent (2006) research by Thomas Arvanites and Robert Defina found that the delinquency rate drop in the 1990s could be linked to a strong economy.

However, some experts believe that a poor economy may actually help lower delinquency rates because it actually limits the opportunity kids have to commit crime: Unemployed parents are at home to supervise children and guard their possessions, and because there is less money to spend, people have fewer valuables worth stealing. Moreover, law-abiding people do not begin to violate the law just because there is an economic downturn.

Although the effect of the economy on delinquency rates is still in question, it is possible that over the long haul, a strong economy will help lower delinquency rates, whereas long periods of sustained economic weakness and unemployment may eventually lead to increased rates. Crime skyrocketed in the 1930s during the Great Depression; crime rates fell when the economy surged for almost a decade during the 1990s. Also, economic effects may be localized: People in one area of the city are doing well, but people living in another part of town may be suffering unemployment. The economic effect on the delinquency rates may vary by neighborhood or even by street.

Social Malaise

As the level of social problems increases—such as single-parent families, dropout rates, racial conflict, and teen pregnancies—so do delinquency rates. Delinquency rates are correlated with the number of unwed mothers in the population. It is possible that children of unwed mothers need more social services than children in two-parent families. As the number of kids born to single mothers increases, the child welfare system will be taxed and services depleted. The teenage birth rate has trended downward in recent years, and so have delinquency rates.

Racial conflict may also increase delinquency rates. Areas undergoing racial change, especially those experiencing a migration of minorities into predominantly European American neighborhoods, seem prone to significant increases in their delinquency rate. European Americans in these areas may be using violence to protect what they view as their home turf. Racially motivated crimes actually diminish as neighborhoods become more integrated and power struggles are resolved.

Abortion

In a controversial work, John J. Donohue III and Steven D. Levitt found empirical evidence that the recent drop in the delinquency rate can be attributed to the availability of legalized abortion. In 1973, Roe v. Wade legalized abortion nationwide. Within a few years of Roe v. Wade, more than 1 million abortions were being performed annually, or roughly one abortion for every three live births. Donohue and Levitt suggest that the delinquency rate drop, which began approximately eighteen years later, in 1991, can be tied to the fact that at that point the first groups of potential offenders affected by the abortion decision began reaching the peak age of criminal activity. The researchers found that states that legalized abortion before the rest of the nation were the first to experience decreasing delinquency rates and that states with high abortion rates have seen a greater drop in delinquency since 1985.

It is possible that the link between delinquency rates and abortion is the result of three mechanisms: (1) selective abortion on the part of women most at risk to have children who would engage in delinquent activity, (2) improved child-rearing or environmental circumstances, because women are having fewer children, and (3) absence of unwanted children who stand the greatest risk of delinquency. If abortion were illegal, they find, delinquency rates might be 10 to 20 percent higher than they currently are with legal abortion.

Understandably, Donohue and Levitt’s views has sparked considerable controversy and continued research. One recent (2006) effort by Carter Hay and Michelle Evans found that children unwanted by their mothers do in fact commit more delinquency than children who were “wanted” or planned.
However, the effect was only modest and temporary: By their late teens and twenties, unwanted kids commit as much crime as their “wanted” brothers and sisters, a finding that seems to contradict Donohue and Levitt.

**Guns**

The availability of firearms may influence the delinquency rate, especially the proliferation of weapons in the hands of teens. Surveys of high school students indicate that between 6 and 10 percent carry guns at least some of the time. Guns also cause escalation in the seriousness of delinquency. As the number of gun-toting students increases, so does the seriousness of violent delinquency: A schoolyard fight may well turn into murder.

**Gangs**

Another factor that affects delinquency rates is the explosive growth in teenage gangs. Surveys indicate that there are about 750,000 gang members in the United States. Boys who are members of gangs are far more likely to possess guns than non-gang members; criminal activity increases when kids join gangs.

**Drug Use**

Some experts tie increases in the violent delinquency rate between 1980 and 1990 to the crack epidemic, which swept the nation’s largest cities, and to drug-trafficking gangs that fought over drug turf. These well-armed gangs did not hesitate to use violence to control territory, intimidate rivals, and increase market share. As the crack epidemic has subsided, so has the violence in New York City and other metropolitan areas where crack use was rampant. A sudden increase in drug use, on the other hand, may be a harbinger of future increases in the delinquency rate.

**Media**

Some experts argue that violent media can influence the direction of delinquency rates. The introduction of home video players, DVDs, cable TV, computers, and video games coincided with increasing teen violence rates. Perhaps the increased availability of media violence on these platforms produced more aggressive teens? Watching violence on TV may be correlated with aggressive behaviors, especially when viewers have a pre-existing tendency toward delinquency and violence. Research shows that the more kids watch TV, the more often they get into violent encounters.

**Juvenile Justice Policy**

Some law enforcement experts have suggested that a reduction in delinquency rates may be attributed to adding large numbers of police officers and using them in aggressive police practices aimed at reducing gang membership, gun possession, and substance abuse.

It is also possible that tough laws such as waiving juveniles to adult courts or sending them to adult prisons can affect crime rates. The fear of punishment may inhibit some would-be delinquents, and tough laws place a significant number of chronic juvenile offenders behind bars, lowering delinquency rates.

**CRITICAL THINKING**

Although juvenile delinquency rates have been declining in the United States, they have been increasing in Europe. Is it possible that factors that correlate with delinquency rate changes in the United States have little utility in predicting changes in other cultures? What other factors may increase or reduce delinquency rates?

**INFOTRAC EDITION RESEARCH**

Gang activity may have a big impact on delinquency rates. To find out the influence of gangs in other nations, read this article: Rob White and Ron Mason, “Youth Gangs and Youth Violence: Charting the Key Dimensions,” Australian and New Zealand Journal of Criminology 39:54–70 (2006).

These data indicate that crime rates ebb and flow and are rarely constant. Experts believe that social, economic, and individual factors all influence the direction crime rates take. The factors that help explain the upward and downward movement in crime rates are discussed in the Focus on Delinquency feature on page 24.

**Measuring Official Delinquency**

Because the UCR arrest statistics are **disaggregated** (broken down) by suspect’s age, they can be used to estimate adolescent delinquency. Juvenile arrest data must be interpreted with caution, however. First, the number of teenagers arrested does not represent the actual number of youths who have committed delinquent acts. Some offenders are never counted, because they are never caught. Others are counted more than once because multiple arrests of the same individual for different crimes are counted separately in the UCR. Consequently, the total number of arrests does not equal the number of people who have been arrested. Put another way, if 2 million arrests of youths under eighteen years of age were made in a given year, we could not be sure if 2 million individuals had been arrested once or if five hundred thousand chronic offenders had been arrested four times each. In addition, when an arrested offender commits multiple crimes, only the most serious one is recorded. Therefore, if 2 million juveniles are arrested, the number of crimes committed is at least 2 million, but it may be much higher.

Despite these limitations, the nature of arrest data remains constant over time. Consequently, arrest data can provide some indication of the nature and trends in juvenile crime. What does the UCR tell us about delinquency?

**Official Delinquency** In 2005 (the latest data available), about 14 million arrests were made, or about 5,000 per 100,000 population. Of these, about 2 million were for serious Part I crimes and 12 million for less serious Part II crimes.

In 2005, juveniles were responsible for about 380,000 Part I arrests, including 16 percent of the Part I violent crime arrests and about 26 percent of the property crime arrests (see Table 2.1). Because kids ages fourteen through seventeen who account for almost all underage arrests constitute only about 6 percent of the population, these data show that teens account for a significantly disproportionate share of all arrests.
About 1.2 million juvenile arrests were made in 2005 for Part II offenses. Included in this total were 81,000 arrests for running away from home, 148,000 for disorderly conduct, 138,000 for drug-abuse violations, and 104,000 for curfew violations. In all, about 1.5 million juveniles are now arrested each year.

**Juvenile Delinquency Trends**  
Juvenile delinquency continues to have a significant influence on the nation’s overall crime statistics. The juvenile arrest rate began to climb in the 1980s, peaked during the mid-1990s, and then began to fall; it has since been in decline. Even the teen murder rate, which had remained stubbornly high, has undergone a decline during the past few years. For example, 1,700 youths were arrested for murder in 1997, a number that by 2005 had declined by almost half (to about 900). Similarly, 3,800 juveniles were arrested for rape in 1997, and about 2,900 in 2005. However, although juvenile violence rates have declined over the past ten years, there was disturbingly, a recent uptick in juvenile violent crime arrests: Arrests of juveniles (under eighteen years of age) for murder climbed 20 percent in 2005 compared with 2004 arrest data; for robbery, arrests of juveniles rose 11.4 percent over the same two-year period.

What factors account for change in the crime and delinquency rate? This is the topic of the Focus on Delinquency box “Shaping Delinquency Trends” on page 24.

**What the Future Holds**  
Some experts, such as criminologist James A. Fox, predict a significant increase in teen violence if current population trends persist. The nation’s teenage population will increase by 15 percent, or more than 9 million, between now and 2010; the number in the high-risk ages of fifteen to seventeen will increase by more than 3 million, or 31 percent. There are approximately 53 million school-age children in the United States, many younger than ten—more than we have had for decades. Although many come from stable homes, others lack stable families and adequate supervision; these are some of the children who will soon enter their prime crime years.

In contrast, economist Steven Levitt believes that even though teen crime rates may eventually rise, their influence on the nation’s total crime rate may be offset by the growing number of relatively crime-free senior citizens. Levitt also believes that punitive policies, such as putting more kids behind bars and adding police, may help control delinquency. One problem on the horizon remains the maturation of “crack babies,” who spent their early childhood years in families and neighborhoods ravaged by crack cocaine. Coupled with a difficult home environment, these children may turn out to be extremely prone to delinquency activity, producing the increase in the delinquency predicted by James A. Fox.

Of course both Fox’s and Levitt’s prognostications, predictions, and forecasts are based on contemporary conditions that can change at any time due to the sudden emergence of war, terrorism, social unrest, economic meltdown, and the like. Although the number of adolescents in the population may shape crime rates under current conditions, the mere fact of a large juvenile population may have less of an impact serious social and economic conditions emerge in the future.
ARE THE UCR DATA VALID?

Questions have been raised about the validity and accuracy of UCR’s “official” crime data. Victim surveys show that less than half of all victims report the crime to police. This is especially problematic in delinquency research, because juveniles are less likely to report crimes than adults. Moreover, they are unlikely to report crimes to which they are most vulnerable: crimes committed by peers that occur on school grounds. Because official data are derived entirely from police records, we can assume that a significant number of crimes are not accounted for in the UCR. There are also concerns that police departments make systematic errors in recording crime data or manipulate the data in order to give the public the impression that they are highly effective crime fighters.

Using official arrest data to measure delinquency rates is particularly problematic. Arrest records count only adolescents who have been caught, and these youths may be different from those who evade capture. Victimless crimes, such as drug and alcohol use, are significantly undercounted using this measure. Another problem is that arrest decision criteria vary among police agencies. Some police agencies practice full enforcement, arresting all teens who violate the law, whereas others follow a policy of discretion that encourages unofficial handling of juvenile matters through social service agencies.

Although these questions are troubling, the problems associated with collecting and verifying the official UCR data are consistent and stable over time. This means that, although the absolute accuracy of the data can be questioned, the trends and patterns they show are probably reliable. In other words, we cannot be absolutely sure about the actual number of adolescents who commit crimes, but it is likely that the teen crime rate has been in a significant decline.

The National Incident-Based Reporting System (NIBRS)

The FBI is currently instituting a new program that collects data on each reported crime incident. Instead of submitting statements of the kinds of crime that individual citizens reported to the police and summary statements of resulting arrests, the new program will require local police agencies to provide at least a brief account of each incident and arrest, including the incident, victim, and offender information. Under NIBRS, law enforcement authorities will provide information to the FBI on each criminal incident involving forty-six specific offenses, including the eight Part I crimes, that occur in their jurisdiction; arrest information on the forty-six offenses plus eleven lesser offenses is also provided in NIBRS. These expanded crime categories would include numerous additional crimes, such as blackmail, embezzlement, drug offenses, and bribery; this would allow a national database on the nature of crime, victims, and criminals to be developed. So far, twenty-two states have implemented their NIBRS program and twelve others are in the process of finalizing their data collections. When this new UCR program is fully implemented and adopted across the nation, it should provide significantly better data on juvenile crime than exists today.

SELF-REPORTED DELINQUENCY

Official statistics are useful for examining general trends, but they cannot tell us how many youth commit crime but are never arrested. Nor do they reveal much about the personality, attitudes, and behavior of individual delinquents. To get information at
At this level, criminologists have developed alternative sources of delinquency statistics, with the most commonly used source being self-reports of delinquent behavior.

Self-report studies are designed to obtain information from youthful subjects about their violations of the law. They can be administered in a variety of settings with a variety of subject groupings: Youths arrested by police may be interviewed at the station house; an anonymous survey can be distributed to every student in a high school; boys in a detention center may be asked to respond to a survey; or youths randomly selected from the population of teenagers can be questioned in their homes.

The typical self-report survey is designed to measure behavior across all segments of the population. They provide information on offenders who have never been arrested and are therefore not part of the official data. They also measure behavior that is rarely detected by police, such as drug abuse, because their anonymity allows youths freely to describe their illegal activities. Surveys can also include items measuring personality characteristics, behavior, and attitudes.

Table 2.2 shows one format for self-report questions. Youths are asked to indicate how many times they have participated in illegal or deviant behavior. Other formats allow subjects to record the precise number of times they engaged in each delinquent activity. Note that the reporting period is limited to the previous twelve months here, but some surveys question lifetime activity.

Questions not directly related to delinquent activity are often included in self-report surveys. Information may be collected on self-image; intelligence; personality; attitudes toward family, friends, and school; leisure activities; and school activities. Self-report surveys also gather information on family background, social status, race, and sex. Reports of delinquent acts can be correlated with this information to create a much more complete picture of delinquent offenders than official statistics can provide.

**Self-Report Validity** Criminologists have used self-report studies of delinquency for more than sixty years. They are a valuable source of information on the activities of youths who have had contact with the juvenile justice system as well as on the dark figures of crime—that is, those who have escaped official notice. However, some question of their validity still remains. Responses may be embellished by some subjects who wish to exaggerate the extent of their deviant activities, and understated by others who want to shield themselves from possible exposure. Recent (2006) research by David Kirk shows that some kids with an official arrest record deny legal involvement, whereas others who remain arrest-free report having an official record. Why would adolescents claim to have engaged in antisocial behaviors, such as getting arrested or using drugs, when in fact they had not? One reason is that they may live
in a subculture that requires kids to be tough rule breakers unafraid of conventional authority. Kids may fear that they would be taunted or harassed if anyone found out they were not really “experienced” delinquents.10

Research also shows that the accuracy and validity of responses may differ between serious versus petty offenders: kids will remember armed robberies and rapes better than they do minor assaults and altercations.11 Muddled-headed substance abusers may have a tougher time accounting for their prior misbehavior than clear-thinking burglars.12

Other factors that influence self-report validity are age, criminal history, recentness of the reported event, IQ, education level, and variety of criminal acts. Despite these caveats, some of the most recent research supports the validity of the self-report method with both occasional and committed delinquents, for example, gang members.13

**What Self-Report Data Show**

Most self-report studies indicate that the number of children who break the law is far greater than official statistics would lead us to believe.14 In fact, when truancy, alcohol consumption, petty theft, and recreational drug use are included in self-report scales, delinquency appears to be almost universal. The most common offenses are truancy, drinking alcohol, using a false ID, shoplifting or larceny under five dollars, fighting, using marijuana, and damaging the property of others. In Chapter 10, self-report data will be used to gauge trends in adolescent drug abuse.

Researchers at the University of Michigan’s Institute for Social Research (ISR)15 conducted an annual national self-report survey, called Monitoring the Future (MTF), that involved a sample of about three thousand youths. Table 2.3 contains some of the data from the most recent MTF survey.

A surprising number of these typical teenagers reported involvement in serious criminal behavior: about 12 percent reported hurting someone badly enough that the victim needed medical care (6 percent said they did it more than once); about 29 percent reported stealing something worth less than fifty dollars, and another 10 percent stole something worth more than fifty dollars; 28 percent reported shoplifting; 11 percent had damaged school property.
If the MTF data are accurate, the juvenile crime problem is much greater than official statistics would lead us to believe. There are approximately 40 million youths between the ages of ten and eighteen. Extrapolating from the MTF findings, this group accounts for more than 100 percent of all the theft offenses reported in the UCR. More than 3 percent of high school students said they had used force to steal (which is the legal definition of a robbery). At this rate, high school students alone commit 1.2 million robberies per year. In comparison, the UCR tallies about 400,000 robberies for all age groups in 2005. Over the past decade, the MTF surveys indicate that with a few exceptions, self-reported teenage participation in theft, violence, and damage-related crimes seems to be more stable than the trends reported in the UCR arrest data.

There is also some question about the accuracy of self-report data. Reporting practices differ between racial, ethnic, and gender groups. One study found that even though girls are generally more willing to report drug use than boys, Hispanic girls tend to underreport substance abuse. Such gender-cultural differences in self-reporting can skew data and provide misleading results.\(^\text{16}\)

### Are the Data Sources Compatible?

Each source of crime data has strengths and weaknesses. The FBI survey contains data on the number and characteristics of people arrested, information that the other data sources lack. It is also the source of information on particular crimes such as murder, which no other data source can provide.\(^\text{17}\) Although used extensively, the UCR omits the many crimes that victims choose not to report to police, and relies on the reporting accuracy of individual police departments.

Self-report data include unreported crime missed by the UCR and also contains important information on the personal characteristics of victims. However, the data in the MTF and similar surveys consist of estimates made from relatively limited samples of the total U.S. population, so that even narrow fluctuations in the rates of some crimes can have a major impact on findings. It also relies on personal recollections that may be inaccurate. Self-reports do not include data on important crime patterns, including murder.
Self-report surveys provide useful information, because questions on delinquent activity are often supplemented with items measuring the personal characteristics of offenders, such as their attitudes, values, beliefs, and psychological profiles. It can also be used to measure drug and alcohol abuse; this data is not included in the UCR. Yet, at their core, self-reports rely on the honesty of criminal offenders and drug abusers, a population not generally known for accuracy and integrity.

Although their tallies of delinquency are certainly not in sync, the patterns and trends they measure are often quite similar: when the UCR shows a drop in illegal activity, so too do self-report studies. They both generally agree about the personal characteristics of serious delinquents (i.e., age and gender) and where and when delinquency occurs (i.e., urban areas, nighttime, and summer months). And because the measurement problems inherent in both sources are consistent over time they are reliable indicators of changes and fluctuations in delinquency rates.

**CORRELATES OF DELINQUENCY**

An important aspect of delinquency research is measurement of the personal traits and social characteristics associated with adolescent misbehavior. If, for example, a strong association exists between delinquent behavior and family income, then poverty and economic deprivation must be considered in any explanation of the onset of adolescent criminality. If the delinquency-income association is not present, then other forces may be responsible for producing antisocial behavior. It would be fruitless to concentrate delinquency control efforts in areas such as job creation and vocational training if social status were found to be unrelated to delinquent behavior. Similarly, if only a handful of delinquents are responsible for most serious crimes, then crime control policies might be made more effective by identifying and treating these offenders. The next sections discuss where and when relationship between delinquency and the characteristics of gender, race, social class, and age.

**The Time and Place of Delinquency** Most delinquent acts occur during the warm summer months of July and August. Weather may affect delinquent behavior in a number of different ways. During the summer, teenagers are out of school and have greater opportunity to commit crime. Homes are left vacant more often during the summer, making them more vulnerable to property crimes. Weather may also have a direct effect on behavior: as it gets warmer kids get more violent. However, some experts believe if it gets too hot, over 85 degrees, the frequency of some violent acts such as sexual assault will begin to decline.

There are also geographic differences in the incidence of delinquent behaviors. Large urban areas have by far the highest juvenile violence rates; rural areas have the lowest. Typically, the western and southern states have had consistently higher delinquency rates than the Midwest and Northeast that has been linked to differences in cultural values, population makeup, gun ownership, and economic differences.

**Gender and Delinquency**

With a few exceptions, males are significantly more delinquent than females. The teenage gender ratio for serious violent crime is approximately four to one, and for property crime approximately two to one, male to female.

The only exception to this pattern is arrests for being a runaway: Girls are more likely than boys to be arrested as runaways. There are two possible explanations for this. Girls could be more likely than boys to run away from home or police may view the female runaway as the more serious problem and therefore more likely to process girls through official justice channels. This may reflect paternalistic attitudes toward girls, who are viewed as likely to “get in trouble” if they are on the street.
Between 1995 and 2005, during a period of rapidly declining crime rates, the number of arrests of male delinquents decreased about 28 percent, whereas the number of female delinquents arrested declined by half as much (14 percent). The average girl today is actually “less delinquent” than her older sisters.

Self-report data also seem to show that the incidence of female delinquency is much higher than believed earlier, and that the most common crimes committed by males are also the ones most female offenders commit. Table 2.4 shows the percentages of male and female high school seniors who admitted engaging in delinquent acts during the past twelve months in the latest MTF survey. As the table indicates, about 35 percent of boys and 22 percent of girls admit to shoplifting; 16 percent of boys and 7 percent of girls said they stole something worth more than fifty dollars, and 18 percent of boys and 6 percent of girls said they hurt someone badly enough.

Girls are increasing their involvement in violence at a faster pace than boys, and it is no longer surprising when young women commit armed robberies and murders. Police say 15-year-old Holly Harvey (right) and 16-year-old Sandy Ketchum of Fayetteville, Georgia, were involved in a romantic relationship and that Harvey’s grandparents had tried to keep them apart. The two are accused of stabbing to death Harvey’s grandparents. Harvey had a list inked on her arm that read, “Kill, keys, money, jewelry.” Harvey pleaded guilty to two counts of malice murder and was sentenced to two consecutive life sentences. Sandy Ketchum was sentenced to three life terms for murder and armed robbery, to be served concurrently.

### Table 2.4

<table>
<thead>
<tr>
<th>Delinquent Acts</th>
<th>Males</th>
<th>Females</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serious fight</td>
<td>13</td>
<td>9</td>
</tr>
<tr>
<td>Gang fight</td>
<td>22</td>
<td>16</td>
</tr>
<tr>
<td>Hurt someone badly</td>
<td>18</td>
<td>6</td>
</tr>
<tr>
<td>Used a weapon to steal</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Stole less than $50</td>
<td>33</td>
<td>22</td>
</tr>
<tr>
<td>Stole more than $50</td>
<td>16</td>
<td>7</td>
</tr>
<tr>
<td>Shoplift</td>
<td>35</td>
<td>22</td>
</tr>
<tr>
<td>Breaking and entering</td>
<td>30</td>
<td>22</td>
</tr>
<tr>
<td>Arson</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Damaged school property</td>
<td>17</td>
<td>7</td>
</tr>
</tbody>
</table>

that they required medical care. Over the past decade, girls have increased their self-reported delinquency, whereas boys report somewhat less involvement. Because the relationship between gender and delinquency rate is so important, this topic will be discussed further in Chapter 6.

Although these trends indicate that gender differences in the crime rate may be eroding, some experts, such as Darrell Steffensmeier and his associates, remain skeptical. They believe that female arrest trends may be explained more by changes in police activity than in criminal activity: Police today may be more willing to arrest girls for crimes than ever before.22 What appears to be increases in female delinquency may be a function of police activity rather than changes in behavior patterns.

### Race and Delinquency

There are approximately 41 million European American and 9 million African American youths ages five to seventeen, a ratio of about five to one. Yet racial minorities are disproportionately represented in the arrest statistics (see Exhibit 2.1).

The official statistics show that minority youths are arrested for serious criminal behavior at a rate that is disproportionate to their representation in the population. To many delinquency experts, this pattern reflects discrimination in the juvenile justice system. In other words, African American youths are more likely to be formally arrested by the police, who, in contrast, will treat European American youths informally. One way to examine this issue is to compare the racial differences in self-reported data with those found in the official delinquency records. Given the disproportionate numbers of African Americans arrested, charges of racial discrimination would be supported if we found little difference between the number of self-reported minority and European American crimes.

Early researchers found that the relationship between race and self-reported delinquency was virtually nonexistent.23 This suggests that racial differences in the official crime data may reflect the fact that African American youths have a much greater chance of being arrested and officially processed.24 Self-report studies also suggest that the delinquent behavior rates of African American and European American teenagers are generally similar and that differences in arrest statistics may indicate discrimination by police.25 The MTF survey, for example, generally shows that offending differences between African American and European American youths are marginal.26 However, some experts warn that African American youths may under-report more serious crimes, limiting the ability of self-reports to be a valid indicator of racial differences in the crime rate.27

#### Exhibit 2.1 Racial Trends in the Arrest Data

- About 70 percent of all persons arrested were European American, 30 percent were African American.
- About 60 percent of persons arrested for violent crime were European American, 40 percent African American.
- About 70 percent of persons arrested for property crime were European American, 30 percent African American.
- African American juveniles composed about half of all juveniles arrested in 2005 for violent crime and about one-third of all juveniles arrested for property crime.
- European American juveniles composed about 68 percent of all juveniles arrested in 2005, 67 percent of juveniles arrested for property crime, and about half of all those arrested for violent crime.

Bias Effects

How can the disproportionate number of African American youngsters arrested for serious crimes be explained? One view is that it is a result of bias by the police and courts. Minority group members are more likely to be formally arrested than European Americans. According to the racial threat theory, as the size of the African American population increases, the perceived threat to the European American population increases, resulting in a greater amount of social control imposed against African Americans by police. Police will then routinely search, question, and detain all African American males in an area if a violent criminal has been described as “looking or sounding Black”; this is called racial profiling. African American youth who develop a police record are more likely to be severely punished if they are picked up again and sent back to juvenile court. Consequently, the racial discrimination that is present at the early stages of the justice system ensures that minorities receive greater punishments at its conclusion.

Juvenile court judges may see the offenses committed by African American youths as more serious than those committed by European American offenders. Consequently, they are more likely to keep minority juveniles in detention pending trial in juvenile court than they are European American youth with similar backgrounds. European American juveniles are more likely to receive lenient sentences or have their cases dismissed. As a result, African American youths are more likely to get an official record. According to this view then, the disproportionate number of minority youth who are arrested is less a function of their involvement in serious crime and more the result of the race-based decision making that is found in the juvenile justice system. Institutional racism by police and the courts is still an element of daily life in the African American community, a factor that undermines faith in social and political institutions and weakens confidence in the justice system.

Race Matters

The other point of view holds that although evidence of racial bias does exist in the justice system, there is enough correspondence between official and self-report data to conclude that racial differences in the crime rate are real. If African American youths are arrested at a disproportionately high rate for crimes, such as robbery and assault, it is a result of actual offending rates rather than bias on the part of the criminal justice system. If they exist, how can racial differences in the delinquency rate be explained? One view is that racial differentials are tied to the social and economic disparity suffered by African American youths. Too many are forced to live in the nation’s poorest areas that suffer high crime rates. Many African American youth are forced to attend essentially segregated schools that are underfunded and deteriorated, a condition that increases the likelihood of their being incarcerated in adulthood. The burden of social and economic marginalization has weakened the African American family
structure. When families are weakened or disrupted, their ability to act as social control agents is compromised.40

Even during times of economic growth, lower-class African Americans are left out of the economic mainstream, causing a growing sense of frustration and failure.41 As a result of being shut out of educational and economic opportunities enjoyed by the rest of society, this population may be prone, some believe, to the lure of illegitimate gain and criminality. However, even among at-risk African American kids growing up in communities characterized by poverty, high unemployment levels, and single-parent households, those who do live in stable families with reasonable incomes and educational achievement are much less likely to engage in violent behaviors than those lacking family support.42 Consequently, racial differences in the delinquency rate would evaporate if the social and economic characteristics of racial minorities were improved to levels currently enjoyed by European American, and if African American kids could enjoy the same vocational and educational privileges.43

In summary, official data indicate that African American youths are arrested for more serious crimes than European Americans. However, self-report studies show that the differences in the rates of delinquency between the races are insignificant. Therefore, some experts believe that official differences in the delinquency rate are an artifact of bias in the justice system: police are more likely to arrest and courts are more likely to convict young African Americans.44 To those who believe that the official data have validity, the participation of African American youths in serious criminal behavior is generally viewed as a function of their socioeconomic position and the racism they face.

Social Class and Delinquency

Defining the relationship between economic status and delinquent behavior is a key element in the study of delinquency. If youth crime is purely a lower-class phenomenon, its cause must be rooted in the social forces that are found solely in lower-class areas: poverty, unemployment, social disorganization, culture conflict, and alienation. However, if delinquent behavior is spread throughout the social structure, its cause must be related to some non-economic factor: intelligence, personality, socialization, family dysfunction, educational failure, or peer influence. According to this line of reasoning, providing jobs or economic incentives would have little effect on the crime rate because the root cause of delinquency would be found in the individual and not his or her socioeconomic status.

At first glance, the relationship between class and crime seems clear. Youth who lack wealth or social standing are the most likely to use criminal means to achieve their goals. Communities that lack economic and social opportunities produce high levels of frustration. Kids who live in these areas believe that they can never compete socially or economically with adolescents being raised in more affluent areas. They may turn to criminal behavior for monetary gain and psychological satisfaction.45 Family life is disrupted in these low-income areas, and law-violating youth groups thrive in a climate that undermines and neutralizes adult supervision.46

Research on Social Class and Delinquency The social class–delinquency relationship was challenged by pioneering self-report studies, specifically those that revealed no direct relationship between social class and the commission of delinquent acts.47 Instead, socioeconomic class was related to the manner of official processing by police, court, and correctional agencies.48 In other words, although both poor and affluent kids get into fights, shoplift, and take drugs, only the indigent are likely to be arrested and sent to juvenile court.49 This finding casts doubt on the assumption that poverty and lower-class position is a significant cause of delinquent behavior.
Those who fault self-report studies point to the inclusion of trivial offenses—for example, using a false ID—in most self-report instruments. Although middle- and upper-class youths may appear to be as delinquent as those in the lower class, it is because they engage in significant amounts of such status offenses. Lower-class youths are more likely to engage in serious delinquent acts.50

In sum, there are those experts who believe that antisocial behavior occurs at all levels of the social strata. Other experts argue that, although some middle- and upper-class youths engage in some forms of minor illegal activity and theft offenses, it is under-class youth who are responsible for the majority of serious delinquent acts.51 The prevailing wisdom is that kids who engage in the most serious forms of delinquency (for example, gang violence) are more likely to be members of the lower class.

Age and Delinquency

It is generally believed that age is inversely related to criminality: as people age, the likelihood that they will commit crime declines.52 Official statistics tell us that young people are arrested at a disproportionate rate to their numbers in the population, and this finding is supported by victim surveys. As you may recall, youths ages fourteen through seventeen make up about 6 percent of the total U.S. population, but account for about 15 percent for all arrests. In contrast, adults age fifty and older, who make up slightly less than a third of the population, account for only about 6 percent of arrests. Figure 2.2 shows that even though the number of arrests has been in decline, the peak age for arrest remains the teen years.

Why Age Matters

What is the true association between age and crime? One view is that the relationship is constant: regardless of race, sex, social class, intelligence, or any other social variable, people commit less crime as they age.53 This is referred to as the aging-out process, sometimes called desistance from crime or spontaneous remission. According to this viewpoint, even the most chronic juvenile offenders will commit less crime as they age.54 Because almost everyone eventually ages out of crime, it is difficult to predict or identify the relatively few offenders who will continue to commit crime as they travel through their life course.55

There are also experts who disagree with the concept of spontaneous remission. They suggest that age is one important determinant of crime, but that other factors directly associated with a person’s lifestyle, such as peer relations, also affect offending rates.56 The probability that a person will become a persistent career criminal is influenced by a number of personal and environmental factors.57 Evidence exists, for example, that the age of onset of a delinquent career has an important effect on its length: those who demonstrate antisocial tendencies at a very early age are more likely to commit more crimes for a longer period of time. This is referred to as the developmental view of delinquency.

In summary, some criminologists believe youths who get involved with delinquency at a very early age are most likely to become career criminals. These researchers believe age is a key determinant of delinquency.58 Those opposed to this view find that all people commit less crime as they age and that because the relationship between age and crime is constant, it is irrelevant to the study of delinquency.59

Why Does Crime Decline with Age? Although there is certainly disagreement about the nature of the aging-out process, there is no question that people commit less crime as they grow older. Delinquency experts have developed a number of reasons for the aging-out process:
Growing older means having to face the future. Young people, especially the indigent and antisocial, tend to "discount the future." Why should they delay gratification when faced with an uncertain future?

With maturity comes the ability to resist the "quick fix" to their problems. Research shows that some kids may turn to crime as a way to solve the problems of adolescence, loneliness, frustration, and fear of peer rejection. As they mature, conventional means of problem solving become available. Life experience helps former delinquents seek out nondestructive solutions to their personal problems.

Maturation coincides with increased levels of responsibility. Petty crimes are risky and exciting social activities that provide adventure in an otherwise boring world. As youths grow older, they take on new responsibilities that are inconsistent with criminality. For example, young people who marry, enlist in the armed services, or enroll in vocational training courses are less likely to pursue criminal activities.

Personalities can change with age. As youths mature, rebellious youngsters may develop increased self-control and be able to resist antisocial behavior.

Young adults become more aware of the risks that accompany crime. As adults, they are no longer protected by the relatively kindly arms of the juvenile justice system.

Of course, not all juvenile criminals desist as they age; some go on to become chronic adult offenders. Yet even they slow down as they age. Crime is too dangerous, physically taxing, and unrewarding, and punishments too harsh and long lasting, to become a way of life for most people.
Although most adolescents age out of crime, a relatively small number of youths begin to violate the law early in their lives (early onset) and continue at a high rate well into adulthood (persistence). The association between early onset and high-rate persistent offending has been demonstrated in samples drawn from a variety of cultures, time periods, and offender types. These offenders are resistant to change and seem immune to the effects of punishment. Arrest, prosecution, and conviction do little to slow down their offending careers. These chronic offenders are responsible for a significant amount of all delinquent and criminal activity.

Current interest in the delinquent life cycle was prompted in part by the “discovery” in the 1970s of the chronic juvenile (or delinquent) offender. According to this view, a relatively small number of youthful offenders commit a significant percentage of all serious crimes, and many of these same offenders grow up to become chronic adult criminals.

Chronic offenders can be distinguished from other delinquent youths. Many youthful law violators are apprehended for a single instance of criminal behavior, such as shoplifting or joyriding. Chronic offenders begin their delinquent careers at a young age (under ten years, referred to as early onset), have serious and persistent brushes with the law, and may be excessively violent and destructive. They do not age out of crime, but continue their law-violating behavior into adulthood. Most research shows that early, repeated delinquent activity is the best predictor of future adult criminality.

A number of research efforts have set out to chronicle the careers of serious delinquent offenders. The next sections describe these initiatives.

Delinquency in a Birth Cohort

The concept of the chronic career offender is most closely associated with the research efforts of Marvin Wolfgang. In 1972, Wolfgang, Robert Figlio, and Thorsten Sellin published a landmark study, *Delinquency in a Birth Cohort*. They followed the delinquent careers of a cohort of 9,945 boys born in Philadelphia from birth until they reached age eighteen. Data were obtained from police files and school records. Socioeconomic status was determined by locating the residence of each member of the cohort and assigning him the median family income for that area. About one-third of the boys (3,475) had some police contact. The remaining two-thirds (6,470) had none. Those boys who had at least one contact with the police committed a total of 10,214 offenses.

The most significant discovery of Wolfgang and his associates was that of the so-called chronic offender. The data indicated that 54 percent (1,862) of the sample’s delinquent youths were repeat offenders. The repeaters could be further categorized as non-chronic recidivists and chronic recidivists. Non-chronic recidivists had been arrested more than once but fewer than five times. In contrast, the 627 boys labeled chronic recidivists had been arrested five times or more. Although these offenders accounted for only 18 percent of the delinquent population (6 percent of the total sample), they were responsible for 52 percent of all offenses. Known today as the “chronic 6 percent,” this group perpetrated 71 percent of the homicides, 82 percent of the robberies, and 64 percent of the aggravated assaults.

Arrest and juvenile court experience did little to deter chronic offenders. In fact, the greater the punishment, the more likely they were to engage in repeat delinquent behavior. Strict punishment also increased the probability that further court action would be taken. Two factors stood out as encouraging recidivism: the seriousness of the original offense and the severity of the punishment. The researchers concluded that efforts of the juvenile justice system to eliminate delinquent behavior may be futile.
Wolfgang and his colleagues conducted a second cohort study with children born in 1958 and substantiated the finding that a relatively few chronic offenders are responsible for a significant portion of all delinquent acts. Wolfgang’s results have been duplicated in a number of research studies conducted in locales across the United States and also in Great Britain. Some have used the records of court-processed youths and others have employed self-report data.

**Figure 2.3 Distribution of Offenses in the Philadelphia Cohort**

- Total cohort 9,945 boys
  - 3,475 delinquents
  - 6,470 non-delinquents
    - 1,862 repeaters (54%)
    - 1,613 non-repeaters (46%)
    - 1,236 committed 1–4 offenses (66%)
    - 627 committed 5 or more crimes (34%)


Wolfgang and his colleagues conducted a second cohort study with children born in 1958 and substantiated the finding that a relatively few chronic offenders are responsible for a significant portion of all delinquent acts. Wolfgang’s results have been duplicated in a number of research studies conducted in locales across the United States and also in Great Britain. Some have used the records of court-processed youths and others have employed self-report data.

**Stability in Crime: From Delinquent to Criminal**

Do chronic juvenile offenders grow up to become chronic adult criminals? One study that followed a 10 percent sample of the original Pennsylvania cohort (974 subjects) to age thirty found that 70 percent of the “persistent” adult offenders had also been chronic juvenile offenders. Chronic juvenile offenders had an 80 percent chance of becoming adult offenders and a 50 percent chance of being arrested four or more times as adults. Paul Tracy and Kimberly Kempf-Leonard conducted a follow-up study of all the subjects in the second 1958 cohort. By age twenty-six, Cohort II subjects were displaying the same behavior patterns as their older peers. Kids who started their delinquent careers early, committed a violent crime, and continued offending throughout adolescence were most likely to persist in criminal behavior as adults. Delinquents who began their offending careers with serious offenses or who quickly increased the severity of their offending early in life were most likely to persist in their criminal behavior into adulthood. Severity of offending rather than frequency of criminal behavior had the greatest impact on later adult criminality.
These studies indicate that chronic juvenile offenders continue their law-violating careers as adults, a concept referred to as the **continuity of crime**. Kids who are disruptive as early as age five or six are most likely to exhibit disruptive behavior throughout adolescence.\(^76\)

### What Causes Chronic Offending?

Research indicates that chronic offenders suffer from a number of personal, environmental, social, and developmental deficits, as shown in Exhibit 2.2. Other research studies have found that involvement in criminal activity (for example, getting arrested before age fifteen), relatively low intellectual development, and parental drug involvement were key predictive factors for future chronic offending.\(^77\) Measurable problems in learning and motor skills, cognitive abilities, family relations, and other areas also predict chronicity.\(^78\) Youthful offenders who persist are more likely to abuse alcohol, become economically dependent, have lower aspirations, and have a weak employment record.\(^79\) Apprehension and punishment seem to have little effect on their offending behavior. Youths who have long juvenile records will most likely continue their offending careers into adulthood.

### Policy Implications

Efforts to chart the life cycle of crime and delinquency will have a major influence on both theory and policy. Rather than simply asking why youths become delinquent or commit antisocial acts, theorists are charting the onset, escalation, frequency, and cessation of delinquent behavior. Research on delinquent careers has also influenced policy. If relatively few offenders commit a great proportion of all delinquent acts and then persist as adult criminals, it follows that steps should be taken to prevent these offenders from committing future crimes.

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**CHECKPOINTS**

- Official arrest statistics, victim data, and self-reports indicate that males are significantly more delinquent than females. In recent years, however, the female delinquency rate appears to be increasing faster than that for males.
- Although the true association between class and delinquency is still unknown, the official data tell us that delinquency rates are highest in areas with high rates of poverty.
- African American youths are arrested for a disproportionate number of delinquent acts, such as robbery and assault, whereas European American youths are arrested for a disproportionate share of arson and alcohol-related violations.
- Some criminologists suggest that institutional racism, such as police profiling, accounts for the racial differences in the delinquency rate. Others believe that high African American delinquency rates are a function of living in a racially segregated society.
- Kids who engage in the most serious forms of delinquency are more likely to be members of the lower class.
- Delinquency rates decline with age. As youthful offenders mature, the likelihood that they will commit offenses declines.
- Not all juvenile criminals desist as they age; some go on to become chronic adult offenders.
- Chronic offenders commit a significant portion of all delinquent acts.
- Age of onset has an important effect on a delinquent career: those who demonstrate antisocial tendencies at a very early age are more likely to commit more crimes for a longer duration.

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**Exhibit 2.2  Childhood Risk Factors for Persistent Delinquency**

**Individual Factors**
- Early antisocial behavior
- Emotional factors, such as high behavioral activation and low behavioral inhibition
- Poor cognitive development
- Low intelligence
- Hyperactivity

**School and Community Factors**
- Failure to bond to school
- Poor academic performance
- Low academic aspirations
- Living in a poor family
- Neighborhood disadvantage
- Disorganized neighborhoods
- Concentration of delinquent peer groups
- Access to weapons

**Family Factors**
- Parenting
- Maltreatment
- Family violence
- Divorce
- Parental psychopathology
- Familial antisocial behaviors
- Teenage parenthood
- Family structure
- Large family size

**Peer Factors**
- Association with deviant peers
- Peer rejection

Family problems may be a key determinate of chronic offending. Families can also be a great resource for delinquent teens who otherwise would be placed in the foster care system. How did such support influence Jamesetta’s success? What do relatives need from the system to help them parent these often difficult teenagers?

Juveniles are also victims of crime, and data from victim surveys can help us understand the nature of juvenile victimization. One source of juvenile victimization data is the result of an ongoing cooperative effort of the Bureau of Justice Statistics of the U.S. Department of Justice and the U.S. Census Bureau called the National Crime Victimization Survey (NCVS). The NCVS is a household survey of victims of criminal behavior that measures the nature of the crime and the characteristics of victims.

The total annual sample size of the NCVS has been about forty thousand households, containing about seventy-five thousand individuals. The sample is broken down into subsamples of ten thousand households, and each group is interviewed twice a year. The NCVS has been conducted annually for more than fifteen years.

Victimization in the United States

The NCVS provides estimates of the total number of personal contact crimes (assault, rape, robbery) and household victimizations (burglary, larceny, vehicle theft). The survey indicates that currently about 23 million criminal incidents occur each year. Being the target or victim of rape, robbery, or assault is a terrible burden, and one that can have considerable long-term consequences. If we translate the value of pain, emotional trauma, disability, and risk of death into dollar terms, the cost is $450 billion, or $1,800 for every person in the United States. At first glance these figures seem overwhelming, but victimization rates are stable or declining for most crime categories.

Many of the differences between NCVS data and official statistics can be attributed to the fact that victimizations are frequently not reported. Less than half of all violent crime victimizations and 40 percent of all property crime victimizations are reported to the police.

Young Victims

NCVS data indicate that young people are much more likely to be the victims of crime than adults. The chance of victimization declines with age. The difference is particularly striking when we compare teens under age nineteen with people over age sixty-five: teens are more than fifteen times as likely to become victims than their grandparents. The data also indicate that male teenagers have a significantly higher chance than females of becoming victims of violent crime, and that African American youth have a greater chance of becoming victims of violent crimes than European Americans of the same age.
NCVS data can also tell us something about the relationship between victims and offenders. This information is available because victims of violent personal crimes, such as assault and robbery, can identify the age, sex, and race of their attackers.

In general, teens tend to be victimized by their peers. A majority of teens were shown to have been victimized by other teens, whereas victims age twenty and over identified their attackers as being twenty-one or older. However, people in almost all age groups who were victimized by groups of offenders identified their attackers as teenagers. Violent crime victims report that a disproportionate number of their attackers are young, ranging in age from sixteen to twenty-five.

The data also tell us that victimization is intraracial (that is, within race). European American teenagers tend to be victimized by European American teens, and African American teenagers tend to be victimized by African American teens.

Most teens are victimized by people with whom they are acquainted, and their victimization is more likely to occur during the day. In contrast, adults are more often victimized by strangers, and at night. One explanation for this pattern is that youths are at greatest risk from their own family and relatives. (Chapter 8 deals with the issue of child abuse and neglect.) Another possibility is that many teenage victimizations occur at school, in school buildings, or on school grounds.

Despite some sensational cases, the number of children abducted or murdered by strangers is less than commonly thought. However, when a young child is victimized, the impact can devastate an entire community. Kidnap victim Carlie Brucia, 11, is shown being led away by an unidentified man February 1, 2004. This image was taken by an exterior motion-sensor surveillance camera at a car wash. Carlie’s body was found five days after she was abducted. On December 1, 2005, Joseph Smith, a Florida auto mechanic, was sentenced to death for her rape and murder. This tragic case sadly shows the vulnerability of children to predatory criminals.
Official delinquency refers to youths who are arrested. Arrest data come from the FBI’s Uniform Crime Report (UCR), an annual tally of crimes reported to police by citizens. The FBI gathers arrest statistics from local police departments. From these, it is possible to determine the number of youths who are arrested each year, along with their age, race, and gender.

About 1.5 million youths are arrested annually. After a long increase in juvenile crime, there has been a decade decrease in the number of juveniles arrested for nonviolent and violent crimes.

Dissatisfaction with the UCR prompted criminologists to develop other means of measuring delinquent behavior. Self-reports are surveys in which subjects are asked to describe their misbehavior. Although self-reports indicate that many more crimes are committed than are known to the police, they also show that the delinquency rate is rather stable.

The factors that are believed to shape and control teen delinquency rates include gang activity, drug abuse, and teen gun ownership, abortion rates, economy, punishment, and social conditions.

Delinquents are disproportionately male, although female delinquency rates are rising faster than those for males. Minority youth are overrepresented in the delinquency rate, especially for violent crime. Experts are split on the cause of racial differences. Some believe they are a function of system bias, others see them as representing actual differences in the delinquency rate.

Disagreement also exists over the relationship between class position and delinquency. Some hold that adolescent crime is a lower-class phenomenon, whereas others see it throughout the social structure. Problems in methodology have obscured the true class-crime relationship. However, official statistics indicate that lower-class youths are responsible for the most serious criminal acts.

There is general agreement that delinquency rates decline with age. Some experts believe this phenomenon is universal, whereas others believe a small group of offenders persist in crime at a high rate. The age-crime relationship has spurred research on the nature of delinquency over the life course.

Delinquency data show the existence of a chronic persistent offender who begins his or her offending career early in life and persists as an adult. Wolfgang and his colleagues identified chronic offenders in a series of cohort studies conducted in Philadelphia.

Ongoing research has identified the characteristics of persistent offenders as they mature, and both personality and social factors help us predict long-term offending patterns.

The National Crime Victimization Survey (NCVS) is an annual national survey of the victims of crime that is conducted by agencies of the federal government.

Teenagers are much more likely to become victims of crime than are people in other age groups.

### SUMMARY

- Official delinquency refers to youths who are arrested.
- Arrest data come from the FBI’s Uniform Crime Report (UCR), an annual tally of crimes reported to police by citizens.
- The FBI gathers arrest statistics from local police departments. From these, it is possible to determine the number of youths who are arrested each year, along with their age, race, and gender.
- About 1.5 million youths are arrested annually.
- After a long increase in juvenile crime, there has been a decade decrease in the number of juveniles arrested for nonviolent and violent crimes.
- Dissatisfaction with the UCR prompted criminologists to develop other means of measuring delinquent behavior. Self-reports are surveys in which subjects are asked to describe their misbehavior. Although self-reports indicate that many more crimes are committed than are known to the police, they also show that the delinquency rate is rather stable.
- The factors that are believed to shape and control teen delinquency rates include gang activity, drug abuse, and teen gun ownership, abortion rates, economy, punishment, and social conditions.
- Delinquents are disproportionately male, although female delinquency rates are rising faster than those for males.
- Minority youth are overrepresented in the delinquency rate, especially for violent crime. Experts are split on the cause of racial differences. Some believe they are a function of system bias, others see them as representing actual differences in the delinquency rate.
- Disagreement also exists over the relationship between class position and delinquency. Some hold that adolescent crime is a lower-class phenomenon, whereas others see it throughout the social structure. Problems in methodology have obscured the true class-crime relationship. However, official statistics indicate that lower-class youths are responsible for the most serious criminal acts.
- There is general agreement that delinquency rates decline with age. Some experts believe this phenomenon is universal, whereas others believe a small group of offenders persist in crime at a high rate. The age-crime relationship has spurred research on the nature of delinquency over the life course.
- Delinquency data show the existence of a chronic persistent offender who begins his or her offending career early in life and persists as an adult. Wolfgang and his colleagues identified chronic offenders in a series of cohort studies conducted in Philadelphia.
- Ongoing research has identified the characteristics of persistent offenders as they mature, and both personality and social factors help us predict long-term offending patterns.
- The National Crime Victimization Survey (NCVS) is an annual national survey of the victims of crime that is conducted by agencies of the federal government.
- Teenagers are much more likely to become victims of crime than are people in other age groups.

### KEY TERMS

- Federal Bureau of Investigation (FBI), p. 23
- Uniform Crime Report (UCR), p. 23
- Part I offenses, p. 23
- Part II offenses, p. 23
- disaggregated, p. 26
- self-reports, p. 29
- dark figures of crime, p. 29
- age of onset, p. 37
- chronic juvenile offenders, p. 39
- chronic recidivists, p. 39
- continuity of crime, p. 41
- victimization, p. 42

### QUESTIONS FOR DISCUSSION

1. What factors contribute to the aging-out process?
2. Why are males more delinquent than females? Is it a matter of lifestyle, culture, or physical properties?
3. Discuss the racial differences found in the crime rate. What factors account for differences in the African American and European American crime rates?
4. Should kids who have been arrested more than three times be given mandatory incarceration sentences?
5. Do you believe that self-reports are an accurate method of gauging the nature and extent of delinquent behavior?
APPLYING WHAT YOU HAVE LEARNED

As a juvenile court judge you are forced to make a tough decision during a hearing: whether a juvenile should be waived to the adult court. It seems that gang activity has become a way of life for residents living in local public housing projects. The “Bloods” sell crack, and the “Wolfpack” controls the drug market. When the rivalry between the two gangs exploded, sixteen-year-old Shatiek Johnson, a Wolfpack member, shot and killed a member of the Bloods; in retaliation, the Bloods put out a contract on his life. While in hiding, Shatiek was confronted by two undercover detectives who recognized the young fugitive. Fearing for his life, Shatiek pulled a pistol and began firing, fatally wounding one of the officers. During the hearing, you learn that Shatiek’s story is not dissimilar from that of many other children raised in tough housing projects. With an absent father and a single mother who could not control her five sons, Shatiek lived in a world of drugs, gangs, and shootouts long before he was old enough to vote. By age thirteen, Shatiek had been involved in the gang-beating death of a homeless man in a dispute over ten dollars, for which he was given a one-year sentence at a youth detention center and released after six months. Now charged with a crime that could be considered first-degree murder if committed by an adult, Shatiek could—if waived to the adult court—be sentenced to life in prison.

At the hearing, Shatiek seems like a lost soul. He claims he thought the police officers were killers out to collect the bounty put on his life by the Bloods. He says that killing the police officer was an act of self-defense. The DA confirms that the victim was in fact a known gang assassin with numerous criminal convictions. Shatiek’s mother begs you to consider the fact that her son is only sixteen years old, that he has had a very difficult childhood, and that he is a victim of society’s indifference to the poor.

Would you treat Shatiek as a juvenile and see if a prolonged stay in a youth facility could help this troubled young man, or would you transfer (waive) him to the adult justice system? Does a sixteen-year-old like Shatiek deserve a second chance? Is Shatiek’s behavior common among adolescent boys or unusual and disturbing?

DOING RESEARCH ON THE WEB

To help you answer these questions and to learn more about gang membership, go to www.thomsonedu.com/criminaljustice/siegel to access the federal site for the National Criminal Justice Reference service, a U.N. site that offers important information, and a site on a private treatment center.
CHAPTER 3

Individual Views of Delinquency: Choice and Trait

CHAPTER OUTLINE

CHOICE THEORY
THE RATIONAL DELINQUENT
Choosing Delinquent Acts
Routine Activities

CHOICE THEORY AND DELINQUENCY PREVENTION
General Deterrence
Specific Deterrence
Situational Crime Prevention
Do Delinquents Choose Crime?

TRAIT THEORIES: BIOSOCIAL AND PSYCHOLOGICAL VIEWS
The Origins of Trait Theory
Contemporary Trait Theory

BIOSOCIAL THEORIES OF DELINQUENCY
Biochemical Factors
Neurological Dysfunction
Genetic Influences
Focus on Delinquency: ADHD: Attention-Deficit/Hyperactivity Disorder

PSYCHOLOGICAL THEORIES OF DELINQUENCY
Psychodynamic Theory
Focus on Delinquency: Violent Media/Violent Behavior?
Behavioral Theory
Cognitive Theory
Personality and Delinquency
Intelligence and Delinquency

CRITIQUING TRAIT THEORY VIEWS
TRAIT THEORY AND DELINQUENCY PREVENTION

CHAPTER OBJECTIVES

After reading this chapter you should:
1. Know the difference between choice and trait theories.
2. Understand the concept of criminal choice.
3. Be familiar with the concept of routine activities.
4. Be able to discuss the pros and cons of general deterrence.
5. Recognize what is meant by the term specific deterrence.
6. Understand the concept of situational crime prevention.
7. Know the biochemical, neurological, and genetic factors linked to delinquency.
8. Understand the psychodynamic model of delinquency.
9. Understand why, according to the behavioral perspective, watching violent media causes violent behaviors.
10. Be familiar with the term psychopath.
11. Recognize the issues linking intelligence to delinquency.
Sixteen-year-old Eric Peterson’s parents divorced when he was very young; there had been a history of domestic violence in his Minnesota family. Eric, an only child, was diagnosed with attention-deficit/hyperactivity disorder (ADHD) at the age of eight, and also was suffering from reading and math deficiencies. Diagnosed with learning disabilities, Eric had challenges at school and was struggling academically.

About a year ago, Eric’s mother became extremely concerned about his behavior, both at home and at school. Eric was acting aggressively at school and had been involved in several fights. Although his teachers were understanding, some were openly concerned about his sudden hostility and believed he posed a threat to the safety of the other children; he was on the verge of expulsion. At home Eric was defiant, refused to obey his mother’s rules, and was often verbally abusive. He made verbal threats toward his mother and damaged property in their home. Part of Eric’s problem might have been linked to his expanding substance abuse. He had a history of smoking marijuana on a regular basis. Although he had recently completed a drug and alcohol assessment and treatment program, his drug use persisted.

Sensing that a crisis was about to explode, Eric’s mother got in contact with Family and Children’s Services of Minnesota and requested assistance. After completing their initial assessment, Family and Children’s Services provided Eric and his mother with family therapy and individual counseling. The family received treatment to address the issues at home and to try to provide support for them both. Eric’s mother was given help with establishing rules and creating consequences for misbehavior. Eric participated in individual counseling to address his anger issues. During these sessions, Eric admitted that in addition to being physically aggressive toward his mother and peers at school, he was also physically abusing his girlfriend. Eric was honest about his behavior and indicated a desire to stop the abuse. He did not blame others for his behavior and took responsibility for his actions, an attitude that bolstered his counselor’s belief that he could be helped by a proper treatment regime.

Eric was referred to the Adolescent Domestic Abuse Program, a unique counseling program for boys ages thirteen through seventeen who are physically abusive or intimidating to a family member or dating partner. The program involves ten weeks of group counseling with other young men who have also been involved in this type of violent behavior. The treatment protocol includes a family counseling component to help stop the abuse and help the family heal. Eric made an excellent connection with the group facilitator and worked very hard to address his behavior.

In this instance, the Adolescent Domestic Abuse Program proved to be a successful treatment milieu: Eric was able to stop his abusive behavior and create a better life for himself and his family. He has gone on to assist other teens stop the cycle of domestic violence by becoming a regular speaker and volunteer at the Adolescent Domestic Abuse Program and at local schools. Eric has also graduated from high school and has even started college classes. His goal: to work with troubled teens and set them on the path to a better life, just like the one he took himself.

Eric’s involvement in antisocial behavior may reflect personal, individual level problems. Considering stories such as Eric’s, some delinquency experts question whether the root cause of juvenile misbehavior can be found among social factors, such as poverty and neighborhood conflict. Are delinquents really a “product of their environment” or are they troubled individuals beset by personal, emotional, and/or physical problems? If social and economic factors alone can determine behavior, how is it that many youths residing in dangerous neighborhoods live law-abiding lives? According to the U.S. Census Bureau, more than 37 million Americans live in poverty, yet the vast majority do not become delinquents and criminals.1 Research indicates that relatively few youths in any population, even the most economically disadvantaged, actually become hard-core, chronic delinquents.2 The quality of neighborhood and family life may have little impact on the choices individuals make.3

Views of delinquency that focus on the individual can be divided into two categories. One position, referred to as choice theory, suggests that offenders are rational decision makers who choose to engage in antisocial activity because they believe their actions will be beneficial. Whether they join a gang, steal cars, or sell drugs, their

choice theory
Holds that youths will engage in delinquent and criminal behavior after weighing the consequences and benefits of their actions; delinquent behavior is a rational choice made by a motivated offender who perceives that the chances of gain outweigh any possible punishment or loss.
delinquent acts are motivated by the belief that crime can be a relatively risk-free way
to better their situation, make money, and have fun. They have little fear of getting
catched. Some have fantasies of riches, and others may enjoy the excitement produced
by criminal acts such as beating up someone or stealing a car.

The second view, referred to as trait theory, suggests that delinquent acts, such as
the behaviors that Eric was getting involved in, are the product of personal problems
and conditions. Many forms of delinquency, such as substance abuse and violence,
appear more impulsive than rational, and these behaviors may be inspired by aber-
rant physical or psychological traits. Although some youths may choose to commit
crime because they desire conventional luxuries and power, others may be driven by
abnormalities, such as hyperactivity, low intelligence, biochemical imbalance, or
genetic defects.

Choice and trait theories are linked, because they both focus on an individual’s
mental processes and behavioral reactions. They suggest that each person reacts to
environmental and social circumstances in a unique fashion. Faced with the same set
of conditions, one person will live a law-abiding life, whereas another will use antiso-
cial or violent behavior to satisfy his or her needs. Choice theorists suggest that the
delinquent freely chooses antisocial behaviors to satisfy needs, whereas trait theorists
argue that the choice of antisocial behavior is shaped by mental and physical traits.

CHOICE THEORY
The first formal explanations of crime held that human behavior is a matter of
choice. It was assumed that people had free will to choose their behavior and that
those who violated the law were motivated by greed, revenge, survival, or hedonism.
More than two hundred years ago, utilitarian philosophers Cesare Beccaria and
Jeremy Bentham argued that people weigh the consequences of their actions before
deciding on a course of behavior. Their writings formed the core of what used to be
called classical criminology and is now referred to as rational choice theory (or more
simply choice theory).

Choice theory holds that the decision to violate the law comes after a careful
weighing of the benefits and costs of criminal behaviors. Most potential law violators
would cease their actions if the pain associated with a behavior outweighed the gain;
conversely, law-violating behavior seems attractive if the rewards seem greater than
the punishment. Delinquents are not the product of a “bad environment” or life.
They choose to commit crime because they find violating the law attractive and not
because they are a product of a “broken home” or troubled family.

According to the choice view, youths who decide to become drug dealers com-
pare the benefits, such as cash to buy cars and other luxury items, with the penalties,
such as arrest followed by a long stay in a juvenile facility. Many have “learned” the
drug trade from more experienced adult criminals who show them the “ropes”—
how to avoid detection by camouflageing their activities within the bustle of their
daily lives. They sell crack while hanging out in a park or shooting hoops in a play-
ground. They try to act normal, having a good time, anything not to draw attention
to themselves and their business. If they take their “lessons” to heart and become
accomplished dealers, they may believe that they cannot be caught and even when
they do they can avoid severe punishments. They may know or hear about criminals
who make a significant income from their illegal activities and want to follow in
their footsteps.

THE RATIONAL DELINQUENT
The view that delinquents choose to violate the law remains a popular approach to
the study of delinquency. According to this view, delinquency is not merely a func-
tion of social ills, such as lack of economic opportunity or family dysfunction. In
reality, many youths from affluent families choose to break the law, and most indigent adolescents are law abiding. For example, at first glance drug abuse appears to be a senseless act motivated by grinding poverty and a sense of desperation. However, economic hopelessness cannot be the motivating force behind the substance abuse of millions of middle-class users, many of whom plan to finish high school and go on to college. These kids are more likely to be motivated by the desire for physical gratification, peer group acceptance, and other social benefits. They choose to break the law, because, despite the inherent risks, they believe that taking drugs and drinking provide more pleasure than pain. Their entry into substance abuse is facilitated by their perception that valued friends and family members endorse and encourage drug use and abuse substances themselves.9 Subscribers to the rational choice model believe the decision to commit a specific type of crime is a matter of personal decision making; hence, the term rational choice.

Choosing Delinquent Acts

The focus of choice theory is on the act, not on the offender. The concepts of delinquent and delinquency are considered separate: delinquents are youth who maintain the propensity to commit delinquent acts; delinquency is an event during which an adolescent chooses to violate the law.10 They carefully choose targets and their behavior is systematic and selective. Teen burglars seem to choose targets based on their value, freshness, and resale potential. A relatively new piece of electronic gear, such as Apple’s iPod, may be a prime target, because it has not yet saturated the market and still retains high value.11 Delinquents do not like to travel to commit crimes. Familiarity with an area gives kids a ready knowledge of escape routes; this is referred to as their “awareness space.”12 A familiar location allows them to blend in, not look out of place, and not get lost when returning home with their loot.13 Rational delinquents are not immune from the dangers of their “profession.” Even if youths have a delinquent propensity and are motivated to commit crimes, they may not do so if the opportunity to is restricted or absent. They may want to break into a home, but are frightened off by a security system, guard dog, or gun-toting owner. In contrast, the least-motivated adolescent may turn to crime if the rewards are very attractive, the chance of apprehension small, and the punishment tolerable. Why a child has the propensity to commit delinquent acts is an issue quite distinct from the reasons a delinquent decides to break into a particular house one day or to sell narcotics the next. A number of personal factors are linked to the decision to choose delinquency:

Economic Need/Opportunity Some kids are motivated by economic needs. Kids who use drugs, for example, may increase their delinquent activities proportionate to the costs of their habit. As the cost of their drug habit increases, the lure of illegal profits becomes overwhelmingly attractive.14 Kids may choose delinquency because they believe they have little chance of becoming successful in the conventional world. They view drug dealing and car thefts as their ticket to a better life.

Problem Solving Kids may choose crime as a means to solve personal problems and show their competence. Delinquent acts are an ideal mechanism for displaying courage and fearlessness.

Do delinquents choose to commit illegal acts? The evidence shows that most do and that delinquency is a matter of planning as well. Andrew Elisha Staley, a teenager accused of burning a U.S. flag on the Fourth of July, is released after spending nine days in custody. It would be difficult to believe that an act such as flag burning is not planned.
to one’s running mates. What could be a better way for kids to show how tough they are than being able to get into a gang fight with their buddies? Rather than creating overwhelming social problems, a delinquent way of life may help kids overcome the problems and stresses they face in their daily lives. Some turn to substance abuse to increase their sense of personal power, to become more assertive, and to reduce tension and anxiety. Some kids embrace deviant lifestyles, such as joining a gang, in order to compensate for their feelings of social powerlessness. Engaging in risky behavior helps them to feel alive and competent.15

False Expectations Some kids have the false belief that “crime pays.” They may admire older criminals who have made “big scores” and seem to be quite successful at crime. They get the false impression that crime is an easy way to make a big buck.16 In reality, the rewards of crime are often quite meager. When Steven Levitt and Sudhir Alladi Venkatesh studied the financial rewards of being in a drug gang, they found that despite enormous risks to their health, life, and freedom, average gang members earned slightly more than what they could in the legitimate labor market (about six to eleven dollars per hour).17 Why then did they stay in the gang? Members believed that there was a strong potential for future riches if they earned a “management” position (that is, gang leaders earned a lot more than mere members). In this case, the rational choice to commit crime is structured by the adolescent’s perception that they can make a lot of money in the future by being a successful gang member as opposed to the limited opportunities available in the legitimate world.18

Opportunity Choosing delinquency may be directly associated with the opportunity to commit crime. Kids who are granted a lot of time socializing with peers are more likely to engage in deviant behaviors, especially if their parents are not around to supervise or control their behavior.19 Teenage boys may have the highest crime rates, because they, rather than girls, have the freedom to engage in unsupervised socialization.20 Girls who are physically mature and have more freedom without parental supervision are more likely to have the opportunity to engage in antisocial acts than their less mature peers.21

If opportunity influences choice, can providing kids with “character-building” activities—such as a part-time job after school—reduce their involvement in delinquency? Research shows that adolescent work experience may actually increase antisocial activity rather than limit its occurrence. Kids who get jobs may be looking for an easy opportunity to acquire cash to buy drugs and alcohol; after-school jobs may attract teens who are more impulsive than ambitious.22 At work, the opportunity to socialize with deviant peers combined with lack of parental supervision increases criminal motivation.23 Although some adults may think that providing teens with a job will reduce their criminal activity (“idle hands are the devil’s workshop”) many qualities of the work experience—autonomy, increased social status among peers, and increased income—may neutralize the positive effects of working. If providing jobs is to have any positive influence on kids, the jobs must in turn provide a learning experience and support academic achievement.24

Routine Activities

If the motivation to commit delinquent acts is a constant, why do delinquency rates rise and fall? Why are some areas more delinquency-ridden than others? To answer these questions, some choice theorists believe that attention must be paid to the opportunity to commit delinquent acts.25 According to routine activities theory, developed by Lawrence Cohen and Marcus Felson, the volume and distribution of predatory crimes (violent crimes against
persons and crimes in which an offender attempts to steal an object directly from its holder) in a particular area and at a particular time is influenced by the interaction of three variables: the availability of suitable targets (such as homes containing easily saleable goods), the absence of capable guardians (such as homeowners, police, and security guards), and the presence of motivated offenders (such as unemployed teenagers) (see Figure 3.1).

This approach gives equal weight to opportunity and propensity: the decision to violate the law is influenced by opportunity and the greater the opportunity, the greater the likelihood of delinquency.

**Lack of Capable Guardians** Kids will commit crimes when they believe their actions will go undetected by guardians, such as police, security guards, neighbors, teachers, or homeowners. They choose what they consider safe places to commit crimes and to buy and sell drugs.

Research does show that crime levels are relatively low in neighborhoods where residents keep a watchful eye on their neighbors’ property. Delinquency rates trend upward as the number of adult caretakers (guardians) who are at home during the day decreases. With mothers at work and children in day care, homes are left unguarded, becoming vulnerable targets. In our highly transient society, the traditional neighborhood, in which streets are monitored by familiar guardians, such as family members, neighbors, and friends, has been vanishing and replaced by anonymous housing developments. Potential thieves look for these unguarded neighborhoods in order to plan their break-ins and burglaries.

**Suitable Targets** The availability of suitable targets, such as DVD and CD players, cell phones, digital cameras, jewelry, and cash, will increase crime rates. Research has generally supported the fact that the more wealth a home contains, the more likely it is to be a crime target. As the value of goods such as mobile phones and camcorders

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**Figure 3.1** Routine Activities Theory Helps Explain Fluctuations in the Delinquency Rate

- **Lack of capable guardians**
  - Police officers
  - Homeowners
  - Security systems

- **Motivated offenders**
  - Teenage boys
  - Unemployed
  - Addict population

- **Suitable targets**
  - Costly jewelry
  - Expensive cars
  - Easily transportable goods
Motivated Offenders Routine activities theory also links delinquency rates to the number of kids in the population who are highly motivated to commit crime. If social forces increase the motivated population, then delinquency rates may rise. For example, if the number of teenagers in a given population exceeds the number of available part-time and after-school jobs, the supply of motivated offenders may increase. As the “crack epidemic” of the 1980s waned the delinquency rate dropped, because crack addicts are highly motivated offenders.

CHOICE THEORY AND DELINQUENCY PREVENTION

If delinquency is a rational choice and a routine activity, then delinquency prevention is a matter of convincing potential delinquents that they will be punished for committing delinquent acts, punishing them so severely that they never again commit crimes, or making it so difficult to commit crimes that the potential gain is not worth the risk. The first of these strategies is called general deterrence, the second specific deterrence, and the third situational crime prevention. Let’s look at each of these strategies in more detail.

General Deterrence

The general deterrence concept holds that the choice to commit delinquent acts can be controlled by the threat of punishment. The concept is simple: People will commit crime if they believe they will be successful in their criminal endeavor. If people believe illegal behavior will result in severe sanctions, they will choose not to commit crimes. If kids believed that their illegal behavior would result in apprehension and punishment, then only the truly irrational would commit delinquent acts. A guiding principle of deterrence theory is that the more severe, certain, and swift the punishment, the greater the deterrent effect. Even if a particular delinquent act carries a very severe punishment, there will be relatively little deterrent effect if most kids do not believe they will be caught. Conversely, even a mild sanction may deter crime if kids believe punishment is certain. So if the justice system can convince would-be delinquents that they will be caught—these youths may decide that delinquency simply does not pay. One approach has been to put more cops on the street and having them aggressively enforce the law. Proactive, aggressive law enforcement officers who quickly get to the scene of the crime may help deter delinquent activities.

Deterrence and Delinquency Traditionally, juvenile justice authorities have been reluctant to incorporate deterrence-based punishments on the ground that they interfere with the parens patriae philosophy. Children are punished less severely than adults, limiting the power of the law to deter juvenile crime. However, during the 1990s the increase in teenage violence, gang activity, and drug abuse prompted a reevaluation of deterrence strategies. Some juvenile courts have shifted from an emphasis on treatment to an emphasis on public safety. Police began to focus on particular problems in their jurisdiction rather than to react after a crime occurred. They began to use aggressive tactics to deter membership in drug-trafficking gangs. Some police officers were sent into high schools undercover to identify and arrest student drug dealers.
Another deterrent effort was to toughen juvenile sentencing codes and make it easier to waive juveniles to the adult court. In addition, legislators have passed more restrictive juvenile codes, and the number of incarcerated juveniles continues to increase. To those who advocate a “get tough” approach to juvenile crime, these efforts have had a beneficial effect: the overall delinquency rate declined as the threat of punishment increased.

Can Delinquency Be Deterred? On the surface, deterrence appears to have benefit, but there is reason to believe that the benefit is limited. Although delinquency rates have declined during a period when deterrence measures are in vogue, it does not necessarily mean that kids were deterred from crime. As you may recall, other social factors in play during the same period may have explained the drop, including lower rates of drug abuse, reduced teen pregnancy, and a strong economy.

Because deterrence strategies are based on the idea of a “rational” offender, they may not be effective when applied to young people. It is possible that punishment may bring defiance rather than deterrence in a teen population not known for its reasonableness. Minors tend to be less capable of making mature judgments, and many younger offenders are unaware of the content of juvenile legal codes. A deterrence policy (e.g., mandatory waiver to the adult court for violent crimes) will have little effect on delinquency rates of kids who are not even aware these statutes exist. It seems futile, therefore, to try to deter delinquency through fear of legal punishment. Teens seem more fearful of being punished by their parents or of being the target of disapproval from their friends than they are of the police.

Looking Back to Eric’s Story

Dating and relationship violence can start at a very early age. What can be done to deter dating violence? What should happen to teens involved in this type of behavior? Should they be charged criminally? Why or why not?
Co-offending
Committing criminal acts in groups.

Specific deterrence
Sending convicted offenders to secure incarceration facilities so that punishment is severe enough to convince them not to repeat their criminal activity.

Does Punishment Work?
To some experts and pundits, if delinquency is punished severely kids will not risk committing delinquent acts. Consider this statement by Texas congressman Lamar Smith, an advocate of sending juveniles to adult court:

> It is commonsense public policy when states pass laws that allow or require violent juveniles to be transferred to adult courts. I strongly believe that we can no longer tolerate young people who commit violent crimes simply because of their age. Young people have the ability to decide between right and wrong, as the vast majority of us do every day. But those youths who choose to prey on other juveniles, senior citizens, merchants, or homeowners will be held responsible. If that choice results in confinement in an adult prison system, perhaps youths who have a propensity to commit violent crimes will think twice before acting.

1. Do you think that sending kids to adult prisons will really deter others from committing crimes?
2. What do you recommend be done to stop or deter delinquency?
3. Do you think kids who commit crime really have the capacity to “think twice” before they act?
4. Can you remember ever being in a situation where you felt forced to break the law because of peer pressure, when being afraid of the consequences had no real effect on your behavior?


What Does This Mean to Me?

Does Punishment Work?

It is also possible that experience with crime damps an adolescent’s fear of punishment, thus neutralizing its deterrent effect. One recent research effort by Greg Pogarsky and his associates found that getting arrested had little deterrent effect on youth and that kids who were experienced offenders were the ones most likely to continue committing crime. As the old saying goes, “the best predictor of future behavior is past behavior.” One reason may be that the crime-prone youths, ones who have a long history of delinquency, may not be influenced by the deterrent effect of the law, because they know that crimes provide immediate gratification, whereas the threat of punishment is far in the future. Kids who have already committed delinquent acts in the past may maintain a risk-taking personality that is less likely to be impacted by the threat of punishment and more immune from the moral dilemmas caused by crime (i.e., it’s bad to steal and attack) than kids who have so far remained delinquency free.

It is also possible that for the highest-risk group of young offenders—teens living in economically depressed neighborhoods—the deterrent threat of formal sanctions may be irrelevant. Inner-city youngsters may not have internalized the norms that hold that getting arrested is wrong. They have less to lose if arrested; they have a limited stake in society and are not worried about their future. They also may not connect their illegal behavior with punishment, because they see many people committing crimes and not getting caught or being punished.

Research also shows that many juvenile offenders are under the influence of drugs or alcohol, a condition that might impair their decision-making ability. Similarly, juveniles often commit crimes in groups, a process called co-offending, and peer pressure can outweigh the deterrent effect of the law.

In summary, according to deterrence theory, it is possible to reduce or eliminate delinquent behavior by convincing youth that they will be apprehended and punished for their future misbehaviors. Deterring delinquency through the fear of punishment seems to. Deterrence may be of limited value in controlling delinquency, because children may neither fully comprehend the seriousness of their acts nor appreciate their consequences.

Specific Deterrence

It stands to reason that if delinquents truly are rational and commit crimes because they see them as beneficial, they will stop offending if they are caught and severely punished. What rational person would recidivate after being exposed to an arrest, court appearance, and incarceration in an unpleasant detention facility, with the promise of more to come? According to the concept of specific deterrence, if young offenders are punished severely, the experience will convince them not to repeat their illegal acts. Juveniles are punished by state authorities with the understanding that their ordeal will deter future misbehavior.

Although the association between punishment and desistance seems logical, there is little evidence that punitive measures alone deter future delinquency. There are research studies that show that arrest and conviction may under some circumstances lower the frequency of re-offending, a finding that supports specific deterrence. However, other
studies indicate that punishment has little real effect on re-offending and in some instances may actually increase the likelihood that first-time offenders will commit new crimes (recidivate). Kids who are placed in a juvenile justice facility are just as likely to become adult criminals as those treated with greater leniency. In fact, a history of prior arrests, convictions, and punishments has proven to be the best predictor of re-arrest among young offenders released from correctional institutions. Rather than deterring future offending, punishment may encourage it.

Why does punishment encourage rather than reduce delinquency? According to some experts, institutionalization cuts youths off from pro-social supports in the community, making them more reliant on deviant peers. Incarceration may also diminish chances for successful employment, reducing access to legitimate opportunities. This might help explain why delinquency rates can still increase even though incarceration rates remain quite high.

The experience of punishment itself may motivate some adolescents to re-offend. The use of mandatory sentences for some crimes means that all youths who are found to have committed those crimes must be institutionalized; first offenders may then be treated the same as chronic recidivists. These novice offenders are then packed into overcrowded facilities with experienced violent juveniles and consequently suffer significant and irrevocable harm from their experience. Punishment strategies may stigmatize kids and help lock offenders into a delinquent career.

Kids who are punished may also believe that the likelihood of getting caught twice for the same type of crime is remote: “Lightning never strikes twice in the same spot,” they may reason; no one is that unlucky.

Although some researchers have found that punishment may reduce the frequency of future offending, the weight of the evidence suggests that being punished for a delinquent act has little impact on recidivism.

Situational Crime Prevention

According to the concept of situational crime prevention, in order to reduce delinquent activity, planners must be aware of the characteristics of sites and situations that are at risk to crime; the things that draw or push kids toward these sites and conditions.
situations; what equips potential delinquents to take advantage of illegal opportunities offered by these sites and situations; and what constitutes the immediate triggers for delinquent actions. Delinquency can be neutralized if (1) potential targets are carefully guarded, (2) the means to commit crime are controlled, and (3) potential offenders are carefully monitored. Desperate people may contemplate crime, but only the truly irrational will attack a well-defended, inaccessible target and risk strict punishment. Situational crime prevention strategies are designed to make it so difficult to commit delinquent acts that would-be offenders will be convinced the risks are greater than the rewards. Rather than deterring or punishing individuals, they aim to reduce opportunities to commit delinquent acts. This can be accomplished by:

- Increasing the effort to commit delinquent acts
- Increasing the risks of delinquent activity
- Reducing the rewards attached to delinquent acts
- Increasing the shame of committing a delinquent act
- Reduce provocations that produce delinquent acts
- Remove excuses for committing a delinquent act

Increasing the effort of delinquency might involve target-hardening techniques, such as placing unbreakable glass on storefronts. Some successful target-hardening efforts include installing a locking device on cars that prevents drunken drivers from starting the vehicle (the Breath Analyzed Ignition Interlock Device). Access can be controlled by locking gates and fencing yards. Facilitators of crime can be controlled by banning the sale of spray paint to adolescents in an effort to cut down on graffiti, or putting ID photos on credit cards to reduce their value if stolen.

Increasing the risks of delinquency might involve improving lighting, creating neighborhood watch programs, controlling building exits, installing security systems, or increasing the number of security officers and police patrols. The installation of street lights may convince would-be burglars that their entries will be seen and reported. Closed-circuit TV cameras have been shown to reduce the amount of car theft from parking lots, also reducing the need for higher-cost security personnel.

Reducing the rewards of delinquency could include strategies, such as making car radios removable so they can be kept in the home at night, marking property so it is more difficult to sell when stolen, and having gender-neutral phone listings to discourage obscene phone calls. Tracking systems help police locate and return stolen vehicles. Increasing shame might include efforts to publish the names of some offenders in the local papers.

Because delinquent acts are often the result of extreme provocation, it might be possible to reduce delinquency rates by creating programs that reduce conflict. Posting guards outside schools at closing time might prevent childish taunts from escalating into full-blown brawls. Anti-bullying programs that have been implemented in schools are another method of reducing provocation.

Some delinquents neutralize their responsibility for their acts by learning to excuse their behavior by saying things like...
Entailing that would be delinquents would choose not to risk breaking if they fear punishment. If punishments are severe, swift, and certain, then would-be delinquents would choose not to risk breaking the law. Specific deterrence aims at reducing crime through the application of severe punishments. Once offenders experience these punishments they will be unwilling to repeat their delinquent activities.

Situational crime prevention efforts are designed to reduce or redirect crime by making it more difficult to profit from illegal acts.

“arson, and even drug abuse. To say a teenager painted swastikas on a synagogue after making a “rational choice” seems inadequate. Is it possible that violent adolescents—such as Dylan Klebold and Eric Harris, who on April 20, 1999, killed thirteen and wounded twenty-one classmates at Columbine High School—were
“rational” decision makers, or was their behavior the product of twisted minds? To assume they made a “rational choice” to kill their classmates seems ill advised.

In summary, choice theory helps us to understand delinquent events and victim patterns. However, the question remains, why are some adolescents motivated to commit crime whereas others in similar circumstances remain law abiding? Why do some kids choose crime over legal activities? The remaining sections of this chapter present some possible explanations.

**TRAIT THEORIES: BIOSOCIAL AND PSYCHOLOGICAL VIEWS**

Choice theorists would have us believe that young people select crime after weighing the benefits of delinquent over legal behavior. Teens may decide to commit a robbery if they believe they will make a good profit, have a good chance of getting away, and even if caught, stand little chance of being severely punished. Conversely, they will forgo criminal activities if they see a lot of cops around and come to the conclusion they will get caught and punished. Their choice is both rational and logical.

A number of experts think this model is incomplete. They believe it is simplistic to infer that all youths choose crime simply because the advantages outweigh the risks. If that were the case, how could one explain profitless crimes, such as violence or vandalism? These experts argue that behavioral choices are a function of an individual’s mental and physical makeup. Most law-abiding youths have traits that keep them within conventional society. In contrast, youths who choose to engage in antisocial behavior manifest abnormal mental and physical traits that influence their choices. When they commit crime, their behavior is shaped by these uncontrollable mental and physical traits.

The source of behavioral control, therefore, is one of the main differences between trait and choice theories. Although both views focus on the individual, the choice theorist views delinquents as rational and self-serving decision makers. The trait theorist views their “decisions” as a by-product of uncontrollable personal traits or experiences. To a choice theorist, reducing the benefits of crime by increasing the likelihood of punishment will lower the crime rate. Because trait theorists question whether delinquents are rational decision makers, they focus more on the treatment of abnormal mental and physical conditions as a method of delinquency reduction. In the next sections, the primary components of trait theory are reviewed.

**The Origins of Trait Theory**

The first attempts to discover why criminal tendencies develop focused on biological traits present at birth. This school of thought is generally believed to have originated with the Italian physician Cesare Lombroso (1835–1909). Known as the father of criminology, Lombroso developed the theory of criminal atavism. He found that delinquents manifest physical anomalies that make them biologically and physiologically similar to our primitive ancestors, savage throwbacks to an earlier stage of human evolution.

Raffaele Garofalo (1851–1934) shared Lombroso’s belief that certain physical characteristics indicate a criminal nature. Enrico Ferri (1856–1929), a student of Lombroso, accepted the biological approach to explaining criminal activity, but he attempted to interweave social factors into his explanation. The English criminologist
Charles Goring (1870–1919) challenged the validity of Lombroso’s research and claimed instead that delinquent behaviors bore a significant relationship to “defective intelligence.” Consequently, he advocated that criminality could best be controlled by regulating the reproduction of families exhibiting abnormal traits, such as “feeblemindedness.”

The early views that portrayed delinquent behavior as a function of a single biological trait had a significant impact on American criminology; biocriminologists helped develop a science of “criminal anthropology.” Eventually, these views evoked criticism for their unsound methodology. Many trait studies used captive offender populations and failed to compare experimental subjects with control groups. These methodological flaws make it impossible to determine if biological traits produce delinquency. It is equally plausible that police are more likely to arrest the mentally and physically abnormal. By the middle of the twentieth century, biological theories had fallen out of favor.

Contemporary Trait Theory

For most of the twentieth century, most delinquency research focused on social factors, such as poverty and family life. However, a small group of researchers kept alive the biological approach. Some embraced sociobiology, a perspective suggesting that behavior will adapt to the environment in which it evolved. Creatures of all species are influenced by their innate need to survive and dominate others. Sociobiology revived interest in a biological basis for crime. If biological (genetic) and psychological (mental) makeup controls all human behavior, it follows that a person’s genes should determine whether he or she chooses law-violating or conventional behavior.

Trait theorists argue that a combination of personal traits and environmental influences produce individual behavior patterns. People with pathological traits, such as abnormal personality or a low IQ, may have a heightened risk for crime over the life course. This risk may be elevated by environmental stresses, such as poor family life, educational failure, and exposure to delinquent peers. The reverse may also apply: a supportive environment may counteract adverse biological and psychological traits.

According to contemporary trait theorists, individual deficits by themselves do not cause delinquency. However, possessing suspect individual traits may make a child more susceptible to the delinquency-producing factors in the environment. An adolescent suffering from a learning disability may have an increased risk of school failure; those who fail at school are at risk to commit delinquent acts. Learning disabilities alone, therefore, are not a cause of delinquency and only present a problem when they produce school failure. Programs to help learning-disabled kids achieve in school will prevent later delinquent involvements.

Today trait theory can be divided into two separate branches: the first, most often called biosocial theory, assumes that the cause of delinquency can be found in a child’s physical or biological makeup, and the second points the finger at psychological traits and characters.

BIOSOCIAL THEORIES OF DELINQUENCY

The first branch of trait theory—biosocial theory—focuses on the association between biological makeup, environmental conditions, and antisocial behaviors. As a group, these theories suggest that kids who exhibit abnormal biological traits also have difficulty adjusting to the social environment. Their adjustment problems make normal social relations challenging. Because their biological inadequacy makes them socially dysfunctional, they are vulnerable to crime producing stimulus in the environment. Three areas of biological functioning are suspect: biochemical makeup, neurological function, and genetic history.
Biochemical Factors

One area of concern is the suspected relationship between antisocial behavior and biochemical makeup. Adolescents may be exposed to damaging chemical contaminants from the point of conception when their mothers ingest harmful substances during pregnancy. Maternal alcohol abuse during gestation has long been linked to prenatal damage and subsequent antisocial behavior in adolescence. Lead exposure also begins in the womb due to mother’s consumption of foods, such as seafood that are high in lead content. A number of research studies have confirmed that lead ingestion may be a direct cause of antisocial behaviors.

Another view is that abnormal body chemistry is an indirect cause of antisocial behavior through its association with abnormal psychological and mental conditions. Research conducted over the past decade shows that an over- or undersupply of certain chemicals and minerals, including sodium, mercury, potassium, calcium, amino acids, and/or iron, can lead to depression, hyperactivity, cognitive problems, intelligence deficits, memory loss, or abnormal sexual activity; these conditions have been associated with crime and delinquency. Attention-deficit/hyperactivity disorder (ADHD), believed to be a precursor of delinquent behaviors, has been linked to the presence of excessive iron (see later in this chapter for more on ADHD).

Diet and Delinquency

There is evidence that a child’s diet may influence his or her behavior through its impact on body chemistry. Either eliminating harmful substances or introducing beneficial ones into the diet can reduce the threat of antisocial behaviors.

A recent review of existing research on the association between diet and delinquency was recently released in Great Britain. The report found that the combination of nutrients most commonly associated with good mental health and well-being is as follows:

- Polyunsaturated fatty acids (particularly the omega-3 types found in oily fish and some plants)
- Minerals, such as zinc (in whole grains, legumes, meat and milk); magnesium (in green leafy vegetables, nuts, and whole grains); and iron (in red meat, green leafy vegetables, eggs, and some fruit)
- Vitamins, such as folate (in green leafy vegetables and fortified cereals); a range of B vitamins (whole grain products, yeast, and dairy products); and antioxidant vitamins, such as C and E (in a wide range of fruits and vegetables)

People eating diets that lack one or more of this combination of polyunsaturated fats, minerals, and vitamins, and/or contain too much saturated fat (or other elements, including sugar and a range of food and agricultural chemicals) seem to be at higher risk of developing the following conditions:

- Attention-deficit/hyperactivity disorder (ADHD)
- A range of depressive conditions
- Schizophrenia
- Dementia, including Alzheimer’s disease

The survey found that we are eating too much saturated fat, sugar, and salt and not enough vitamins and minerals. This type of diet not only fuels obesity, cardiovascular disease, diabetes, and some cancers, but may also be contributing to rising rates of mental ill-health and antisocial behavior.

A number of research studies have found a link between diet and aggressive behavior patterns. In some cases, the relationship is direct; in others, a poor diet may compromise individual functioning, which in turn produces aggressive behavior responses. A poor diet may inhibit school performance, and children who fail at school are at risk for delinquent behavior and criminality. Student misbehavior levels have
been reduced in controlled experiments in which school age subjects were provided with improved diets and provided with nutritional supplements.90

**Hormonal Levels** Antisocial behavior allegedly peaks in the teenage years, because hormonal activity is then at its greatest level. It is possible that increased levels of testosterone are responsible for excessive violence among teenage boys. Adolescents who experience more intense moods, anxiety, and restlessness also have the highest crime rates.91 Research has shown that hormonal sensitivity may begin very early in life if the fetus is exposed to abnormally high levels of testosterone. This may trigger a heightened response to the release of testosterone at puberty. Although testosterone levels may appear normal, the young male is at risk for overly aggressive behavior.92 Females may be biologically protected from deviant behavior in the same way they are immune from some diseases that strike males.93 Girls who have high levels of testosterone or are exposed to testosterone in utero may become more aggressive in adolescence.94 Chapter 6 further discusses hormonal activity as an explanation of gender differences in delinquency.

**Neurological Dysfunction**

Another focus of biosocial theory is the neurological—or brain and nervous system—structure of offenders. It has been suggested that children who manifest behavioral disturbances may have neurological deficits, such as damage to the hemispheres of the brain; this is sometimes referred to as minimal brain dysfunction (MBD).95 Impairment in brain functioning may be present at birth, produced by factors such as low birth weight, brain injury during pregnancy, birth complications, and inherited abnormalities. Brain injuries can also occur later in life as a result of brutal beatings or sexual abuse by a parent. According to research conducted by Dr. Martin Teicher of the McLean Hospital in Massachusetts, emotional trauma, such as child abuse, can actually cause adverse physical changes in the brain, and these deformities can lead to depression, anxiety, and other serious emotional conditions.96

Children who experience neurological deficits at birth also suffer from a number of antisocial traits throughout their life course. Research has even linked this type of deficit to becoming a habitual liar.97 Kids who suffer from this sort of impairment are more likely to become criminals as adults.98 Clinical analysis of convicted murderers has found that a significant number had suffered head injuries as children that resulted in neurological impairment.99 In an important study by Adrian Raine, researchers looked at the medical histories of 4,269 Danish males born between 1959 and 1961. By age eighteen, boys whose mothers had experienced birth complications and who had also experienced maternal rejection later in life were more than twice as likely to commit a violent crime than boys who did not experience birth trauma and maternal rejection. Raine concluded that birth complications and maternal rejection seemed to predispose offenders to some kinds of criminal offenses.100

The form of brain dysfunction most often linked to delinquency is attention-deficit/hyperactivity disorder (ADHD), the topic of the following Focus on Delinquency feature.

**Learning Disabilities**

The relationship between learning disabilities (LD) and delinquency has been highlighted by studies showing that arrested and incarcerated children have a far higher LD rate than do children in the general population. Although approximately 10 percent of all youths have some form of learning disorder, estimates of LD among adjudicated delinquents range from 26 to 73 percent.101 There are two possible explanations for the link between learning disabilities and delinquency.102 One view, known as the susceptibility rationale, argues that the link is caused...
ADHD: Attention-Deficit/Hyperactivity Disorder

Many parents have noticed that their children do not pay attention to them—they run around and do things in their own way. Sometimes this inattention is a function of age; in other instances it is a symptom of a common learning disability referred to as attention-deficit/hyperactivity disorder (ADHD), a condition in which a child shows a developmentally inappropriate lack of attention, distractibility, impulsivity, and hyperactivity. The various symptoms of ADHD are listed in the following lists.

Symptoms of ADHD

Lack of Attention
- Frequently fails to finish projects
- Does not seem to pay attention
- Does not sustain interest in play activities
- Cannot sustain concentration on schoolwork or related tasks
- Is easily distracted

Impulsivity
- Frequently acts without thinking
- Often calls out in class
- Does not want to wait his or her turn
- Shifts from activity to activity
- Cannot organize tasks or work
- Requires constant supervision in school line or while playing games

Hyperactivity
- Constantly runs around and climbs on things
- Shows excessive motor activity while asleep
- Cannot sit still; is constantly fidgeting
- Does not remain in his or her seat in class
- Is constantly on the go, like a “motor”
- Has difficulty regulating emotions
- Has difficulty getting started
- Has difficulty staying on track
- Has difficulty adjusting to social demands

Estimates of ADHD in the general population range from 3 percent to 12 percent, but it is much more prevalent in adolescents, where some estimates reach as high as one-third of the population. Children from any background can develop ADHD, but it is five to seven times more common in boys than girls. It does not affect intelligence, and ADHD children often show considerable ability with artistic endeavors. More common in the United States than elsewhere, ADHD tends to run in families, and there is some suggestion of an association with a family history of alcoholism or depression.

Cause

No one is really sure how ADHD develops, but some psychologists believe it is tied to dysfunction in a section of the lower portion of the brain known as the reticular activating system. This area keeps the higher brain centers alert and ready for input. There is some evidence that this area is not working properly in ADHD kids and that their behavior is really the brain’s attempt to generate new stimulation or arousal to maintain alertness. Other suspected origins are neurological damage to the frontal lobes of the brain, prenatal stress, and even food additives and chemical allergies. Some experts suggest that the condition might be traced to the neurological effects of abnormal levels of the chemicals dopamine and norepinephrine.

by side effects of learning disabilities, such as impulsiveness and inability to take social cues. In contrast, the school failure rationale assumes that the frustration caused by poor school performance will lead to a negative self-image and acting-out behavior.

Psychologist Terrie Moffitt has evaluated the literature on the connection between LD and delinquency and concludes that it is a significant correlate of persistent antisocial behavior (or conduct disorders). She finds that neurological symptoms, such as LD and MBD, correlate highly with early onset of deviance, hyperactivity, and aggressiveness. And there is new evidence that the factors that cause learning disabilities are also highly related to substance abuse, which may help explain the learning disability–juvenile delinquency connection. The National Center on Addiction and Substance Abuse at Columbia University recently released findings that show how learning disabilities are linked to substance abuse:

- Risk factors for adolescent substance abuse are very similar to the behavioral effects of learning disabilities—reduced self-esteem, academic difficulty, loneliness, depression, and the desire for social acceptance. Thus, learning disabilities may indirectly lead to substance abuse by generating the types of behavior that typically lead adolescents to abuse drugs.
Effects
ADHD may result in poor school performance, including a high dropout rate, bullying, stubbornness, mental disorder, and a lack of response to discipline; these conditions are highly correlated with delinquent behavior. Children with ADHD are more likely to use illicit drugs, alcohol, and cigarettes in adolescence and are more likely to be arrested, to be charged with a felony, and to have multiple arrests than non-ADHD youths. There is also evidence that ADHD youths who also exhibit early signs of MBD and conduct disorder (e.g., fighting) are the most at risk for persistent antisocial behaviors continuing into adulthood.

A series of research studies link ADHD to the onset and continuance of a delinquent career and increased risk for antisocial behavior and substance abuse in adulthood. Joseph Biederman and colleagues conducted a ten-year longitudinal study of more than one hundred boys with ADHD. By age twenty-one, ADHD youth were at an elevated risk for antisocial, addictive, mood, and anxiety disorders. Kids with ADHD subjects exhibited higher levels of psychopathology over the life course despite the fact that 93 percent had received treatment for the disorder at some point during their lives. Of those, 86 percent had received both medication and counseling, whereas 6 percent received medication alone and 1 percent received counseling alone.

Treatment
ADHD children are most often treated by giving them doses of stimulants, most commonly Ritalin and Dexedrine (or dextroamphetamine), which, ironically, help these children control their emotional and behavioral outbursts. The anti-manic, an-ticonvulsant drug Tegretol has also been used effectively. New treatment techniques featuring behavior modification and drug therapies are constantly being developed to help children who have attention or hyperactivity problems.

CRITICAL THINKING
Considering that many ADHD kids engage in antisocial behaviors, should those diagnosed with the condition be closely monitored by the school system? Would that be fair to the majority of ADHD kids, who never violate the law? Would paying special attention to the ADHD population stigmatize them and actually encourage their law-violating behaviors?

INFOTRAC COLLEGE EDITION RESEARCH
Use "Attention Deficit Hyperactivity Disorder" as a key word search on InfoTrac College Edition.


- A child with a learning disability is twice as likely to suffer attention deficit disorder (ADD) as a member of the general population, and there is a high incidence of ADD among individuals who abuse alcohol and drugs. It is known that as many as half of those suffering ADD self-medicate with drugs and alcohol.
- Children who are exposed to alcohol, tobacco, and drugs in the womb are at higher risk for various developmental disorders, including learning disabilities. Furthermore, a mother who uses drugs while pregnant may be a predictor that the child will grow up in a home with a parent who is a substance abuser. This too will increase the risk that the child will abuse drugs or alcohol himself.105

Despite this evidence, the learning disability–juvenile delinquency link has always been controversial. It is possible that the LD child may not be more susceptible to delinquent behavior than the non-LD child and that the link may be an artifact of bias in the way LD children are treated at school or by the police. LD youths are more likely to be arrested, and if petitioned to juvenile court, they bring with them a record of school problems that may increase the likelihood of their being sent to juvenile court.
Arousal Theory  It has long been suspected that adolescents may engage in crimes such as shoplifting and vandalism, because they offer the thrill of “getting away with it.” Is it possible that thrill seekers have some form of abnormal brain functioning? Arousal theorists believe that some people’s brains function differently in response to environmental stimuli. We all seek to maintain an optimal level of arousal: too much stimulation leaves us anxious, and too little makes us feel bored. However, there is variation in the way children’s brains process sensory input. Some nearly always feel comfortable with little stimulation, whereas others require a high degree of environmental input to feel comfortable. The latter group becomes “sensation seekers,” who seek out stimulating activities that may include aggressive behavior. The factors that determine a person’s level of arousal are not fully understood. Suspected sources include brain chemistry and brain structure. Another view is that adolescents with low heart rates are more likely to commit crimes, because they seek out stimulation to increase their arousal to normal levels.

Genetic Influences

It has been hypothesized that some youths inherit a genetic configuration that predisposes them to aggression. In the same way that people inherit genes that control height and eye color, biosocial theorists believe antisocial behavior characteristics and mental disorders also may be passed down. According to this view, (1) antisocial behavior is inherited, (2) the genetic makeup of parents is passed on to children, and (3) genetic abnormality is linked to a variety of antisocial behaviors. Early theories suggested that proneness to delinquency ran in families. However, most families share a similar lifestyle as well as a similar gene pool, making it difficult to determine whether behavior is a function of heredity or the environment.

Parental Deviance  If criminal tendencies are inherited, then the children of criminal parents should be more likely to become law violators than the offspring of conventional parents. A number of studies have found that parental criminality and deviance do, in fact, powerfully influence delinquent behavior. Some of the most important data on parental deviance were gathered by Donald J. West and David P. Farrington as part of the long-term Cambridge-Somerville Youth Survey. These cohort data indicate that a significant number of delinquent youths have criminal
fathers. Whereas 8 percent of the sons of noncriminal fathers eventually became chronic offenders, about 37 percent of boys with criminal fathers were multiple offenders. In another important analysis, Farrington found that one type of parental deviance—schoolyard aggression or bullying—may be both inter- and intragenerational. Bullies have children who bully others, and these second-generation bullies grow up to father children who are also bullies, in a never-ending cycle.

Farrington’s findings are supported by some recent data from the Rochester Youth Development Study (RYDS), a longitudinal analysis that has been monitoring the behavior of a thousand area youths since 1988. RYDS researchers have also found an intergenerational continuity in antisocial behavior: criminal fathers produce delinquent sons who grow up to have delinquent children themselves.

In sum, there is growing evidence that crime is intergenerational: criminal fathers produce criminal sons who then produce criminal grandchildren. It is possible that at least part of the association is genetic.

Twin Studies

One method of studying the genetic basis of delinquency is to compare twins to non-twin siblings. If crime is an inherited trait, identical twins should be quite similar in their behavior because they share a common genetic makeup. Because twins are usually brought up in the same household, however, any similarity in their delinquent behavior might be a function of environmental influences and not genetics. To guard against this, biosocial theorists have compared the behavior of identical, monozygotic (MZ) twins with fraternal, dizygotic (DZ) twins; the former have an identical genetic makeup, whereas the latter share only about 50 percent of their genes. Studies conducted on twin behavior detected a significant relationship between the criminal activities of MZ twins and a much lower association between those of DZ twins. About 60 percent of MZ twins share criminal behavior patterns (if one twin was criminal, so was the other), whereas only 30 percent of DZ twins are similarly related. Among relevant findings:

- There is a significantly higher risk for suicidal behavior among monozygotic twin pairs than dizygotic twin pairs.
- Differences in concordance between MZ and DZ twins have been found in tests measuring psychological dysfunctions, such as conduct disorders, impulsivity, and antisocial behavior.
- MZ twins are closer than DZ twins in such crime relevant measures as level of aggression and verbal skills.
- Both members of MZ twin pairs who suffer child abuse are more likely to engage in later antisocial activity more often than DZ pairs.

Although this seems to support a connection between genetic makeup and delinquency, it is also true that MZ twins are more likely to look alike and to share physical traits than DZ twins, and they are more likely to be treated similarly. Shared behavior patterns may therefore be a function of socialization and not heredity.

One famous study of twin behavior still under way is the Minnesota Study of Twins Reared Apart, which is part of the Minnesota Twin Family Study. This research compares the behavior of MZ and DZ twin pairs who were raised together with others who were separated at birth and in some cases did not even know of the other’s existence. The study shows some striking similarities in behavior and ability for twin pairs raised apart. An MZ twin reared away from a co-twin has about as good a chance of being similar to the co-twin in terms of personality, interests, and attitudes as one who has been reared with the co-twin. The conclusion: similarities between twins are due to genes, not to the environment (see Exhibit 3.1).

Adoption Studies

Another way to determine whether delinquency is an inherited trait is to compare the behavior of adopted children with that of their biological parents. If the criminal behavior of children is more like that of their biological parents...
Biological Views of Delinquency

<table>
<thead>
<tr>
<th>Theory</th>
<th>Major Premise</th>
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<tbody>
<tr>
<td>Biochemical</td>
<td>Delinquency, especially violence, is a function of diet, vitamin intake, hormonal imbalance, or food allergies.</td>
<td>Explains irrational violence. Shows how the environment interacts with personal traits to influence behavior.</td>
</tr>
<tr>
<td>Neurological</td>
<td>Delinquents often suffer brain impairment, as measured by the EEG, ADHD and minimal brain dysfunction are related to antisocial behavior.</td>
<td>Explains the relationship between child abuse and delinquency. May be used to clarify the link between school problems and delinquency.</td>
</tr>
<tr>
<td>Genetic</td>
<td>Criminal traits and predispositions are inherited. The criminality of parents can predict the delinquency of children.</td>
<td>Explains why only a small percentage of youth in a high-crime area become chronic offenders.</td>
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PSYCHOLOGICAL THEORIES OF DELINQUENCY

Some experts view the cause of delinquency as psychological. After all, most behaviors labeled delinquent seem to be symptomatic of some psychological problem. Psychologists point out that many delinquent youths have poor home lives; destructive relationships with neighbors, friends, and teachers; and conflicts with authority figures. These relationships seem to indicate a disturbed personality. Furthermore, studies of incarcerated youths indicate that their personalities are marked by antisocial characteristics. And because delinquent behavior occurs among youths in every racial, ethnic, and socioeconomic group, psychologists view it as a function of mental disturbance, rather than of social factors such as alienation and poverty. Many delinquents do not manifest significant psychological problems, but enough do to give clinicians a powerful influence on delinquency theory.

Because psychology is a complex discipline, more than one psychological perspective on crime exists. Three prominent psychological perspectives on delinquency are psychodynamic theory, behavioral theory, and cognitive theory. Figure 3.2 outlines these perspectives.

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**Psychodynamic Theory**

According to the **psychodynamic theory**, which originated with the Austrian physician Sigmund Freud (1856–1939), law violations are a product of the subconscious personality formed early in life. The theory argues that the personality contains three major components. The *id* is the unrestrained, pleasure-seeking component with which each child is born. The *ego* develops through the reality of living in the...
world and helps restrain the id’s need for immediate gratification. The superego develops through interactions with parents and others and represents the conscience and the moral rules that are shared by most adults.

All three segments of the personality operate simultaneously. The id dictates needs and desires, the superego counteracts the id by fostering feelings of morality, and the ego evaluates the reality of a position between these two extremes. If these components are balanced, the individual can lead a normal life. If one aspect of the personality becomes dominant at the expense of the others, however, the individual exhibits abnormal personality traits. Furthermore, the theory suggests that an imbalance in personality traits caused by a traumatic early childhood can result in long-term psychological difficulties. For example, if parents fail to help the child develop his or her superego adequately, the child’s id may become dominant. The absence of a strong superego results in inability to distinguish clearly between right and wrong. Later, the youth may demand immediate gratification, lack sensitivity for the needs of others, act aggressively and impulsively, or demonstrate psychotic symptoms. Antisocial behavior may result from conflict or trauma occurring early in a child’s development, and delinquent activity may become an outlet for these feelings.

Disorders and Delinquency According to Freud’s version of psychodynamic theory, people who experience anxiety and fear they are losing control are suffering from a form of neurosis and are referred to as neurotics. People who have lost control and are dominated by their id are known as psychotics; their behavior may be marked by hallucinations and inappropriate responses.

Psychosis takes many forms, the most common being schizophrenia, a condition marked by illogical thought processes, distorted perceptions, and abnormal emotional expression. According to the classical psychoanalytic view, the most serious types of antisocial behavior might be motivated by psychosis, whereas neurotic feelings would be responsible for less serious delinquent acts and status offenses.131 Contemporary psychologists no longer use the term neuroses to describe all the various forms of unconscious conflict. It is more common to refer to specific types of disorders, including anxiety disorder, mood disorder, sleep disorder, and so on. Among these is bipolar disorder, in which moods alternate between periods of wild elation and deep depression.132

The Psychodynamic Tradition and Delinquency How do psychodynamic theorists explain delinquency? Erik Erikson speculated that many adolescents experience a life crisis in which they feel emotional, impulsive, and uncertain of their role and purpose.133 He coined the phrase identity crisis to denote this period of inner turmoil. Erikson’s approach might characterize the behavior of youthful drug abusers as an expression of confusion over their place in society, inability to direct their behavior toward useful outlets, and perhaps, dependence on others to offer solutions to their problems.

Psychologists view youth crime as a result of unresolved internal conflict. Some children, especially those who have been abused or mistreated, may experience unconscious feelings of fear and hatred. Others are driven by an unconscious desire to be punished for prior sins, either real or imaginary. They may violate the law to gain attention or punish their parents. If these conflicts cannot be reconciled, regression occurs and the id becomes dominant. This regression accounts for a great number of mental diseases, and in many cases it may be related to criminal behavior.134 The psychodynamic view is supported by research that shows that juvenile offenders suffer from a disproportionate amount of mental health problems and personality disturbance.135 Violent youths have been clinically diagnosed as “overtly hostile,” “explosive or volatile,” “anxious,” and “depressed.”136 Research efforts have found that juvenile offenders who engage in serious violent crimes often suffer from some sort of mental disturbance, such as depression.137
Another psychodynamic view is that delinquents are unable to control their impulsive drives. Perhaps because they suffered unhappy experiences in childhood or had families that could not provide proper care, they have weak egos and are unable to cope with conventional society.\textsuperscript{138} In its most extreme form, delinquency may be viewed as a form of psychosis that prevents delinquent youths from appreciating the feelings of victims or controlling their need for gratification.\textsuperscript{139} Research shows that some delinquents exhibit indications of such psychological abnormalities as schizophrenia, paranoia, and obsessive behaviors; female offenders seem to have more serious mental health symptoms and psychological disturbances than male offenders.\textsuperscript{140}

**Mental Disorders and Crime** According to the psychodynamic approach, criminal behavior is a function of unconscious mental instability and turmoil. Offenders may suffer from a garden variety of mood and/or behavior disorders rendering them histrionic, depressed, antisocial, or narcissistic.\textsuperscript{141} Some have been diagnosed with some form of mood disorders characterized by disturbance in expressed emotions.

Children with **oppositional defiant disorder (ODD)**, for example, experience an ongoing pattern of uncooperative, defiant, and hostile behavior toward authority figures that seriously interferes with day-to-day functioning. Symptoms of ODD may include frequent loss of temper, constant arguing with adults; defying adults or refusing adult requests or rules; deliberately annoying others; blaming others for mistakes or misbehavior; being angry and resentful; being spiteful or vindictive; swearing or using obscene language; or having a low opinion of yourself.\textsuperscript{142}

Children who are diagnosed with **conduct disorder (CD)**, have great difficulty following rules and behaving in a socially acceptable way.\textsuperscript{143} They are often viewed by other children, adults, and social agencies as severely antisocial. Research shows that they are frequently involved in such activities as bullying, fighting, committing sexual assaults, and behaving cruelly toward animals.

It is also possible that antisocial behavior is a consequence of inability to cope with feelings of oppression or depression. Research shows that kids who are clinically depressed are more likely to engage in a garden variety of delinquent acts, whereas non-depressed kids tend to specialize in violent or theft crimes.\textsuperscript{144} Some suffer from alexithymia, a deficit in emotional cognition that prevents people from being aware of their feelings or being able to understand or talk about their thoughts and emotions; they seem robotic and emotionally dead.\textsuperscript{145} Others may suffer from eating disorders and are likely to use fasting, vomiting, and drugs to lose weight or to keep from gaining weight.\textsuperscript{146}

For kids who suffer from such psychological deficits, delinquency may actually produce positive psychic results: it helps youths feel independent; gives them the possibility of excitement and the chance to use their skills and imagination; provides the promise of gain; allows them to blame others (the police) for their predicament; and gives them a chance to rationalize their sense of failure (“If I hadn’t gotten into trouble, I could have been a success”).\textsuperscript{147}

The psychodynamic approach places heavy emphasis on the family’s role. Anti-social youths frequently come from families in which parents are unable to provide the controls that allow children to develop the personal tools they need to cope with the world.\textsuperscript{148} Their destructive behavior may actually be a call for help. In fact, some psychoanalysts view delinquent behaviors as motivated by an unconscious urge to be punished. These children, who feel unloved, assume the reason must be their own inadequacy; hence, they deserve punishment.

Although this evidence is persuasive, the association between mental disturbance and delinquency is unresolved. It is possible that any link is caused by some intervening variable or factor:

- Psychologically troubled youth do poorly in school and school failure leads to delinquency.\textsuperscript{149}
- Psychologically troubled youth have conflict-ridden social relationships that make them prone to commit delinquent acts.\textsuperscript{150}
Kids who suffer child abuse are more likely to have mental anguish and commit violent acts; child abuse is the actual cause of both problems.\footnote{151}

Living in a stress-filled urban environment may produce symptoms of both mental illness and crime.\footnote{152}

It is also possible that the link is spurious and caused by the treatment of the mentally ill: The police may be more likely to arrest the mentally ill, giving the illusion that they are crime-prone.\footnote{153} However, some recent research by Paul Hirschfield and his associates gives only mixed support to this view. Although some mental health problems increase the risk of arrest, others bring out more cautious or compassionate police responses that may result in treatment rather than arrest.\footnote{154} Further research is needed to clarify this important relationship.

### Behavioral Theory

Not all psychologists agree that behavior is controlled by unconscious mental processes determined by relationships early in childhood. Behavioral psychologists argue that personality is learned throughout life during interaction with others. Based primarily on the work of the American psychologist John B. Watson (1878–1958), and popularized by Harvard professor B. F. Skinner (1904–1990), \textit{behaviorism} concerns itself with measurable events rather than unobservable psychic phenomena.

Behaviorists suggest that individuals learn by observing how people react to their behavior. Behavior is triggered initially by a stimulus or change in the environment. If a particular behavior is reinforced by some positive reaction or event, that behavior will be continued and eventually learned. However, behaviors that are not reinforced or are punished will be extinguished. For example, if children are given a reward (dessert) for eating their entire dinner, eventually they will learn to eat successfully. Conversely, if children are punished for some misbehavior, they will associate disapproval with that act and avoid that behavior.

### Social Learning Theory

Some behaviorists hold that learning and social experiences, coupled with values and expectations, determine behavior. This is known as \textit{social learning theory}. The most widely read social learning theorists are Albert Bandura, Walter Mischel, and Richard Walters.\footnote{155} They hold that children will model their behavior according to the reactions they receive from others; the behavior of adults, especially parents; and the behavior they view on television and in movies (see Focus on Delinquency, “Violent Media/Violent Behavior?” on page 72). If children observe aggression and see that it is approved or rewarded, they will likely react violently during a similar incident. Eventually, they will master the techniques of aggression and become more confident that their behavior will bring tangible rewards.\footnote{156}

Social learning suggests that children who grow up in homes where violence is a way of life may learn to believe that such behavior is acceptable. Even if parents tell children not to be violent and punish them if they are, the children will model their behavior on the observed violence. Thus, children are more likely to heed what parents do than what they say. By middle childhood, some children have already acquired an association between their use of aggression against others and the physical punishment they receive at home. Often their aggressive responses are directed at other family members. The family may serve as a training ground for violence, because the child perceives physical punishment as the norm during conflict situations.\footnote{157}

Adolescent aggression is a result of disrupted dependency relations with parents. This refers to the frustration a child feels when parents provide poor role models and hold back affection. Children who lack close ties to their parents may have little opportunity or desire to model themselves after them or to internalize their standards.

In the absence of such internalized controls, the child’s frustration is likely to be expressed in a socially unacceptable fashion, such as aggression.
Cognitive Theory

A third area of psychology that has received increasing recognition in recent years is cognitive theory. Psychologists with a cognitive perspective focus on mental processes. The pioneers of this school were Wilhelm Wundt (1832–1920), Edward Titchener (1867–1927), and William James (1842–1920). This perspective contains several subgroups. Perhaps the most important of these for delinquency theory is the one that is concerned with how people morally represent and reason about the world. Jean Piaget (1896–1980), founder of this approach, hypothesized that reasoning processes develop in an orderly fashion, beginning at birth and continuing until age twelve and older. At first, during the sensorimotor stage, children respond to the environment in a simple manner, seeking interesting objects and developing their reflexes. By the fourth and final stage, the formal operations stage, they have developed into mature adults who can use logic and abstract thought.

Lawrence Kohlberg applied this concept to issues in delinquency. He suggested that there are stages of moral development during which the basis for moral decisions changes. It is possible that serious offenders have a moral orientation that differs from that of law-abiding citizens. Kohlberg classified people according to the stage at which their moral development has ceased to grow. In his studies, the majority of delinquents were revealed as having a lack of respect for the law and a personality marked by self-interest; in contrast, non-offenders viewed the law as something that benefits all of society and were willing to honor the rights of others. Subsequent research has found that a significant number of non-delinquent youths displayed higher stages of moral reasoning than delinquents and that engaging in delinquent activities leads to reduced levels of moral reasoning, which in turn produces more delinquency in a never-ending loop.

Information Processing

Cognitive theorists who study information processing try to explain antisocial behavior in terms of perception and analysis of data. When people make decisions, they engage in a sequence of thought processes. First, they encode information so it can be interpreted. Then, they search for a proper response and decide on the most appropriate action. Finally, they act on their decision. Law violators may lack the ability to perform cognitive functions in a normal and orderly fashion. Some may be sensation seekers who are constantly looking for novel experiences, whereas others lack deliberation and rarely think through problems. Some may give up easily, whereas others act without thinking when they get upset.

Adolescents who use information properly and can make reasoned decisions when facing emotion-laden events are best able to avoid antisocial behavior. In contrast, delinquency-prone adolescents may have cognitive deficits and use information incorrectly when they make decisions. They have a distorted view of the world that shapes their thinking and colors their judgments. These youths view crime as an appropriate means to satisfy their immediate personal needs, which take precedence over more distant social needs, such as obedience to the law. They have difficulty making the “right” decision while under stress. As a result of their faulty calculations, they pursue behaviors that they perceive as beneficial and satisfying, but that turn out to be harmful and detrimental. They may take aggressive action, because they wrongly believe that a situation demands forceful responses when it actually does not. They find it difficult to understand or sympathize with other people’s feelings and emotions, which leads them to blame their victims for their problems. Thus, the sexual offender believes their target either “led them on” or secretly wanted the encounter to occur.

One reason for this may be that they are relying on mental “scripts” learned in early childhood that tell them how to interpret events, what to expect, how they should react, and what the outcome of the interaction should be. Hostile children may have learned improper scripts by observing how others react to events; their own parents’ aggressive, inappropriate behavior would have considerable impact. Some may have had early, prolonged exposure to violence (such as child abuse), which in-
Focus on Delinquency

Violent Media/Violent Behavior?

One aspect of social learning theory that has received a great deal of attention is the belief that children will model their behavior after characters they observe on TV or see in movies. Many parents are concerned about the effects of their children’s exposure to violence in the mass media. Often the violence is of a sexual nature, and some experts fear there is a link between sexual violence and viewing pornography.

Children are particularly susceptible to TV imagery. It is believed that many children consider television images to be real, especially if the images are authoritatively presented by an adult (as in a commercial). Some children, especially those considered “emotionally disturbed,” may be unable to distinguish between fantasy and reality when watching TV shows. Children begin frequent TV viewing at 2.5 years of age and continue at a high level during the preschool and early school years. But what do they watch? Marketing research indicates that adolescents ages eleven to fourteen rent violent horror movies at a higher rate than any other age group; adolescents also use older peers and siblings or apathetic parents to gain access to R-rated films. Even children’s programming is saturated with violence. It is estimated that the average child views eight thousand TV murders before finishing elementary school.

Media-Violence Linkage

A number of hypotheses have been formulated to explain the media-violence linkage:

- Media violence influences specific areas of the brain, including the prefrontal, posterior cingulate, amygdala, inferior parietal, and prefrontal and premotor cortex of the right hemisphere region. These areas of the brain are involved in the regulation of emotion, arousal and attention, episodic memory encoding and retrieval, and motor programming. Extensive viewing may result in a large number of aggressive scripts stored in long-term memory in the posterior cingulate, which can then be used as a guide for social behavior.

- Observing media violence promotes negative attitudes, such as suspiciousness and the expectation that the viewer will become involved in violence. Those who watch television frequently view aggression and violence as common, socially acceptable behavior.

- Media violence allows aggressive youths to justify their behavior. Rather than causing violence, television may help violent youths rationalize their behavior as socially acceptable.

- Extensive and repeated exposure to media violence desensitizes kids to real world violence thereby increasing aggression by removing normal inhibitions against aggression.

- Media violence may disinhibit aggressive behavior, which is normally controlled by other learning processes. Disinhibition takes place when adults are viewed as being rewarded for violence and when violence is seen as socially acceptable. This contradicts previous learning experiences in which violent behavior was viewed as wrong.

Testing the Link

A number of methods have been used to measure the effect of TV viewing on violent behavior. One method is to expose groups of people to violent TV shows in a laboratory setting and compare them to control groups who viewed nonviolent programming; observations have also been made at playgrounds, athletic fields, and residences. Other experiments require individuals to answer attitude surveys after watching violent TV shows. Still another approach is to use aggregate measures of TV viewing, that is, the number of violent TV shows on the air during a given period is compared to crime rates during the same period.

Most evaluations of experimental data indicate that watching violence on TV is correlated with aggressive behaviors. In one of the most important recent studies, L. Rowell Huesmann and his associates found that children ages six to nine who watched more violent television displayed more aggressive behavior than their peers. Brad Bushman and his colleagues at the University of Michigan contacted 329 of these children fifteen years after they had participated in the Huesmann study. Now as adults, those same children who had viewed violent shows in their adolescence continued to behave

Cognitive Treatment

Treatment based on information processing acknowledges that people are more likely to respond aggressively to a provocation when thoughts stir feelings of anger. Cognitive therapists attempt to teach people to control aggressive impulses by experiencing provocations as problems demanding a solution rather than as
in a violent and aggressive manner. Boys who liked violent television shows grew into men who were significantly more likely to have pushed, grabbed, or shoved their wives or others whom they found insulting. They were also much more likely to be convicted of a crime. Ironically, women who watched violent shows as children reported being punched, beaten, or choked as adults at a rate over four times the rate of women who did not watch violent programs.

Rethinking the Media-Violence Link

Though this evidence is persuasive, the relationship between TV viewing and violence is still uncertain. A number of critics say the evidence does not support the claim that TV viewing is related to antisocial behavior. Some assert that experimental results are short-lived. Children may have an immediate reaction to viewing violence on TV, but aggression is extinguished once the viewing ends. Although experiments do show that children act aggressively in a laboratory setting after watching violent TV shows, that does not mean they will actually commit rape and assault. And although Huesmann showed that kids who watch violent TV grow up to be violent adults, it is also possible that they would have been violent even if they had not watched TV at all. Violence-prone children like to watch violent TV shows, and not the other way around. It is also possible that children are able to watch inappropriate violent media because their parents are ineffectual and do not monitor their viewing habits. Poor parental supervision and not violent media is the actual cause of teen aggression.

Aggregate data are also inconclusive. Little evidence exists that areas that have high levels of violent TV viewing also have rates of violent crime that are above the norm. Millions of children watch violence yet fail to become violent criminals. And even if a violent behavior–TV link could be established, it would be difficult to show that antisocial people develop aggressive traits merely from watching TV.

CRITICAL THINKING

1. Should TV shows with a violent theme be prohibited from being aired on commercial TV before 9 P.M.? If you say yes, would you broadcast the national news?

2. Even if a violence–TV link could be established, is it not possible that aggressive, antisocial youths may simply enjoy watching TV shows that support their personal behavioral orientation, in the same way that science fiction fans flock to Star Wars and Star Trek films!

INFOTRAC COLLEGE EDITION RESEARCH

Use “media violence” as a key term on InfoTrac College Edition in order to learn more about the association between observing violence on TV and in movies and personal involvement in antisocial behaviors.


Personality and Delinquency

**Personality** can be defined as the stable patterns of behavior, including thoughts and emotions, which distinguish one person from another. Personality reflects characteristic ways of adapting to life’s demands. The way we behave is a function of the stable patterns of thought, feeling, and action that constitute one’s personality. 

Areas for improvement include (1) coping and problem-solving skills; (2) relationships with peers, parents, and other adults; (3) conflict resolution and communication skills; (4) decision-making abilities; (5) pro-social behaviors, including cooperation with others and respecting others; and (6) awareness of feelings of others (empathy).

**Insults and personal attacks** are forms of verbal aggression that can be defined as actions taken specifically to hurt another person. Insults require that the person中央 listening, following instructions, and using self-control. Areas for improvement include (1) coping and problem-solving skills; (2) relationships with peers, parents, and other adults; (3) conflict resolution and communication skills; (4) decision-making abilities; (5) pro-social behaviors, including cooperation with others and respecting others; and (6) awareness of feelings of others (empathy).
of how our personality enables us to interpret events and make appropriate choices.

More than fifty years ago, Sheldon and Eleanor Glueck identified a number of personality traits that characterize delinquents:

- self-assertiveness
- defiance
- impulsiveness
- narcissism
- suspicion
- destructiveness
- lack of concern for others

This research is representative of the view that delinquents maintain a distinct personality whose characteristics increase the probability that they will be antisocial and that their actions will involve them with agents of social control, ranging from teachers to police.179 Callous, unemotional traits in very young children can be a warning sign for future psychopathy and antisocial behavior.180

Following the Glueck effort, researchers have continued to examine the personality traits of delinquents, finding that many are impulsive individuals with short attention spans.181 Among the most well known efforts was psychologist Hans Eysenck’s identification of two traits he closely associates with antisocial behavior: **extraversion** and **neuroticism**.182 Extraverts are impulsive individuals who lack the ability to examine their own motives; those high in neuroticism are anxious and emotionally unstable.183 Youths who are both neurotic and extraverted often lack insight and are highly impulsive. They act self-destructively, for example, by abusing drugs, and are the type of offender who will repeat their criminal activity over and over.184

**The Antisocial Personality** It has also been suggested that delinquency may result from a syndrome interchangeably referred to as the **antisocial**, **psychopathic**, or **sociopathic personality**. Although no more than 3 percent of male offenders may be classified as antisocial, it is possible that a large segment of persistent offenders share this trait.185

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**extraversion**
Impulsive behavior without the ability to examine motives and behavior.

**neuroticism**
A personality trait marked by unfounded anxiety, tension, and emotional instability.

**psychopathic personality (also known as sociopathic or antisocial personality)**
A person lacking in warmth, exhibiting inappropriate behavior responses, and unable to learn from experience; the condition is defined by persistent violations of social norms, including lying, stealing, truancy, inconsistent work behavior, and traffic arrests.

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People with antisocial personalities lack affect and remorse even when they commit horrific crimes. Brendan Dassey, 16, is escorted into a Manitowoc County, Wisconsin courthouse on May 26, 2006. Dassey was accused of murder and sexual assault after admitting to investigators that he and his uncle, Steven Avery, raped and killed 25-year-old photographer Teresa Halbach and then burned her body in a fire pit. Dassey has since recanted his confession.
Antisocial youths exhibit low levels of guilt and anxiety and persistently violate the rights of others. Although they may exhibit charm and be highly intelligent, these mask a disturbed personality that makes them incapable of forming enduring relationships.\textsuperscript{186} Frequently involved in such deviant behaviors as truancy, lying, and substance abuse, antisocial people lack the ability to empathize with others. From an early age, the antisocial person’s home life was filled with frustration and quarreling. Consequently, throughout life the antisocial youth is unreliable, unstable, and demanding.

Youths diagnosed as being clinically antisocial are believed to be thrill seekers who engage in destructive behavior. Some may become almost addicted to thrill seeking, resulting in repeated and dangerous risky behaviors.\textsuperscript{187} Some become gang members and participate in violent sexual escapades to compensate for a fear of responsibility and an inability to maintain relationships.\textsuperscript{188} Delinquents have been described as sensation seekers who desire an extraverted lifestyle, including partying, drinking, and having a variety of sexual partners.\textsuperscript{189}

**The Origins of Antisocial Personality** A number of factors contribute to the development of antisocial personalities. One source may be family dysfunction and include having an emotionally disturbed parent, parental rejection during childhood, and inconsistent or overly abusive discipline.\textsuperscript{190} Another possibility is that psychopaths may have brain-related physical anomalies that cause them to process emotional input differently than non-psychopaths.\textsuperscript{191} Another view is that antisocial youths suffer from lower levels of arousal than the general population. Consequently, they may need greater-than-average stimulation to bring them up to comfortable levels.\textsuperscript{192} Psychologists have attempted to treat antisocial youths by giving them adrenalin, which increases their arousal levels.

**Intelligence and Delinquency** Early criminologists thought that if they could determine which individuals were less intelligent, they might be able to identify potential delinquents before they committed socially harmful acts.\textsuperscript{193} Psychologists began to measure the correlation between IQ and crime by testing adjudicated juvenile delinquents. Delinquent juveniles were believed to be substandard in intelligence and thus inclined to commit more crimes than more intelligent persons. Thus, juvenile delinquents were used as a test group around which numerous theories about intelligence were built.

**Nature Theory** When IQ tests were administered to inmates of prisons and juvenile training schools early in the twentieth century, a large proportion of the inmates scored low on the tests. Henry Goddard found in 1920 that many institutionalized persons were “feebleminded” and concluded that at least half of all juvenile delinquents were mental defectives.\textsuperscript{194} In 1926, William Healy and Augusta Bronner tested a group of delinquents in Chicago and Boston and found that 37 percent were subnormal in intelligence.\textsuperscript{195} They concluded that delinquents were five to ten times more likely to be mentally deficient than non-delinquent boys. These and other early studies were embraced as proof that a correlation existed between innate low intelligence and deviant behavior. IQ tests were believed to measure genetic makeup, and many psychologists accepted the predisposition of substandard individuals toward delinquency. This view is referred to as the **nature theory** of intelligence.

**Nurture Theory** In the 1930s, more culturally sensitive explanations of behavior led to the **nurture theory**. Nurture theory argues that intelligence is not inherited and that low-IQ parents do not necessarily produce low-IQ children.\textsuperscript{196} This view holds that intelligence must be viewed as partly biological, and primarily sociological. Nurture theorists discredit the notion that people commit crimes because they have low IQs. Instead, they postulate that environmental stimulation from parents, schools,
peer groups, and others create a child’s IQ level and that low IQs result from an
environment that also encourages delinquent behavior. It was reasoned that if
educational environments could be improved, the result might be both an elevation
in IQ scores and a decrease in delinquency.

Rethinking IQ and Delinquency

The relationship between IQ and delinquency is
controversial because it implies that a condition is present at birth that accounts for
delinquent behavior throughout the life cycle and that this condition is not easily
changed. Research shows that measurements of intelligence taken in infancy are good
predictors of later IQ. By implication, if delinquency is not spread evenly through
the social structure, neither is intelligence.

Some social scientists actively dispute that any association actually exists. As early
as 1931, Edwin Sutherland evaluated IQ studies of criminals and delinquents and
found evidence disputing the association between intelligence and criminality. His
findings did much to discredit the notion that a strong relationship exists between IQ
and criminality, and for many years the IQ-delinquency link was ignored. Suther-
land’s research has been substantiated by a number of contemporary studies that find
that IQ has a negligible influence on behavior.

Those who still believe in an IQ-delinquency link refer to a study by Travis
Hirschi and Michael Hindelang, who, after conducting a statistical analysis of IQ
and delinquency data, concluded that “the weight of evidence is that IQ is more im-
portant than race and social class” for predicting delinquency. They argued that a
low IQ increases the likelihood of delinquent behavior through its effect on school
performance. Youths with low IQs do poorly in school, and school failure is highly
related to delinquency. Their conclusions have also been supported by a number of
research efforts.

Even those experts who believe that IQ influences delinquent behavior are split
on the structure of the associations. Some believe IQ has an indirect influence on
delinquency. For example, children with low IQs are more likely to engage in delin-
quent behavior because low IQ leads to school failure, and educational under-
achievement is associated with delinquency. Even high-risk youths are less likely
to become delinquents if they have relatively high IQs; low IQ increases the probabil-
ity of a delinquent career. The relationship between IQ and delinquency has been
found to be consistent after controlling for class, race, and personality traits.

Some experts believe IQ may have a direct influence on delinquency. The key link-
age is the ability to manipulate abstract concepts. Low intelligence limits adolescents’
ability to “foresee the consequences of their offending and to appreciate the feelings
of victims.” Therefore, youths with limited intelligence are more likely to misinter-
pret events, take risks, and engage in harmful behavior.

CRITIQUING TRAIT THEORY VIEWS

Trait theories have been criticized on a number of grounds. One view is that the re-
search methodologies they employ are invalid. Most research efforts use adjudicated
or incarcerated offenders. It is difficult to determine whether findings represent the
delinquent population or merely those most likely to be arrested. For example, some
critics have described heredity studies as “poorly designed, ambiguously reported,
and exceedingly inadequate in addressing the relevant issues.” Some critics also fear
that trait-theory research can be socially and politically damaging. If an above-aver-
age number of indigent youths become delinquent offenders, can it be assumed that
the less affluent are genetically inferior? This conclusion is unacceptable to many so-
cial scientists in light of what is known about race, gender, and class bias.

Defenders counter that trait theorists do not ignore environmental and social
factors. For example, some kids may have emotional and psychological problems
that place them at a disadvantage, limit their chances of success, and heighten their
feelings of anger and frustration. If their family is affluent, they will have the resources available to treat these problems; a less affluent family would lack the economic means and the institutional support needed to counteract these potentially destructive traits. Delinquency rate differences may then result from differential access to opportunities either to commit crime or to receive the treatment needed to correct developmental problems.

Concept Summary 3.3 reviews the psychological basis of delinquency.

**Psychological Views**

<table>
<thead>
<tr>
<th>Theory</th>
<th>Major Premise</th>
<th>Focus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psychodynamic</td>
<td>The development of the unconscious personality early in childhood influences behavior for the rest of a person’s life. Criminals have weak egos and damaged personalities.</td>
<td>Explains the onset of delinquency and why crime and drug abuse cut across class lines.</td>
</tr>
<tr>
<td>Behavioral</td>
<td>Kids commit delinquent acts when they model their behavior after others they see being rewarded for the same acts. Behavior is reinforced by rewards and extinguished by punishment.</td>
<td>Explains the role of significant others in the delinquency process. Shows how family life and media can influence crime and violence.</td>
</tr>
<tr>
<td>Cognitive</td>
<td>Individual reasoning processes influence behavior. Reasoning is influenced by the way people perceive their environment.</td>
<td>Shows why delinquent behavior patterns change over time as people mature and develop their reasoning powers. May explain the aging-out process.</td>
</tr>
</tbody>
</table>

**Trait Theory and Delinquency Prevention**

Trait theory perspectives on delinquency suggest that prevention efforts should be directed at strengthening a youth’s home life and relationships. If parents cannot supply proper nurturing, discipline, nutrition, and so on, the child cannot develop properly. Whether we believe that delinquency has a biosocial basis, a psychological basis, or a combination of both, it is evident that prevention efforts should be oriented to reach children early in their development.

County welfare agencies and private treatment centers offer counseling and other mental health services to families referred by schools, welfare agents, and court authorities. In some instances, intervention is focused on a particular family problem that has the potential for producing delinquent behavior—for example, alcohol and drug problems, child abuse, or sexual abuse. In other situations, intervention is oriented toward developing the self-image of parents and children or improving discipline in the family.

Some programs utilize treatment regimens based on specific theories (such as behavioral modification therapies). For example, the Decisions to Actions program in Kincheloe, Michigan, is organized around cognitive-behavioral restructuring of children’s personalities. Its main focus is changing attitudes and beliefs associated with improper feelings and behaviors. Youths are taught to identify poor decision making and to explore the thinking behind “bad” decisions. They also are taught relapse prevention techniques that enable them to manage their emotions and behavior better. The ten-week program includes an assessment, meetings between the youths and mentors, victim empathy sessions where convicted felons speak with the youths, and team-building exercises.

In addition, individual approaches have been used to prevent adjudicated youths from engaging in further criminal activities. Incarcerated and court-adjudicated youths are now almost universally given some form of mental and physical evaluation before they begin their correctional treatment. Such rehabilitation methods as
psychological counseling and psychotropic medication (drugs like Ritalin) are often prescribed. In some instances, rehabilitation programs are provided through drop-in centers that service youths who are able to remain in their homes; more intensive programs require residential care. The creation of such programs illustrates that agents of the juvenile justice system believe that many delinquent youths and status offenders have psychological or physical problems and that their treatment can help reduce repeat criminal behavior. Faith in this approach suggests widespread agreement that delinquency can be traced to individual pathology.

The influence of psychological theory on delinquency prevention has been extensive, and programs based on biosocial theory have been dormant for some time. However, institutions are beginning to sponsor projects designed to study the influence of diet on crime and to determine whether regulating metabolism can affect behavior. Such efforts are relatively new and untested. Similarly, schools are making an effort to help youths with learning disabilities and other developmental problems. Delinquency prevention efforts based on biocriminological theory are still in their infancy. Some questions remain about the effectiveness of individual treatment as a delinquency prevention technique. Little hard evidence exists that clinical treatment alone can prevent delinquency or rehabilitate delinquents. Critics still point to the failure of the Cambridge-Somerville Youth Study as evidence that clinical treatment has little value. In that effort, 325 high-risk youths were given intensive counseling, and their progress was compared with a control group that received no special attention. An evaluation of the project by Joan and William McCord found that the treated youths were more likely to become involved in law violation than the untreated controls.211 By implication, the danger is that the efforts designed to help youths may actually stigmatize them, hindering their efforts to live conventional lives.

Critics argue that the more we try to help youths, the more likely they will be to see themselves as different, or as troublemakers.212 Such questions have led to prevention efforts designed to influence the social as well as the psychological world of youths (see chapters 4 and 5). Both choice and trait theories have been embraced by conservatives because they focus on personal characteristics and traits rather than on the social environment. Both theoretical positions agree that delinquency can be prevented by dealing with the youths who engage in crime, not by transforming the social conditions associated with youth crime. In contrast, more liberal delinquency experts view the environment as the main source of delinquency.
Situational crime prevention strategies aim to reduce opportunities for crime to take place. By imposing obstacles that make it difficult to offend, such strategies strive to dissuade would-be offenders.

Choice theorists agree that if the punishment for delinquency could be increased, the delinquency rate might fall. One method is to transfer youths to the criminal courts or to grant the adult justice system jurisdiction over serious juvenile cases. Similarly, some experts advocate incapacitation for serious juvenile offenders—for example, long-term sentences for chronic delinquents.

Choice theory holds that people have free will to control their actions. Delinquency is a product of weighing the risks of crime against its benefits. If the risk is greater than the gain, people will choose not to commit crimes.

One way of creating a greater risk is to make sure that the punishments associated with delinquency are severe, certain, and fast.

Routine activities theory maintains that a pool of motivated offenders exists and that these offenders will take advantage of suitable targets unless they are heavily guarded.

General deterrence theory holds that if delinquents are rational, an inverse relationship should exist between punishment and crime. The harsher, more certain, and swifter the punishment, the more likely it will deter delinquency.

General deterrence assumes that delinquents make a rational choice before committing delinquent acts.

There is little evidence that harsh punishments reduce the delinquency rate, perhaps because most delinquents are not severely punished.

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Situational crime prevention strategies aim to reduce opportunities for crime to take place. By imposing obstacles that make it difficult to offend, such strategies strive to dissuade would-be offenders.

Trait theories hold that delinquents do not choose to commit crimes freely but are influenced by forces beyond their control.

The two types of current trait theory are biosocial and psychological.

One of the earliest branches of biosocial theory was biological theory, formulated by Cesare Lombroso, who linked delinquency to inborn traits. Following his lead were theories based on genetic inheritance and body build. Although biological theory was in disrepute for many years, it has recently re-emerged.

Biochemical factors linked to delinquency include diet, hormones, and blood chemistry.

Neurological factors include brain damage and ADHD.

Some experts believe that delinquent tendencies may be inherited. Studies use twins and adoptees to test this theory.

Psychological theories include the psychodynamic model, which links antisocial behaviors to unconscious emotions and feelings developed in early childhood.

The behavioral perspective emphasizes that children imitate the behavior they observe personally or view on television or in movies. Children who are exposed to violence and see it rewarded may become violent as adults.

Cognitive psychology is concerned with how people perceive the world. Criminality is viewed as a function of improper information processing or lack of moral development.

Psychopaths are people with a total lack of concern for others. They may commit the most serious violent crimes.

Intelligence has also been related to delinquency. Some studies claim to show that delinquents have lower IQs than non-delinquents.

Many delinquency prevention efforts are based on psychological theory. Judges commonly order delinquent youths to receive counseling. Recently, some delinquent offenders have been given biochemical therapy.

**KEY TERMS**

- choice theory, p. 47
- trait theory, p. 48
- free will, p. 48
- utilitarians, p. 48
- classical criminology, p. 50
- routine activities theory, p. 50
- predatory crimes, p. 52
- general deterrence, p. 54
- co-offending, p. 54
- specific deterrence, p. 54
- situational crime prevention, p. 55
- hot spot, p. 57
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- criminal atavism, p. 58
- biosocial theory, p. 59
- minimal brain dysfunction (MBD), p. 61
- learning disabilities (LD), p. 61
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- bipolar disorder, p. 68
- identity crisis, p. 68
- oppositional defiant disorder (ODD), p. 69
- conduct disorder (CD), p. 69
- behaviorism, p. 70
- social learning theory, p. 70
- cognitive theory, p. 71
- extraversion, p. 74
- neuroticism, p. 74
- psychopathic personality, sociopathic personality, antisocial personality, p. 74
- nature theory, p. 75
- nurture theory, p. 75
1. Are all delinquent acts psychologically abnormal? Can there be “normal” crimes?
2. How would you apply psychodynamic theory to delinquent acts such as shoplifting and breaking and entering a house?
3. Can delinquent behavior be deterred by the threat of punishment? If not, how can it be controlled?
4. Do you think that watching violence on TV and in films encourage youths to be aggressive and antisocial?
5. Do beer advertisements that feature attractive, scantily dressed young men and women encourage drinking? If they do not encourage people to drink, why bother advertising? If suggestive advertising works in getting people to buy beer, then why shouldn’t suggestive violence encourage kids to be violent?
6. Discuss the characteristics of psychopaths. Do you know anyone who fits the description?

You are a state legislator who is a member of the subcommittee on juvenile justice. Your committee has been asked to redesign the state’s juvenile code, because of public outrage over serious juvenile crime.

At an open hearing, a professor from the local university testifies that she has devised a surefire test to predict violence-prone delinquents. The procedure involves brain scans, DNA testing, and blood analysis. Used with samples of incarcerated adolescents, her procedure has been able to distinguish with 90 percent accuracy between youths with a history of violence and those who are exclusively property offenders. The professor testifies that, if each juvenile offender were tested with her techniques, the violence-prone career offender could easily be identified and given special treatment. Their scores could be kept on a registry and law enforcement agencies notified of the offenders’ whereabouts.

Opponents argue that this type of testing is unconstitutional, because it violates the Fifth Amendment protection against self-incrimination and can unjustly label nonviolent offenders. Any attempt to base policy on biosocial makeup seems inherently wrong and unfair. Those who favor the professor’s approach maintain that it is not uncommon to single out the insane or mentally incompetent for special treatment and that these conditions often have a biological basis. It is better that a few delinquents be unfairly labeled than have seriously violent offenders be ignored until it is too late.

- Is it possible that some kids are born to be delinquents?
- Or do kids “choose” crime?
- Is it fair to test kids to see if they have biological traits related to crime even if they have never committed a single offense?
- Should special laws be created to deal with the “potentially” dangerous offender?
- Should offenders be typed on the basis of their biological characteristics?

To get more information on DNA testing, the American Civil Liberties Union’s stance on personal privacy rights of Americans in the age of technology, and the DNA registry now operated by Alaska, go to www.thomsonedu.com/criminaljustice/siegel and surf to the federal sites for the National Criminal Justice Reference Service and the Office of Juvenile Justice and Delinquency Prevention.