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CHARACTERISTICS, DEFINITIONS, AND MEASUREMENT OF JUVENILE OFFENDERS AND OFFENSES

LEARNING OBJECTIVES

On completion of this chapter, students should be able to do the following:

1. Recognize differences between delinquency profiles based on behavioral profiles and official statistics
2. Discuss the impact of social factors (e.g., family, schools, social class) on delinquency
3. Discuss the effects of physical factors (e.g., gender, age, race) on delinquency
4. Recognize and discuss the intersectional nature of multiple factors and identities related to delinquency
5. Discuss legal and behavioral definitions of delinquency
6. Understand and discuss the importance of accurately defining and measuring delinquency
7. Discuss official and unofficial sources of data on delinquency, abuse, and neglect, as well as the problems associated with each

WHAT WOULD YOU DO?

Tommy can hear his mom sobbing through the thin wooden door in the mobile home. He looks up at his older brother, Robbie, and asks him, “When do you think he’ll stop?”

Robbie says in a low voice, “Shhh... she’ll apologize and then he’ll eventually calm down and they’ll go to the bedroom. After that, it’ll be okay.”

But this time it is different. Both Tommy and Robbie hear a loud yelp that makes their blood run cold. Tommy looks under the crack of the door and can see his father’s boots moving, apparently kicking his mother in the ribs as she struggles to get away on all fours.

“He’s kicking her really bad, Robbie.... I’m afraid he might kill Momma this time.” Robbie listens to the shrieks and groans of his mother in misery and looks down at his 5-year-old brother.

“Tommy, you gotta stay in here, okay? Don’t come out after me, and don’t get between me and Dad. I don’t wanna hurt you by accident, okay?”

“But...” Tommy tries to argue, but Robbie quickly puts a hand over the child’s mouth.

“We can’t argue about this. There’s no time.... You don’t want Momma to die, do you?”

Tommy shakes his head no.

“Then you do as I tell you, until the coast is clear, okay?”

“Okay,” says Tommy.

“Promise!” demands Robbie.

“I promise,” says Tommy.

In a flash, Robbie goes to the back of the room and reaches up high in the closet to pull out a .22 Winchester rifle that his grandfather had given him for squirrel hunting a few years back. The 15-year-old motions for his little brother to get on the bed against the wall.

“But Robbie...” says Tommy.

“Shhh! Be quiet, dammit! Don’t go getting scared on me. Just hide behind the bed,” says Robbie, heart pounding, sweat already building on his forehead.

Robbie opens the door, holds the rifle up against his shoulder, and with it pointed forward, walks down the cheaply paneled hall of the mobile home, arriving in the living room in five quick, long gaits. He stands there, gun pointed at his father, who, for a moment, is surprised but then starts grinning.

Robbie’s mother, still on the ground in the corner of the living room, says faintly, “Robbie, no.”

His father then says, “Yeah, Robbie, why don’t you stud up? It’s about that time now, huh?” as he moves slowly toward Robbie.

“You stay there or I’ll shoot!” says Robbie.

His mother says, “Frank, please leave him alone; he’s just worried about me,” at which point Frank quickly turns, points a finger at her, and says, “You both should be worried. I’m gonna kill both of your asses!”

Frank turns back and faces Robbie. Robbie’s hands are sweating and he is shaking a little. He only has this .22, not exactly a powerful gun, and no hollow points at that. Robbie is terrified. If he does not shoot, he knows Frank will likely put him in the hospital, might kill his mom, and might even hurt Tommy as well. If he does shoot, he would need to do so more than once because one shot would not be enough to stop him.

Frank takes another step, saying, “You ain’t got it in ya! Yer yella, just like your mommaaaa....”

The gun goes off. The magazine that Robbie had loaded the day before lets him fire rounds as fast as he can repetitively pull the trigger. The first shot goes right through Frank’s right eye; the second goes into the front of his neck at an angle, as does the third. The fourth goes into his heart. The others miss, for the most part, but Frank is on the ground, heaving.

A few minutes later, the police arrive on the scene of a homicide.

While they take down the information from all parties at the house as well as others who live in the trailer park, they are compelled to put Robbie in cuffs and take him into booking.

What Would You Do?

1. Judging by the circumstances, would you define this crime as one committed by a juvenile, or should Robbie be waived to adult court? Explain your answer.
2. How would you identify and measure the various crimes committed at this scene?
3. How could victim blaming become a problem in a case such as this one?
4. What would you have done if you were in Robbie’s position?

The factors that cause delinquency seem to be numerous and interwoven in complex ways (Tapia, 2011). Multiple factors must be considered if we are to improve our understanding of delinquency. For example, Mallett (2008), in a study using a random sample of all adjudicated delinquent youths who received probation supervision from the Cuyahoga County (greater

Cleveland) Juvenile Court in 2004 and 2005, found that over 57% of delinquent youths on probation supervision had either a mental health disorder or a special education disability. Thornberry, Huizinga, and Loeber (2004) found that drug, school, and mental health problems are strong risk factors for male adolescents' involvement in persistent and serious delinquency, although more than half of persistent serious offenders do not have such problems. Still, more than half of the males studied who did have persistent problems with drugs, school, or mental health were also persistent and serious delinquents. Fewer than half of persistent and serious female delinquents studied had drug, school, or mental health problems, but these problems alone or in combination were not strong risk factors for serious delinquency. However, (Zahn et al., 2010, p. 11) concluded that "attachment to school has protective effects against delinquency for both genders, although several recent studies find a stronger effect for girls." Mitchell and Shaw (2011) also noted that adolescent offenders have high levels of mental health problems, many of which go undetected and lead to poor outcomes. Most criminologists contend that a number of factors combine to produce delinquency (see In Practice 2.1). Furthermore, at least some research indicates that risk factors for delinquency may be different for boys and girls (Carbone-Lopez, Esbensen, & Brick, 2010; Martin, Golder, Cynthia, & Sawning, 2013; National Girls Institute, 2013; Zahn et al., 2010).

DELINQUENCY PROFILES

In any discussion of the general characteristics of juvenile offenders, we must be aware of possible errors in the data and must be cautious concerning the impression presented. In general, profiles of juvenile offenders are drawn from official files based on police contacts, arrests, and/or incarceration. Although these profiles may accurately reflect the characteristics of juveniles who are or will be incarcerated or who have a good chance for an encounter with the justice system, they might not accurately reflect the characteristics of all juveniles who commit offenses.

Studies have established that the number of youthful offenders who formally enter the justice system is small in comparison with the total number of violations committed by juveniles (Langton, Berzofsky, Krebs, & Smiley-McDonald, 2012). Hidden-offender surveys, in which juveniles are asked to anonymously indicate the offenses they have committed, have indicated repeatedly that far more offenses are committed than are reported in official agency reports. In addition, even those juveniles who commit offenses resulting in official encounters are infrequently formally processed through the entire system. The determination of who will officially enter the justice system depends on many variables that are considered by law enforcement and other juvenile justice personnel. It is important to remember that official profiles of youthful offenders might not actually represent those who commit youthful offenses but rather represent only those who enter the system.

Regardless of these limitations it is, perhaps, important that we clearly distinguish between behavioral and statistical profiling methods to eliminate confusion, if nothing else. When we say **behavioral profiling**, we are referring to the process of determining an offender's motivation to commit a crime using a process of deductive analysis. This deductive approach is focused on the case itself and seeks to infer personal characteristics of the offender from examining evidence that has been gathered at a singular crime scene or from multiple crime scenes. This process of profiling is what is widely viewed as the clinical or psychological approach to profiling delinquent or criminal behavior (Bartol & Bartol, 2012). On the other hand, **statistical profiling** uses an inductive analysis approach that incorporates statistical averages of characteristics that are possessed by offenders, in general, or by averages from known offenders who have committed a

specific crime or set of crimes, in particular (Bartol & Bartol, 2012). This approach is, more or less, an actuarial approach that is obtained through multiple iterations of statistical calculations.

It is common practice to use official profiles of juveniles as a basis for development of delinquency prevention programs. Based on the characteristics of known offenders, prevention programs that ignore the characteristics of the hidden and/or unofficial delinquent have been initiated. For example, there is official statistical evidence indicating that the major proportion of delinquents comes from lower socioeconomic families and neighborhoods. The correlates of poverty and low social status include substandard housing, poor sanitation, poor medical care, high unemployment, and exposure to violence (Zahn et al., 2010). It has been suggested that if these conditions were altered, delinquency might be reduced. However, as Harcourt and Ludwig (2006) found out in their study of broken-windows policing, changing the disorder does not necessarily reduce or eliminate criminal behavior.

IN PRACTICE 2.1

ENDING RACIAL AND ETHNIC DISPARITIES IN THE JUVENILE JUSTICE SYSTEM

Issues related to racial disparity in the treatment of youth processed through the juvenile justice system are still problematic, despite efforts to eliminate this problem. Evidence that racial disparity still warrants substantive attention exists when one considers that the **Office of Juvenile Justice and Delinquency Prevention (OJJDP)** continues to allocate funds for grant-funded projects to address disparity issues in processing youthful offenders in the juvenile justice system. The Smart on Juvenile Justice: Technical Assistance to End Racial and Ethnic Disparities in the Juvenile Justice System is one such project initiated by the OJJDP to do this. The overall goal of this project is to establish, operate, and maintain the OJJDP's initiative to end racial and ethnic disparities in the juvenile system, serving as a comprehensive clearinghouse on issues related to eliminating racial and ethnic disparities in juvenile justice and to strategically focusing DMC reduction efforts.

This project supports the Juvenile Justice and Delinquency Prevention Act, which requires participating states to address the disproportionate number of minority youth who come into contact with the juvenile justice system. Disproportionate minority contact (DMC) exists if the rate at which a specific minority group comes into contact with the juvenile justice system significantly differs from the rate of contact for non-Latinx Caucasians or other minority groups. Research indicates that various contributing factors cause DMC, including but not limited to implicit bias; racial stereotyping; and laws, policies, and procedures that can have a disparate impact. As a result, racial and ethnic disparities throughout the juvenile justice system can occur.

The OJJDP has found that African American youth are arrested more than twice as often as non-Latinx Caucasian youth and are diverted from the juvenile justice system less often than Caucasian youth. Going further, Native American youth are diverted less often and are transferred to adult court at more than 1.5 times the rate of Caucasian youth. National estimates from state data through the OJJDP show that Latinx youth are placed in secure detention more than 1.5 times as often as Caucasian youth, with similar rates of transfers to adult court as Native American youth. Data such as these provide clear evidence from valid government sources that there is still work to be done to establish consistency in the justice system's response to our youth who run errand of the law.

Questions to Consider

1. True or False: Latinx youth, but not Native American youth, are transferred to adult court more frequently than Caucasian youth.
2. Multiple Choice: The OJJDP has found that African American youth are arrested more than _____ as often as non-Latinx Caucasian youth:

- a. twice
 - b. three times
 - c. four times
 - d. none of the above
3. What reasons do you think are likely to explain the disproportionate minority contact noted in In Practice 2.1?

Source: Office of Juvenile Justice and Delinquency Prevention (2017a).

Unfortunately, simplistic explanations are often appealing and sometimes lead to prevention and rehabilitation efforts that prove to be of very little value. With this in mind, let us now turn our attention to some of the factors viewed as important determinants of delinquent behavior. It must be emphasized once again that most of the information we have concerning these factors is based on official statistics. For a more accurate portrait of the characteristics of actual juvenile offenders, we must also concentrate on the vast majority of juveniles who commit delinquent acts but are never officially labeled as delinquent.

SOCIAL FACTORS

As they grow up, children are exposed to a number of **social factors** that may increase their risk for problems such as abusing drugs and engaging in delinquent behavior. Risk factors appear to function in a cumulative fashion—that is, the greater the number of risk factors, the greater the likelihood that youth will engage in delinquent or other risky behavior. There is also evidence that problem behaviors associated with risk factors tend to cluster. For example, delinquency and violence cluster with other problems, such as drug abuse, mental health issues, teen pregnancy, and school misbehavior.

Shown in Chart 2.1 are a number of factors experienced by juveniles as individuals, as family members, in school, among their peers, and in their communities. For further information concerning the indicators of these risks and data sources associated with such indicators, visit the website from which the chart was adapted.

CHART 2.1 RISK FACTORS FOR HEALTH AND BEHAVIOR PROBLEMS

Individual

- Antisocial behavior and alienation, delinquent beliefs, general delinquency involvement, and/or drug dealing
- Gun possession, illegal gun ownership, and/or carrying
- Teen parenthood
- Favorable attitudes toward drug use and/or early onset of alcohol and other drug (AOD) use
- Early onset of aggression and/or violence
- Intellectual and/or developmental disabilities
- Victimization and exposure to violence
- Poor refusal skills
- Life stressors
- Early sexual involvement
- Mental disorder and/or mental health problem

Family

- Family history of problem behavior and/or parent criminality
- Family management problems and poor parental supervision and/or monitoring
- Poor family attachment or bonding
- Child victimization and maltreatment
- Pattern of high family conflict
- Family violence
- Having a young mother
- Single parent home
- Sibling antisocial behavior
- Family transitions
- Parental use of harsh physical punishment and/or erratic discipline practices
- Low parent education level and/or illiteracy
- Maternal depression

School

- Low academic achievement
- Negative attitude toward school, low bonding, low school attachment, and/or low commitment to school
- Truancy or frequent absences
- Suspension
- Dropping out of school
- Inadequate school climate, poorly organized and functioning schools, and/or negative labeling by teachers
- Identified as learning disabled
- Frequent school transitions

Peer

- Gang involvement and/or gang membership
- Peer alcohol, tobacco, and other drug (ATOD) use
- Association with delinquent or aggressive peers
- Peer rejection

Community

- Availability or use of ATOD in neighborhood
- Availability of firearms
- High-crime neighborhood
- Community instability
- Low community attachment
- Economic deprivation, poverty, and/or residence in a disadvantaged neighborhood
- Neighborhood youth in trouble

Feeling unsafe in the neighborhood
Social and physical disorder or disorganized neighborhood

Source: Adapted from youth.gov

Family

One of the most important factors influencing delinquent behavior is the family setting. It is within the family that the child internalizes those basic beliefs, values, attitudes, and general patterns of behavior that give direction to subsequent behaviors. Because the family is the initial transmitter of the culture (through the **socialization process**) and greatly shapes the personality characteristics of the child, considerable emphasis has been given to family structure, functions, and processes in delinquency research. Although it is not possible to review all such research here, we concentrate on several areas that have been the focus of attention.

A great deal of research focuses on the crucial influence of the family in the formation of behavioral patterns and personality. Contemporary theories attach great importance to the parental role in determining the personality characteristics of children. More than half a century ago, Glueck and Glueck (1950) focused attention on the relationship between family and delinquency, a relationship that has remained in the spotlight ever since.

To young children, home and family are the basic sources of information about life. Thus, many researchers and theorists have focused on the types of values, attitudes, and beliefs maintained and passed on by the family over generations. Interest has focused on the types of behavior and attitudes transmitted to children through the socialization process resulting in a predisposition toward delinquent behavior.

Further support for this argument comes from Worthen (2012), who found that both parent–child bonding and friend relationships affect delinquency and that these relationships differ by both gender and stage of adolescence. And, using data from a sample of 18,512 students in Grades 6, 8, 10, and 12, Fagan, Van Horn, Antaramian, and Hawkins (2011, p. 150) found the following:

Across grades, parents treated girls and boys differently, but neither sex received preferential treatment for all practices assessed, and younger children reported more positive parenting than older students. Family factors were significantly related to delinquency and drug use for both sexes and for all grades. Their findings suggest that “complexities in parent/child interactions that must be taken into account when investigating the causes of adolescent offending and when planning strategies to prevent the development of problem behaviors” (p. 150).

Considerable research indicates a relationship between delinquency and the marital happiness of the children’s parents. Official delinquency seems to occur disproportionately among juveniles in unhappy homes marked by marital discord, lack of family communication, unaffectionate parents, high stress and tension, and a general lack of parental cohesiveness and solidarity (Davidson, 1990; Fleener, 1999; Gorman-Smith, Tolan, & Loeber, 1998; Wright & Cullen, 2001). In unhappy familial environments, it is not unusual to find that parents derive little sense of satisfaction from their child-rearing experiences. Genuine concern and interest are seldom expressed except on an erratic and convenient basis at the whim of the parents. Also typical of this familial climate are inconsistent guidance and discipline marked by laxity and a tendency to use children against the other parent (Simons, Simons, Burt, Brody, & Cutrona, 2005). It is not surprising to find poor self-images, personality problems, and conduct problems in children of such families. Families are primary venues for identity disruption, loss, and inner turmoil. The effects of troublesome family circumstances such as separation or divorce, illness, and death are well known and might be summarized by the concept of *family trouble* (Francis, 2012). If there is any validity to the adage “chip off the old block,” it should

not be surprising to find children in unpleasant family circumstances internalizing the types of attitudes, values, beliefs, and modes of behavior demonstrated by their parents.

It seems that in contemporary society, the family home has in many cases been replaced by a house where a related group of individuals reside, change clothes, and occasionally eat. It is somewhat ironic that we often continue to focus on **single parent homes** (homes disrupted through divorce, separation, or desertion, or homes where the father remains absent) as a major cause of delinquency rather than on dual parent homes where relationships are marked by familial disharmony and disorganization. There is no doubt that the stability and continuity of a family may be shaken when the home suffers the loss of a parent through death, desertion, long separation, or divorce. At a minimum, one-half of the potential socializing and control team is separated from the family. The belief that one-parent families produce more delinquents is supported both by official statistics and by numerous studies.

There is also, however, some evidence that there may be more social organization and cohesion, guidance, and control in happy one-parent families than in two-parent families marked by discord. It may be that the single parent family is not as important a determinant of delinquency as are the events leading to the disruption of the family. Disorganization, and tension, which may lead to a family dissolution or may prevail in a family staying intact “for the children’s sake,” may be more important causative factors of delinquency than the actual breakup (Browning & Loeber, 1999; Emery, 1982; Stern, 1964; Texas Youth Commission, 2004). Single parent homes, which Rebellon (2002) referred to as broken homes, are those where at least one biological parent is missing. According to Rebellon (2002), homes with divorce are strongly associated with a range of delinquent behaviors, including minor status offenses and more severe property or violent offenses. According to Brown (2004), adolescents in single parent families are significantly more delinquent than their counterparts residing with two biological, married parents. Furthermore, “Seven of the eight studies that used nationally representative data, for example, found that children in single-parent or other non-intact family structures were at greater risk of committing criminal or delinquent acts” (Americans for Divorce Reform, 2005). However, as just noted, several factors, including divorce or separation, recent remarriage, gender of parent, and the long-term presence of a stepparent, appear to be related to different types of delinquency.

Not all authorities agree that single parent homes have a major influence on delinquency. Rebellon (2002) found that single parenthood, per se, does not appear to be associated with delinquency; rather, certain types of changes in family composition appear to be related to delinquency. Schroeder, Osgood, and Oghia (2010), using data from the National Youth Study, determined that the process of family dissolution is not associated with concurrent increases in delinquency.

Demuth and Brown (2004), using data from the 1995 National Longitudinal Survey of Adolescent Health, extended prior research investigating the effects of growing up in two-parent versus single-mother families by also examining delinquency in single-father families. The results indicate that juveniles in single parent families are significantly more delinquent than their counterparts residing with two biological married parents. However, the authors found that family processes fully account for the higher levels of delinquency exhibited by adolescents from single-father versus single-mother families.

In 2011, 69 percent of children ages 0–17 lived with two parents (65 percent with 2 married parents), 27 percent with one parent, and 4 percent with no parents. Among children living with neither parent, more than half lived with a grandparent. Seven percent of all children ages 0–17 lived with a parent who was in a cohabiting union. A cohabiting union could involve one parent and their cohabiting partner or two cohabiting parents.... The percentage of children with at least one parent working year round, full time fell to 71 percent in 2010, down from 72 percent in 2009 and the lowest since 1993.... Only 41 percent of children in

families maintained by a single mother had a parent who worked year round, full time in 2010, down from 44 percent in 2009. Black, non-Hispanic children and Hispanic children were less likely than White, non-Hispanic children to have a parent working year round, full time. About 61 percent of Hispanic children and 53 percent of Black, non-Hispanic children lived in families with secure parental employment in 2010, compared with 79 percent of White, non-Hispanic children. (Forum on Child and Family Statistics, 2012, pp. 4, 7)

The American family unit has changed considerably during the past 50 years. Large and extended families, composed of various relatives living close together, at one time provided mutual aid, comfort, and protection. Today, the family is smaller and has relinquished many of its socialization functions to specialized organizations and agencies that exert a great amount of influence in the education, training, care, guidance, and protection of children. This often results in normative conflict for children who find their attitudes differing from the views and standards of their parents. These changes may bring more economic wealth to the family, but they may make it more difficult for parents to give constructive guidance and protection to their children. In addition, the rise of “mixed families,” in which each parent brings children of his or her own into the family setting, may result in conflicts among the children or between one parent and the children of the other parent.

Over the years, there has been considerable interest in children with working parents who have come to be known as **latchkey children**. This term generally describes school-age children who return home from school to an empty house. Estimates indicate that there are 5 to 16 million children left unsupervised after school (Alston, 2013). These children are often left to fend for themselves before going to school in the morning, after school in the afternoon, and on school holidays when parents are working or otherwise occupied. This has resulted in older (but still rather young) children being required to care for younger siblings during these periods and is also a factor in the increasing number of children found in video arcades, in shopping malls, on the Internet, and in other areas without adult supervision at a relatively young age. Although the majority of latchkey children appear to survive relatively unscathed, some become involved in illegal or marginally legal activity without their parents’ knowledge (Alston, 2013; Coohy, 1998; Flannery, Williams, & Vazsonyi, 1999; Vander Ven, Cullen, Carrozza, & Wright, 2001; Vandivere, Tout, Capizzano, & Zaslow, 2003).



Problems with children occur in families of all races and social classes.

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There is little doubt that family structure is related to delinquency in a variety of ways. However, relying on official statistics to assess the extent of that relationship may be misleading. It may be that the police, probation officers, and judges are more likely to deal officially with juveniles from single parent homes than to deal officially with juveniles from more “ideal” family backgrounds. Several authorities, including Fenwick (1982) and Simonsen (1991), have concluded that the decision to drop charges against a juvenile depends, first, on the seriousness of the offense and the juvenile’s prior record and, second, on the juvenile’s family ties. “Youths are likely to be released if they are affiliated with a conventional domestic network” (Fenwick, 1982, p. 450). When parents can be easily contacted by the police and are willing to cooperate with the police, the likelihood is much greater (especially when the offense is minor) that a juvenile will be warned and released to his or her parents (Bynum & Thompson, 1999, p. 364; FindLaw, 2008; Kirk, 2009). Fader, Harris, Jones, and Poulin (2001) concluded that, in Philadelphia at least, juvenile court decision makers appear to give extra weight to child and family functioning factors in deciding on dispositions for first-time offenders.

It often appears that the difference between placing juveniles in institutions and allowing them to remain in the family setting depends more on whether the family is intact than on the quality of life within the family. Concentrating on the single parent family as the major or only cause of delinquency fails to take into account the vast number of juveniles from single parent homes who do not become delinquent as well as the vast number of juveniles from intact families who do become delinquent (Krisberg, 2005, p. 73).

Education

Schools, education, and families are very much interdependent and play a major role in shaping the future of children. In our society, education is recognized as one of the most important paths to success. The educational system occupies an important position and has taken over many functions formerly performed by the family. The total social well-being of children, including health, recreation, morality, and academic advancement, is a concern of educators. Some of the lofty objectives espoused by various educational commissions were summarized by Schafer and Polk (1967) more than a half-century ago:

All children and youth must be given those skills, attitudes, and values that will enable them to perform adult activities and meet adult obligations. Public education must ensure the maximum development of general knowledge, intellectual competence, psychological stability, social skills, and social awareness so that each new generation will be enlightened, individually strong, yet socially and civically responsible. (p. 224)

The child is expected by his or her parents, and by society, to succeed in life, but the child from a poor family, where values and opportunities differ from those of white middle-class America, encounters many difficulties early in school. Studies indicate that students from middle-class family backgrounds are more likely to have internalized the values of competitiveness, politeness, and deferred gratification that are likely to lead to success in the public schools (Braun, 1976). Braun (1976) also found that teachers’ expectations were influenced by physical attractiveness, **socioeconomic status**, race, gender, name, and older siblings. Lower expectations existed for children who came from lower socioeconomic backgrounds, belonged to minority groups, and had older siblings who had been unsuccessful in school. Alwin and Thornton (1984) found that the socioeconomic status of the family was related to academic success both during early childhood and during adolescence. Blair, Blair, and Madamba (1999) found that social class–based characteristics were the best predictors of educational performance among minority students. Hayes

(2008) and Kreager, Rulison, and Moody (2011) noted that a number of factors can affect a teacher's expectations of students and student behavior, including race, gender, class, and personality.

Numerous studies show that although some difficulties may be partially attributable to early experience in the family and neighborhood, others are created by the educational system itself. The label of *low achiever*, *slow learner*, or **learning disabled** may be attached shortly after, and sometimes even before, entering the first grade based on the performance of other family members who preceded the child in school. Teachers may expect little academic success as a result. Identification as a slow learner often sets into motion a series of reactions by the student, his or her peers, and the school itself that may lead to negative attitudes, frustrations, and eventually a climate where school becomes a highly unsatisfactory and bitter experience.

Thornberry, Moore, and Christenson (1985) noted that dropping out of school was related to delinquency and later crime over both the long and short terms. Rodney and Mupier (1999) found that being suspended from school, being expelled from school, and being held back in school increased the likelihood of being in juvenile detention among adolescent African American males. Lotz and Lee (1999) found that negative school experiences are significant predictors of delinquent behavior among white teenagers. Jarjoura (1996) found that dropping out of school is more likely to be associated with greater involvement in delinquency for middle-class youth than for lower-class youth.

Further highlighting the potential link between learning disabilities and increased likelihood of contact with the juvenile justice system, Harris, Baltodano, Bal, Jolivet, and Malcahy (2009) found evidence that juveniles with disabilities are overrepresented in correctional facilities.

Hume (2010) has asked us to do the following:

Imagine what it must be like for a young person with learning disabilities to be apprehended and questioned by the police. Your fear and nervousness make your impairment more acute, and you do a poor job in answering the questions. Looking guilty (maybe because of your disability, not actual guilt) you end up in front of a judge. Even more anxious and scared, you continue to have difficulty in processing verbal questions, sequencing events, mustering demand language and controlling your impulses. Odds are that no one will ask you if you have a disability, or understand what a learning disability is, even if you tell them. (p. 1)

Perhaps the best summation of the relationship between learning disabilities and delinquency is that provided by the National Center on Education, Disability, and Juvenile Justice (2007):

Educational disability does not cause delinquency, but learning and behavioral disorders place youth at greater risk for involvement with the juvenile courts and for incarceration. School failure, poorly developed social skills, and inadequate school and community supports are associated with the over-representation of youth with disabilities at all stages of the juvenile justice system. (p. 1)

The alienation that some students feel toward school and education demands our attention. Rebellion, retreatism, and delinquency may be responses to the false promises of education or simply responses to being “turned off” again in an environment where this has occurred too frequently. Without question, curriculum and caliber of instruction need to be relevant for all children. Social and academic skill remediation may be one means of preventing learning-disabled children from becoming involved in delinquency (Raskind, 2010; Winters, 1997). Beyond these primary educational concerns, the school may currently be the

only institution where humanism and concern for the individual are expressed in an otherwise bleak environment. The impact of school bullying also deserves our attention. Whether through the use of the Internet or through the use of physical threats or attacks, bullying has become a major focal point in recent years. “Defined as a repeated behavior intended to cause harm to another with one party having more power... bullying has increased among students and adults over recent years” (Arnold & Rockinson-Szapkiw, 2012, p. 68). As Moon, Hwang, and McCluskey (2011) indicated, “A growing number of studies indicate the ubiquity of school bullying: It is a global concern, regardless of cultural differences” (p. 849). And there appear to be gender differences related to bullying, with boys being more likely to practice or experience physical aggression and violence and girls being more likely to cyberbully and employ forms of bullying designed to destroy peer relationships or lower self-esteem (Arnold & Rockinson-Szapkiw, 2012, p. 68). Some such acts of bullying have allegedly led to suicides of bullying victims.

Research by Brown, Aalsma, and Ott (2013) indicates that protecting youth from bullying at school is not easy. Based on a small sample of parents, the researchers identified three parent stages in attempting to deal with bullying: (1) discovering, (2) reporting, and (3) living with the aftermath.

In the discovery stage, parents reported giving advice in hopes of protecting their youth. As parents noticed negative psychosocial symptoms in their youth escalate, they shifted their focus to reporting the bullying to school officials. All but one parent experienced ongoing resistance from school officials in fully engaging the bullying problem. In the aftermath, 10 of the 11 parents were left with two choices: remove their youth from the school or let the victimization continue. (p. 494)

Although school officials have attempted to address bullying using a number of approaches, little is known about what specific intervention strategies are most successful in the school setting. Ayers, Wagaman, Geiger, Bermudez-Parsai, & Hedberg (2012) examined school-based disciplinary interventions using data from a sample of 1,221 students in Grades K through 12 who received an office disciplinary referral for bullying. They concluded that only parent-teacher conferences and loss of privileges were significant in reducing the rate of the reoccurrence of bullying and aggressive behaviors. More than 45 states have also enacted legislation that addresses bullying behaviors in the school and in cyberspace (U.S. Department of Education, 2010). The state of Georgia, for example, requires all schools to provide character education curriculums that include the following:

Focus on the students’ development of the following character traits: courage, patriotism, citizenship, honesty, fairness, respect for others, kindness, cooperation, self-respect, self-control, courtesy, compassion, tolerance, diligence, generosity, punctuality, cleanliness, cheerfulness, school pride, respect for the environment, respect for the creator, patience, creativity, sportsmanship, loyalty, perseverance, and virtue. Such program shall also address, by the start of the 1999–2000 school year, methods of discouraging bullying and violent acts against fellow students. Local boards shall implement such a program in all grade levels at the beginning of the 2000–2001 school year and shall provide opportunities for parental involvement in establishing expected outcomes of the character education program. (O.C.G.A. § 20-2-145 [2012])

The authors suggest that school personnel and legislators might develop strategies that deter the reoccurrence of bullying by identifying key factors that impact students, similar to what Georgia is attempting to accomplish (Ayers et al., 2012, p. 539).

Social Class

During the 1950s and 1960s, a number of studies emerged focusing on the relationship between social class and delinquency (Cloward & Ohlin, 1960; Cohen, 1955; Merton, 1955; Miller, 1958). These studies indicated that socioeconomic status was a major contributing factor in delinquency. According to further research, the actual relationship between social class and delinquency may be that social class is important in determining whether a particular juvenile becomes part of the official statistics, not in determining whether a juvenile will actually commit a delinquent act (Dentler & Monroe, 1961; Short & Nye, 1958; Tittle, Villemez, & Smith, 1978). Most studies of self-reported delinquency have shown little or no difference by social class in the actual commission of delinquent acts. Morash and Chesney-Lind (1991), however, did find evidence that lower-class youth report more delinquency, and Elliott and Ageton (1980) found that lower-class juveniles may be more likely to commit serious offenses. Ackerman (1998) also concluded that crime is a function of poverty, at least in smaller communities, and Onifade, Petersen, Bynum, and Davidson (2011) suggested that the risk of delinquency and its relationship to recidivism is moderated by neighborhood socioeconomic ecology.

Some research indicates that middle-class youth are involved in delinquency to a far greater extent than was suspected previously. Scott and Vaz (1963), for example, found that middle-class delinquents adhere to specific patterns of activities, standards of conduct, and values different from their parents. Young people a generation ago had more in common with their parents, including attitudes and outlook on life. However, today's middle-class youth are securely entrenched in a **youth culture** that is often apart from, or in conflict with, the dominant adult culture. Within the youth culture, juveniles are open to the influence of their peers and generally conform to whatever behavior patterns prevail. Scott and Vaz identified partying, joyriding, drinking, gambling, and various types of sexual behavior as dominant forms of conduct within the middle-class youth culture. By participating in and conforming to the youth culture, status and social success are achieved through peer approval. Scott and Vaz argued that the bulk of middle-class delinquency occurs in the course of customary nondelinquent activities but moves to the realm of delinquency as the result of a need to “be different” or “start something new.” Wooden and Blazak (2001) noted that these trends continue at the present time: “In the 1990s research began revealing what those who had survived the 1980s already knew: The safe cocoon of middle-class youth was eroding” (pp. 4–5).



Although more males than females are arrested for delinquency, the number of female delinquents has increased significantly during recent years.

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Accessibility to social objects for participating in the youth culture is an important part of delinquent behavior. Social objects, such as cars, the latest styles, alcoholic beverages, and drugs, are frequently part of middle-class delinquency. Peer recognition for male middle-class youth may be a reason for senseless acts of destruction of property. Acts of vandalism in which one's bravery can be displayed for peer approval are somewhat different from the violent behavior often seen in lower-class youth, who may demonstrate their bravery by gang fights or shootings, muggings, robbery, and other crimes against people. Wooden and Blazak (2001) indicated that suburban youth are often told to act like adults but are not given the privileges of adulthood, forcing them into a subculture characterized by delinquency-producing focal concerns (p. 19). Some end up in trouble-oriented male groups, and they sometimes get involved in violent crime to conform to group norms. More typically, those in middle-class coed groups get involved in petty theft and drug use.

Although most evidence indicates that juveniles from all social classes may become delinquent (Elrod & Ryder, 2005, p. 61), the subculture theorists maintain that many delinquents grow up in lower-class slum areas. According to Cloward and Ohlin (1960), the type of delinquency exhibited depends in part on the type of slum in which juveniles grow up. The slum that produces professional criminals is characterized by the close-knit lives and activities of the people in the community. Constant exposure to delinquent and criminal processes, coupled with an admiration of criminals, provides the model and impetus for future delinquency and criminality. Cloward and Ohlin described this as a **criminal subculture** in which juveniles are encouraged and supported by well-established conventional and criminal institutions. Going one step further, Miller (1958), in his study of lower- and middle-class norms, values, and behavioral expectations, concluded that a delinquent subculture is inherent in lower-class standards and goals. The desirability of the achievement of status through toughness and smartness, as well as the concepts of trouble, excitement, fate, and autonomy, is interpreted differently depending on one's socioeconomic status. Miller concluded that by adhering to lower-class norms, pressure toward delinquency is inevitable and is rewarded and respected in the lower-class value system. Lawbreaking is not in and of itself a deliberate rejection of middle-class values, but it automatically violates certain moral and legal standards of the middle class. Miller believed that lower-class youth who become delinquent are primarily conforming to traditions and values held by their families, peers, and neighbors. As indicated earlier, Wooden and Blazak (2001) used this same approach to describe middle-class delinquency during the 21st century, and most recently, Siegel (2011) suggested that the maturation process is combined with opportunities to build social networks. These social networks are nurtured along by parents, teachers, family members, and other adults, and allow children to forge relationships that provide opportunities for educational and employment success. Children in lower socioeconomic classes are not able to build the same social networks; thus, they "simply do not have the means that bestow advantages on peers whose families are better off financially. They are disadvantaged educationally because of the schools they attend and the activities in which they can participate. Not surprisingly, then, poor children are less likely to graduate from high school and are more likely to become poor adults" (Siegel, 2011, p. 73).

In summarizing the findings with respect to the relationship between social class and delinquency, Johnson (1980) concluded that some conceptualizations of social class may have been inappropriate and that a more appropriate distinction is the one between the **underclass** and the earning class. His results suggest, however, that even given this distinction, there is no reason to expect that social class will emerge as a "major correlate of delinquent behavior, no matter how it is measured" (p. 86). Current evidence presented by Wooden and Blazak (2001) seems to indicate that this may well be the case, as does the paucity of current research in this area.

Still, the concept of the underclass (the extremely poor population that has been abandoned in the inner city as a result of the exodus of the middle class) seems to attract continuing attention (Bursik & Grasmick, 1995; Jarjoura, Triplett, & Brinker, 2002). As the more affluent withdraw from inner-city communities, they also tend to withdraw political support for public spending designed to benefit those communities. They do not want to pay taxes for schools they do not use, and they are not likely to use them because they find those left behind too frightening to be around (Ehrenreich, 1990). Those left behind are largely excluded, on a permanent basis, from the primary labor market and mainstream occupations. Economically motivated delinquency is one way of coping with this disenfranchisement to maintain a short-term cash flow. Because many children growing up in these circumstances see no relationship between attaining an education and future employment, they tend to drop out of school prior to graduation. Some then become involved in theft as a way of meeting economic needs, often as members of gangs that may become institutionalized in underclass neighborhoods (Bursik & Grasmick, 1995, p. 122).

Drugs and the Opioid Epidemic

Although drugs clearly have physical effects on those who use them, drug use is also a social act. We'll have more to say about drug use later in the book, but for now a brief discussion of the topic is in order.

Watson (2004) indicated that research over the past 20 years has established the correlation of substance abuse to juvenile delinquency. There has, of course, been a good deal written about the relationship between illegal drug use and crime. This has been particularly true since the mid-1980s when **crack**, a cocaine-based stimulant drug, first appeared. As Inciardi, Horowitz, and Pottieger (1993) noted, "Cocaine is the drug of primary concern in examining drug/crime relationships among adolescents today. It is a powerful drug widely available at a cheap price per dose, but its extreme addictiveness can rapidly increase the need for more money" (p. 48). Today, this concern has been replaced in many areas by a focus on the abuse of prescription narcotics and **methamphetamines**, which, like cocaine, produce a feeling of euphoria. A meth high can last more than 12 hours, and heavy use can lead to psychotic behavior (paranoia and hallucinations) as well as to serious physical ailments. Some evidence suggests that chronic meth users tend to be more violent than heavy cocaine users (Parsons, 1998, p. 4). Abuse of prescription stimulants, opioids, and depressants can result in similar affects to methamphetamines, with increased risks of poor judgment and physiological issues (National Institute on Drug Abuse, 2013).

Purchase and consumption of some legal drugs, such as alcohol and tobacco, by juveniles are also illegal. Juveniles who violate statutes relating to these offenses may be labeled as delinquent or status offenders. Equally important, however, are other illegal acts often engaged in by drug users to support their drug habits. Such offenses are known to include theft, burglary, robbery, and prostitution, among others. It is also possible that use of certain drugs, such as cocaine and its derivatives and amphetamines, is related to the commission of violent crimes, although the exact nature of the relationship between drug abuse and crime is controversial. Some maintain that delinquents are more likely to use drugs than are nondelinquents—that is, drug use follows rather than precedes delinquency—whereas others argue the opposite (Bjerregaard, 2010; Dawkins, 1997; Thornton, Voight, & Doerner, 1987; Williams, Ayers, & Abbott, 1999). Whatever the nature of the relationship between drug abuse and delinquency, the two are intimately intertwined for some delinquents, whereas drug abuse is not a factor for others. Why some juveniles become drug abusers and others in similar environments avoid such involvement is the subject of a great deal of research. Furthermore, behavior of parents and peers appears to

be more important in drug abuse than do the values and beliefs espoused (Schinke & Gilchrist, 1984; Williams et al., 1999).

During the past few recent years, increasing concern has mounted around the opioid epidemic that has been observed throughout the country. Indeed, prescription drug misuse, which can include opioids, is among the fastest-growing drug problems in the United States. With regard to juveniles, in 2016, 3.6% of youth aged 12–17 reported misusing opioids over the past year (Johnston, Miech, O'Malley, Bachman, Schulenberg, & Patrick, 2019). This percentage is twice as high among older youth and young adults aged 18–25 (Johnston et al., 2019). The vast majority of this misuse is due to prescription opioids, not heroin (Office of Adolescent Health, 2019).

Since 2016, opioid misuse has been decreasing. For example, among high school seniors, past-year misuse of pain medication, excluding heroin, decreased from a peak of 9.5% in 2004 to 3.4% in 2018 (Johnston et al., 2019). The past-year misuse of Vicodin decreased from a peak of 10.5% in 2003 to 1.7% in 2018, and Oxycontin misuse has decreased from the peak rate of 5.5% in 2005 to 2.3% in 2018 (Office of Adolescent Health, 2019). Furthermore, students in the 12th grade believe that opioids are harder to obtain than in the past. In 2010, 54% of students in the 12th grade believed that these drugs were easily accessible, as compared to 32.5% in 2018 (Office of Adolescent Health, 2019).

Death from overdose is the most serious consequence of prescription drug misuse. Indeed, between 1999 and 2016, more than 200,000 people in the United States died from prescription opioid overdoses (Centers for Disease Control and Prevention, 2020a). Over 40% of all opioid overdose deaths in 2016 were due to prescribed opioids. Furthermore, the rate of overdose deaths among adolescents is increasing. In 2015, 4,235 youth aged 15–24 died from a drug-related overdose; over half of these were attributable to opioids (Johnston et al., 2019). The health consequences of opioid misuse affect a much larger number of people. For example, it has been estimated that for every young adult overdose death, there are 119 emergency room visits and 22 treatment admissions (Centers for Disease Control and Prevention, 2020a).

PHYSICAL FACTORS

In addition to social factors, a number of physical factors are often employed to characterize juvenile delinquents. The physical factors most commonly discussed are age, gender, and race.

Age

For purposes of discussing official statistics concerning persons under the age of 18 years, we should note that little official action is taken with respect to delinquency under the age of 10 years. Rather than considering the entire age range from birth to 18 years, we are basically reviewing statistics covering an age range from 10–18 years. Table 2.1 shows the number of juvenile arrests that occurred in 2017 (the most recent data at the time of writing this text). Note that only 28% of all juvenile arrests are associated with youth who are 15 years of age or younger.

Gender

Historically, we have observed three to four arrests of juvenile males for every arrest of a juvenile female. During the period from 2011–2017, this ratio changed considerably, so that juvenile females now account for roughly 29% of arrests of those under 18 years of age (see Table 2.1). In 2017, males accounted for the majority (71%) of juvenile arrests overall but the female share was

relatively high for certain offenses, including larceny-theft (37%), liquor law violations (41%), simple assault (37%), and disorderly conduct (36%). Females accounted for 20% of all juvenile crime arrests and 26% of aggravated assault arrests in 2017. From 2008 through 2017, arrests of juvenile females decreased less than male arrests in most offense categories (e.g., aggravated and simple assault, robbery, vandalism, and drug abuse violations). See Table 2.2, on changes in juvenile arrests, for additional information.

TABLE 2.1 ■ Law Enforcement Arrests of Youth Younger Than 18 Throughout the United States

The number of arrests of juveniles in 2017 was 59% fewer than the number of arrests in 2008.

Most serious offense	2017 estimated number of juvenile arrests	Percent of total juvenile arrests			Percent change		
		Female	Younger than 15	White	2008–2017	2013–2017	2016–2017
Total	809,700	29%	28%	62%	–59%	–25%	–5%
Violent Crime*	48,470	20	27	45	–48	–5	1
Murder and nonnegligent manslaughter	910	8	9	38	–27	23	7
Rape*	NA	NA	NA	NA	NA	NA	NA
Robbery	19,330	10	19	32	–45	1	1
Aggravated assault	28,220	26	33	54	–49	–9	1
Property Crime Index	168,050	30	29	56	–61	–31	–9
Burglary	30,850	12	31	56	–63	–28	–4
Larceny-theft	118,660	37	28	57	–63	–36	–12
Motor vehicle theft	16,300	18	24	45	–34	40	4
Arson	2,240	14	57	73	–65	–39	–12
Nonindex							
Other (simple) assault	123,040	37	39	58	–47	–16	–5
Forgery and counterfeiting	1,220	22	14	58	–53	16	1
Fraud	4,760	33	20	46	–34	6	3
Embezzlement	640	43	8	55	–49	60	–6

(Continued)

TABLE 2.1 ■ Law Enforcement Arrests of Youth Younger Than 18 Throughout the United States (Continued)

The number of arrests of juveniles in 2017 was 59% fewer than the number of arrests in 2008.

Most serious offense	2017 estimated number of juvenile arrests	Percent of total juvenile arrests			Percent change		
		Female	Younger than 15	White	2008–2017	2013–2017	2016–2017
Stolen property (buying, receiving, possessing)	10,500	16	21	41	-49	1	-4
Vandalism	36,720	18	40	69	-66	-21	-6
Weapons (carrying, possessing, etc.)	18,370	10	29	54	-54	-10	-5
Prostitution and commercialized vice	28	61	14	45	-81	-63	-44
Sex offense (except rape and prostitution)*	NA	NA	NA	NA	NA	NA	NA
Drug abuse violation	94,830	24	15	74	-47	-19	-4
Gambling	270	18	13	21	-83	-62	7
Offenses against the family and children	3,770	37	34	58	-35	35	9
Driving under the influence	6,080	25	2	89	-62	-20	-6
Liquor law violation	33,560	41	12	87	-74	-43	-9
Drunkenness	4,300	30	13	78	-72	-41	-10
Disorderly conduct	62,530	36	39	54	-67	-34	-5
Vagrancy	730	22	26	53	-82	-16	-6
All other offenses (except traffic)	149,050	28	25	66	-59	-24	-4
Curfew and loitering	30,130	30	29	56	-77	-47	-12

The number of arrests of juveniles in 2017 was 59% fewer than the number of arrests in 2008.

Most serious offense	2017 estimated number of juvenile arrests	Percent of total juvenile arrests			Percent change		
		Female	Younger than 15	White	2008–2017	2013–2017	2016–2017

- The number of arrests involving juveniles in 2017 was at its lowest level since at least 1980, and much of the decline has occurred in the past 10 years. Between 2008 and 2007, the number of juvenile arrests fell 59%.
- Among violent crimes, arrests for aggravated assault declined 9% between 2013 and 2017, while arrests for robbery increased about 1% and arrests for murder increased 23%.
- In 2017, there were an estimated 123,040 juvenile arrests for simple assault. More than one-third (37%) of these arrests involved females, nearly 4 in 10 (39%) involved youth younger than 15, and 58% involved white youth.

*Beginning in 2013, the FBI broadened the definition of rape, removing the phrase “forcible” from the offense name and description. (See the notes on page 13 for more detail.) Due to differences in agency reporting practices, national estimates for the offenses of “rape” and “sex offenses” are not available after 2012. The “violent crimes” category (which includes murder, robbery, and aggravated assault) replaces the Violent Crime Index (Which included “forcible rape”), as the latter category is no longer compatible with prior years. In any given year prior to the change in the rape definition, these three offenses accounted for more than 95% of arrests for Violent Crime Index Offenses.

Note: Detail may not add to totals because of rounding.

Data source: Analysis of arrest data from the Bureau of Justice statistics and the National Center for Juvenile Justice. (See data source note on page 13 for details.)

Source: Puzanchara, C. (2019). *Percent Change in Juvenile Arrests 2008–2017*. Washington, DC: United States Department of Justice.

TABLE 2.2 ■ Percent Change in Female Arrests, 2008–2017

Most Serious Offense	Female	Male
Violent crime	-42%	-49%
Robbery	-38%	-46%
Aggravated assault	-43%	-51%
Simple Assault	-42%	-50%
Property Crime Index	-67%	-58%
Burglary	-64%	-63%
Larceny-theft	-69%	-59%
Motor vehicle theft	-22%	-37%
Vandalism	-54%	-67%
Weapons	-50%	-54%
Drug abuse violation	-19%	-52%
Driving under influence	-62%	-62%

(Continued)

TABLE 2.2 ■ Percent Change in Female Arrests, 2008–2017 (Continued)

Most Serious Offense	Female	Male
Liquor law violation	-72%	-75%
Disorderly conduct	-63%	-69%

Source: Puzanchera, C. (2019). *Percent Change in Juvenile Arrests 2008–2017*. Washington, DC: United States Department of Justice.

Females have often been overlooked by those interested in juvenile justice (Chesney-Lind, 1999; OJJDP, 1998), and indeed, many of their survival mechanisms (e.g., running away when confronted with abusers) have been criminalized. The juvenile justice network has not always acted in the best interests of female juveniles because it often ignores their unique problems (Cobbina, Like-Haislip, & Miller, 2010; Dennis, 2012; Holsinger, 2000; Martin et al., 2013; National Girls Institute, 2013). Still, there are a number of girls involved in delinquent behaviors and others as victims of abuse, and it may well be that we need to develop treatment methods that address their specific problems. For example, a study conducted by Ellis, O'Hara, and Sowers (1999) found that troubled female adolescents have a profile distinctly different from that of males. The female group was characterized as abused, self-harmful, and social, whereas the male group was seen as aggressive, destructive, and asocial. The authors concluded that different treatment modalities (more supportive and more comprehensive in nature) may need to be developed to treat troubled female adolescents. Johnson (1998) maintained that the increasing number of delinquent females can be addressed only by a multiagency approach based on nationwide and systemwide cooperation. Peters and Peters's (1998) findings seem to provide support for Johnson's proposal. They concluded that violent offending by females is the result of a complex web of victimization, substance abuse, economic conditions, and dysfunctional families, and this would seem to suggest the need for a multiagency response. To research this and other issues and to provide a sound foundation for implementation of strategies designed to prevent girls' delinquency, the OJJDP convened its Girls Study Group in 2004 (Zahn et al., 2010).

It is fairly common for girls fleeing from abusive parents to be labeled as runaways. Krisberg (2005; see also Zahn et al., 2010, p. 3) concluded, "Research on young women who enter the juvenile justice system suggests that they often have histories of physical and sexual abuse. Girls in the juvenile justice system have severe problems with substance abuse and mental health issues" (p. 123). If they are dealt with simply by being placed on probation, the underlying causes of the problems they confront are unlikely to be addressed. To deal with these causes, counseling may be needed for all parties involved, school authorities may need to be informed if truancy is involved, and further action in adult court may be necessary. If, as often happens, a girl's family moves from place to place, the process may begin all over because there is no transfer of information or records from one agency or place to another. According to Krisberg, "There are very few juvenile justice programs that are specifically designed for young women. Gender-responsive programs and policies are urgently needed" (p. 123). The conclusion that female delinquents may benefit from gender-directed programs is supported by Zahn et al. (2010, p. 12), who found the following eight factors significantly correlated with girls' delinquency:

1. Negative and critical mothers
2. Harsh discipline
3. Inconsistent discipline
4. Family conflict

5. Frequent family moves
6. Multiple caregivers
7. Longer periods of time with a single parent
8. Growing up in socioeconomically disadvantaged families

While some of these factors are significantly related to male delinquency as well, the lack of prevention, diversion, and treatment programs for girls involved in the juvenile justice network is well documented and requires attention (Cobbina et al., 2010; Dennis, 2012; Martin et al., 2013; National Girls Institute, 2013).

Race

The **disproportionate minority contact (DMC)** mandate was included in the reauthorization of the Juvenile Justice and Delinquency Prevention Act in 1988. The mandate required states to assess the extent of DMC and to develop strategies to achieve equal treatment of youth within the juvenile justice system. Some authorities argue that DMC is the result of racial bias within the juvenile justice system. The Federal Advisory Committee on Juvenile Justice (2010) said the following:

Research on disproportionate minority contact illustrates how the inequity often begins long before a youth enters the juvenile justice system. It can begin in early childhood when minority youth disproportionately enter the child welfare system, where they are put into foster care faster and stay there longer than other children. The inequity is further exacerbated in the education system, where minority children are more likely to be excluded from school and referred to the court by school officials or law enforcement. The disparity continues once minority youth enter the juvenile justice system, where they are treated differently by law enforcement and throughout the legal process. (p. 2)

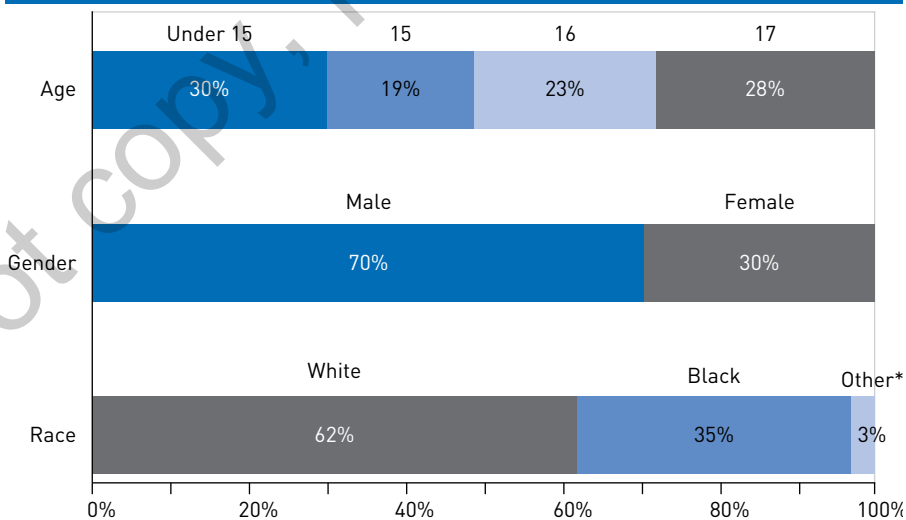
Leiber, Bishop, and Chamlin (2011) analyzed data from one juvenile court (note the very small sample size) to determine whether the predictors of juvenile justice decision making before and after the mandate changed, especially in terms of race. They found that the factors impacting decision making, for the most part, did not change in significance or relative impact when considering case outcomes. In other words, the impact of race (among other factors) remained the same after the DMC mandate, at least in the juvenile court in question.

Official statistics on race are subject to a number of errors. Any index of nonwhite arrests may be inflated as a result of discriminatory practices among criminal justice personnel (Armour & Hammond, 2009, p. 5; Federal Advisory Committee on Juvenile Justice, 2010; National Center for Juvenile Justice, 2014). For example, the presence of a Black youth under “suspicious circumstances” may result in an official arrest even though the police officer knows the charge(s) will be dismissed. The National Center for Juvenile Justice (2014) found that Black juveniles receive harsher dispositions from the justice system when they live in areas with high proportions of whites (i.e., where they are true numerical minority group members). Hanser and Gomila (2015) found that juvenile justice outcomes were influenced by race at every stage of the juvenile system, including adjudication. Joiner (2005) found that Blacks were charged with more offenses more often than were whites and that whites received no charges more often than did Blacks. The National Center for Juvenile Justice (2014) found partial support for their hypothesis that African Americans charged with drug offenses would be treated more harshly in jurisdictions characterized by economic and racial inequality and adherence to beliefs in racial differences than in jurisdictions without such characteristics. Hanser and Gomila (2015) pointed out that young Black males are more likely to be labeled as slow learners

or mentally challenged, to have learning difficulties in school, to lag behind their peers in basic educational competencies or skills, and to drop out of school at an early age. Juvenile Black males are also more likely to be institutionalized or placed in foster care. In fact, Huizinga, Thornberry, Knight, and Lovegrove (2007) noted that “disproportionate minority contact (DMC), which we define as contact at any point within the juvenile justice system, is evident at all decision points” (p. 1). And Rodriguez (2010) concluded, “Despite federal and state legislation aimed at producing equitable treatment of youth in the juvenile court system, studies continue to find that race and ethnicity play a significant role in juvenile court outcomes” (p. 391). His own analysis of over 23,000 youth processed in Arizona found that Black, Latinx, and Native American youth were treated more severely in juvenile court outcomes than their white counterparts.

Many minority group members live in lower-class neighborhoods in large urban centers where the greatest concentration of law enforcement officers exists. Because arrest statistics are more complete for large cities, we must take into account the sizable proportion of Blacks found in these cities rather than the 13% statistic derived from calculating the proportion of Blacks in our society. It is these same arrest statistics that lead many to believe that any overrepresentation of Black and other minority juveniles in these statistics reflects racial inequities in the juvenile and criminal justice networks. Analysis of official arrest statistics of persons under the age of 18 years has traditionally shown a disproportionate number of African Americans. Data presented in Figure 2.1 show that African Americans accounted for 35% of all arrests of individuals under 18 in 2017. Note that the data in Figure 2.1 provide percentages for juveniles in a number of age categories. It is clear from Figure 2.1 that juveniles younger than 15 accounted for a larger proportion of arrests in 2018 (30%) than in 2017 (28%; see Table 2.1). Furthermore, Figure 2.1 shows that female juveniles accounted for 30% of all juvenile arrests in 2018, as opposed to 29% in 2017.

FIGURE 2.1 ■ Percentage of Juvenile Arrests by Age, Gender, and Race



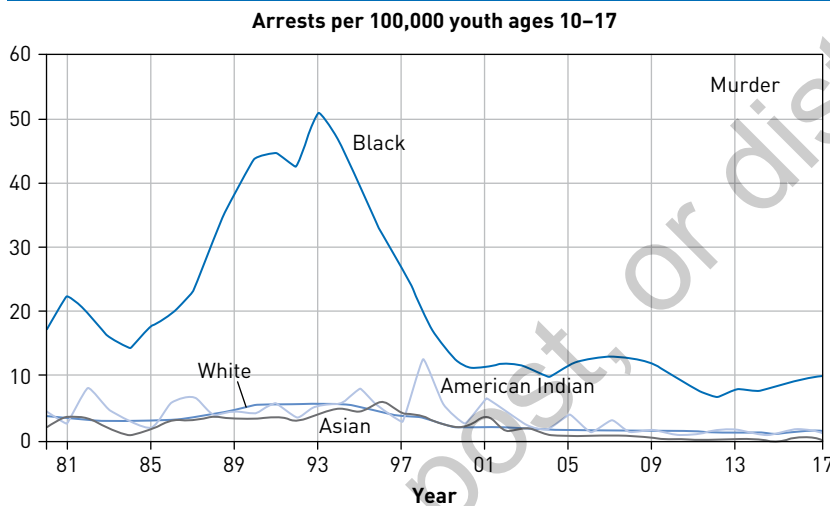
Percent of youth (ages 0–17) arrests

* Other race includes American Indian/Alaskan Natives, Asian/Pacific Islanders, and youth of unknown race.

Source: Puzanchera, C. [2020]. *Arrests of Juveniles in 2018 Reached the Lowest Level in Nearly 4 Decades*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

With respect to specific crimes, the rate of African American juveniles committing murder was seven times higher than that of Caucasian youth, as seen in Figure 2.2. The much greater rate of murder among African American juveniles is difficult to explain. We contend that, as with our discussion throughout this chapter, this is due to a multiplicity of variables, including socioeconomic issues that determine the basic location where a family will likely reside. Such areas may be more prone to have dangerous encounters as well as opportunities for violence, both within the family household and in public areas of impoverished neighborhoods.

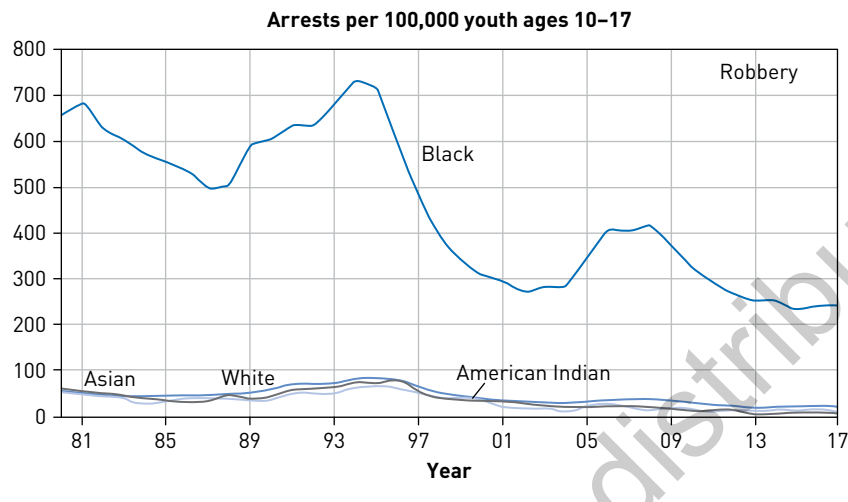
FIGURE 2.2 ■ Murder Rate Comparison of Juveniles Aged 10 Through 17 by Race



Source: Puzanchera, C. (2019). *Percent Change in Juvenile Arrests 2008–2017*. Washington, DC: United States Department of Justice.

Likewise, the rate of African American juveniles committing the crime of robbery was more than 10 times higher than that of Caucasian youth, as seen in Figure 2.3. As with the murder rate, it is not completely clear why this rate is so much greater than it is for Caucasian youth. It is likely to be a combination of factors, including socioeconomic and social class factors that were previously discussed in this chapter.

As indicated previously, social–environmental factors have an important impact on delinquency rates and perhaps especially on official delinquency rates. Race and ethnicity as causes of delinquency are complicated by social class (Hanser & Gomila, 2015; Huizinga et al., 2007; National Center for Juvenile Justice, 2014). A disproportionate number of Blacks are found in the lower socioeconomic class with all of the correlates conducive to high delinquency. Unless these conditions are changed, each generation caught in this environment not only inherits the same conditions that created high crime and delinquency rates for its parents but also transmits them to the next generation. It is interesting to note that, according to research, when ethnic or racial groups leave high crime and delinquency areas, they tend to take on the crime rate of the specific part of the community to which they move. It should also be noted that there are differential crime and delinquency rates among Black neighborhoods, giving further credibility to the influence of the social–environmental approach

FIGURE 2.3 ■ Robbery Rate Comparison of Juveniles Aged 10 Through 17 by Race

Source: Puzanchera, C. (2019). *Percent Change in Juvenile Arrests 2008–2017*. Washington, DC: United States Department of Justice.

to explaining high crime and delinquency rates (Armour & Hammond, 2009, p. 4). It is unlikely that any single factor can be used to explain the disproportionate number of Black juveniles involved in some type of delinquency. The most plausible explanations currently center on environmental and socioeconomic factors characteristic of ghetto areas (National Center for Juvenile Justice, 2014). Violence and a belief that planning and thrift are not realistic possibilities may be transmitted across generations. This transmission is cultural, not genetic, and may account in part for high rates of violent crime and gambling (luck as an alternative to planning).

Whatever the reasons, it is quite clear that Black juveniles are overrepresented in delinquency statistics—especially with respect to violent offenses—and that inner-city Black neighborhoods are among the most dangerous places in America to live. Because most Black offenders commit their offenses in Black neighborhoods against Black victims, these neighborhoods are often characterized by violence, and children living in them grow up as observers and/or victims of violence. Such violence undoubtedly takes a toll on children's ability to do well in school, to develop a sense of trust and respect for others, and to develop and adopt nonviolent alternatives. The same concerns exist for members of other racial and ethnic groups growing up under similar conditions.

Krisberg (2005) summed up the current state of knowledge concerning the impact of the characteristics of juvenile offenders as follows:

If you are feeling confused and getting a mild headache after considering these complexities, you are probably getting the right messages. Terms such as *race*, *ethnicity*, and *social class* are used imprecisely and sometimes interchangeably. This is a big problem that is embedded in the existing data and research. There is no simple solution to this conceptual quagmire except to recognize that it exists and frustrates both good research and sound public policy discussions on this topic. (pp. 83–84)

THE INTERSECTIONALITY OF AGE, GENDER, RACE, AND SOCIAL CLASS

Intersectionality is a term that refers to the confluence and overlapping existence of multiple factors and marginalized identities that a person possesses, at the same time. Youth who identify with any type of oppressed group or community may be a product of not just one, but an intersection of multiple oppressed groups. Some groups that come to mind might be persons who are African American, Latinx American, Native American, or other minority racial group, members of the LGBTQ+ community, women, people with disabilities, the elderly, and even young persons. Any group who suffers discrimination may be a source of marginalization and, when two or more roles apply to the same person, there is intersectionality in their marginalized perception and identity. When this occurs, the likelihood of further discrimination and oppression increases exponentially. Those youth and/or members of their family-of-origin often are the most marginalized persons in society. They also are the most vulnerable to **social exclusion**, which occurs when political, economic, cultural, and/or historical forces shape patterns of unequal access to resources or rights that result in an overall lower quality of life for the individual. Thus, it is important that we address all areas of marginalization that youth may face, simultaneously, and that we view them as collective and cumulative in nature. If we fail to do this, then we will only address pieces of the overall problem when trying to ameliorate issues within our juvenile justice system.

Defining Offenses Committed by and Against Juveniles

One of the major problems confronting those interested in learning more about offenses by and against juveniles involves defining the phenomena. Without specific definitions, accurate measurement is impossible, making development of programs to prevent and control delinquency and offenses against juveniles extremely difficult.

There are two major types of definitions associated with delinquency. Strict **legal definitions** hold that only those who have been officially labeled by the courts are offenders. **Behavioral definitions** hold that those whose behavior violates statutes applicable to them are offenders whether or not they are officially labeled. Each of these definitions has its own problems and implications for practitioners and leads to different conclusions about the nature and extent of offenses. For example, using the legal definition, a juvenile who committed a relatively serious offense but was not apprehended would not be classified as delinquent, whereas another juvenile who committed a less serious offense and was caught would be so classified.

LEGAL DEFINITIONS

Changing Definitions

A basic difficulty with legal definitions is that they differ from time to time and from place to place. An act that is delinquent at one time and in one place might not be delinquent at another time or in another place. For example, wearing gang colors or using gang signs may be a violation of city ordinances in some places but not in others. Or the law may change so that an act that was considered delinquent yesterday is not considered delinquent today. For instance, the Illinois Juvenile Court Act of 1899 defined as delinquent any juvenile under the age of 16 who violated a state law or city or village ordinance. By 1907, the definition of delinquency had changed considerably to include incorrigibility, knowingly associating

with vicious or immoral companions, absenting oneself from the home without just cause, patronizing poolrooms, wandering about the streets at night, wandering in railroad yards, and engaging in indecent conduct. Definitions of delinquency have changed and expanded over the years. Alabama's current Juvenile Court Act defines a delinquent act as "an act committed by a child that is designated a violation, misdemeanor, or felony offense pursuant to the law of the municipality, county, or state in which the act was committed or pursuant to federal law" (Alabama Code, 208, Title 12, Chapter 15, Section 12:15:102, 2013). The definition continues to exclude 16- and 17-year-olds who violate nonfelony traffic or water safety laws, commit a capital offense, commit crimes classified as Class A felonies in Alabama or that involve using a deadly weapon or cause death or serious physical injury, engage in drug trafficking, and commit serious felonies involving certain authority figures such as teachers and court or law enforcement personnel. As Alabama demonstrates, legal definitions are limited in their applicability to a given time and place because of inconsistencies throughout the states. You will note as we proceed through this text that examples provided are from the Illinois Juvenile Court Act (Illinois Compiled Statutes [ILCS], ch. 705, 2013). Illinois has been a national leader in the field of juvenile justice (Fantom, 2006), and other states such as Missouri and Georgia are providing leadership as well. Although it is impossible to cite all of the statutes from the 50 states in the confines of the text, we have included examples of statutes from other states throughout and strongly encourage you to access online recent court cases and the statutes of the state in which you reside to compare and contrast them with the sample statutes cited in the text. This is important because statutes and court decisions relating to the juvenile justice system are in a constant state of change.

Age Ambiguity

Another problem with legal definitions has been the ambiguity reflected with respect to age (**age ambiguity**) (as noted in In Practice 2.2). What is the lower age limit for a juvenile to be considered delinquent? At what age are children entitled to the protection of the juvenile court? Although custom has established a lower limit for petitions of delinquency at roughly 7 years of age, some states set the limit higher and a few set it lower. For example, some states have statutes that set the minimum age of juvenile court delinquency jurisdiction. In other states, the minimum age is not specified in statute but is governed by case law or common law. One state sets the minimum age at 6 years, three states set the minimum age at 7 years, one state sets the minimum age at 8 years, and 11 states set the minimum age at 10 years (Sappenfield, 2008).

Thinking with respect to the minimum age at which children should be afforded court protection changed with the emergence of crack cocaine and methamphetamines, both of which may have serious prenatal effects (Wells, 2006). According to Illinois statutes, for example, any infant whose blood, urine, or meconium contains any amount of a controlled substance is defined as neglected (ILCS, ch. 705, art. 2, sec. 405, 2013).

IN PRACTICE 2.2

JUVENILE PROSTITUTION, AGE AMBIGUITY, AND DISTINGUISHING VICTIMS FROM OFFENDERS: NEW DEVELOPMENTS IN ASSOCIATED DEFINITIONS AND RESPONSE

During the early months of 2016, police in the state of Wisconsin apprehended a victim of sex trafficking who was 16 years old; she had been trafficked since the age of 13. At the time of her abduction, she was sexually assaulted and, shortly thereafter, manipulated through

coercion, threat, and intimidation into prostitution. Through brainwashing, threats followed by make-up periods, and other techniques both overt and subtle, an emotional attachment was developed between the girl and her pimp. He became, in essence, her boyfriend.

Unexpected amid this victimization was that this girl, according to Wisconsin law, was considered a criminal for her acts of prostitution.

As a result of this and other similar cases, lawmakers and various advocacy groups pushed for these laws to change so that individuals in these circumstances would be seen solely as victims and in the future would be shielded from criminal charges.

Social movements like the one in Wisconsin have emerged in a number of states throughout the nation. In fact, this push for social change in how prostitution in general, and underage prostitution in particular, is viewed is so widespread that a term has emerged to describe the proposed legal changes among state legislatures: *safe harbor*. These so-called safe-harbor proposals call for legislation that would prohibit charging any person under 18 years of age with prostitution. Whereas this is the most common form of safe-harbor law, other states have implemented versions that decriminalize minors who are 16 or younger, holding those 17 and older culpable and therefore chargeable for prostitution.

Whereas it would seem, on the face of it, that these laws would get automatic support, this has not been the case. Indeed, many states have encountered opposition to such blanket laws to decriminalize prostitution among underage youth because this would undermine the ability of police to intervene and exert their authority over the youth. In other words, law enforcement needs to have the legal ability to detain the underage prostitute for a period as a means of separating her from her pimp, stepping up efforts to charge the pimp, and to arrange for services for the underage individual in their custody. With no criminal violation from which to operate, the power of the police is much more limited.

Currently, there are about a dozen or so states that have decriminalization statutes in place for minors involved in prostitution (Aslanian, 2016). However, this has proven to be no panacea for this issue because many of these youth involved in prostitution do not see themselves as being in need of help. Many come from horrible backgrounds and see their pimps as boyfriends and the other women with whom they work as part of their family. There are a multitude of social, emotional, and economic challenges that keep these youth working in prostitution.

Furthermore, though most states do not yet have safe-harbor laws, this does not necessarily mean that these states simply turn a blind eye to this issue. Rather, many of these states have diversion programs or other forms of alternative assistance available. The line of thought is that whereas youth may still be charged with prostitution, they will be able to benefit from more solid law enforcement intervention and follow-up assistance that will, at least in theory, be more successful in permanently removing youth from prostitution.

This In Practice brings to light how age ambiguity affects public views of at least one type of crime. Many states provide no distinction between prostitutes under the age of 18 and those over the age of majority. In other states, the bar is set at 16, holding girls 17 and older as guilty of their activity in prostitution.

Furthermore, this In Practice also aligns with what is discussed in the next subsection of this chapter dealing with inaccurate images of offenders and victims. As has been shown, states have typically had a difficult time delineating between those who are victims and those who are offenders with underage prostitution. In some cases, states may view these individuals as one or the other, but in other cases they may view them as both.

The fact that many of these victims will outright lie to law enforcement and/or courthouse officials to protect their pimp and/or defend their lifestyle makes these determinations even more difficult. Simply put, some of these youth do not see themselves as victims and do not want assistance from law enforcement or otherwise. For those youth who come from abusive or neglectful families, the unwillingness to disclose this prior abuse means that individuals may not be recognized as in need of services. In addition, official statistics related to child abuse and neglect will continue to have inaccuracies in the data that could have been otherwise remedied. Finally, the willingness of both youth and the justice system to reframe the view of this activity can contribute to various potential sources of error in official statistical counts. In addition, justice might also be served in a manner that is more appropriate for each actor involved.

Questions to Consider

1. True or False: Some youth drawn into prostitution view their pimp as their friend or family member.
2. Multiple Choice: Proposed legal changes among state legislatures regarding underage prostitution have been referred to as what kind of proposals?
 - a. Antivictimization
 - b. Sexual racketeering reformation
 - c. Anti-sexual trafficking
 - d. Safe harbor
3. Explain the advantages and disadvantages to the decriminalization of juvenile prostitution statutes.

Sources: Aslanian (2016); Speckhard (2016).

There is also considerable diversity with respect to the upper age limit in delinquency cases. Three states set the maximum age at 15 years, 10 states set the maximum age at 16 years, and 37 states (and the District of Columbia) set the maximum age at 17 years (Office of Juvenile Justice and Delinquency Prevention [OJJDP], 2013). Some states set higher upper age limits for juveniles who are abused, neglected, dependent, or in need of intervention than for delinquents in an attempt to provide protection for juveniles who are still minors even though they are no longer subject to findings of delinquency. Illinois recently changed its maximum age limit depending on whether the offense committed by the juvenile would be a felony (17 years of age) or a misdemeanor (18 years of age) (ILCS, ch. 705, 405/5 [3], 2013). And in most states, juvenile court authority over a juvenile may extend beyond the upper age of original jurisdiction (frequently to the age of 21).

An example of the confusion resulting from all of these considerations is the Illinois Juvenile Court Act (ILCS, ch. 705, 2013). This act establishes no lower age limit; establishes the 17th birthday as the upper limit at which an adjudication of delinquency for serious offenses may be made while setting the limit at the 18th birthday for misdemeanors; makes it possible to automatically transfer juveniles over the age of 15 years to adult court for certain types of violent offenses; and sets the 18th birthday as the upper age limit for findings of abuse, dependency, neglect, and minors requiring intervention. Adding to the confusion is the distinction made in the Illinois Juvenile Court Act between minors (those under 21 years of age) and adults (those 21 years of age and over). This raises questions about the status of persons over the age of 18 but under 21 years. For example, a 19-year-old in Illinois is still a minor (although he or she may vote) but cannot be found delinquent, dependent, neglected, abused, or in need of intervention. Such ambiguities with respect to age make comparisons across jurisdictions difficult.

Inaccurate Images of Offenders and Victims

Yet another difficulty with legal definitions is that they may lead to a highly unrealistic picture of the nature and extent of delinquency, abuse, neglect, and dependency. Because these definitions depend on official adjudication, they lead us to concentrate on only a small portion of those actually involved as offenders and victims. This means that a substantial amount of illegal behavior committed by youth is not detected.

Similar problems arise when considering abuse and neglect because only a small portion of such cases are reported and result in official adjudication. In short, most juvenile offenders and victims never come to the attention of the juvenile court, and a strict legal definition is of little value if we are interested in the actual size of offender and victim populations. It may well be, for example, that females are more involved in delinquent activities than official statistics would lead us to believe. It may be that they are not as likely to be arrested by the police as their male counterparts. Not infrequently, we have seen police officers search male gang members for drugs and/or weapons while failing to search females who may be with them. It does not take long for the males involved to decide who should carry drugs and weapons. Similarly, African American and other minority group members may be overrepresented in official statistics simply because they live in high-crime areas that are heavily policed and, therefore, are more likely to be arrested than those living in less heavily policed areas. For example, of all juveniles (individuals under the age of 18) arrested in 2011 in the nation, 65.7% were Caucasian, 32.0% were African American, and 2.3% were of other races. Juveniles who were Black accounted for 51.4% of juvenile arrests for violent crimes, although Black youth accounted for about 16% of the youth population aged 10 to 17. Table 2.3 shows the proportion of arrests for Black juveniles in 2017.

TABLE 2.3 ■ Proportion of Black Juvenile Arrests

Most Serious Offense	Proportion of Black Juvenile Arrests in 2017
Violent crime	52%
Murder	61%
Robbery	67%
Aggravated assault	42%
Simple assault	39%
Property Crime Index	40%
Burglary	41%
Motor vehicle theft	52%
Vandalism	28%
Weapons	44%
Drug abuse violation	22%
Liquor law violation	6%

Note: Whether these official statistics accurately reflect levels of Black juvenile participation in the crimes listed depends on factors such as disproportionate impact discussed throughout this chapter (see especially the forthcoming section on official statistics) and in Chapters 3 and 8.

Source: Puzzanchera, C. (2019). *Percent Change in Juvenile Arrests 2008–2017*. Washington, DC: United States Department of Justice.

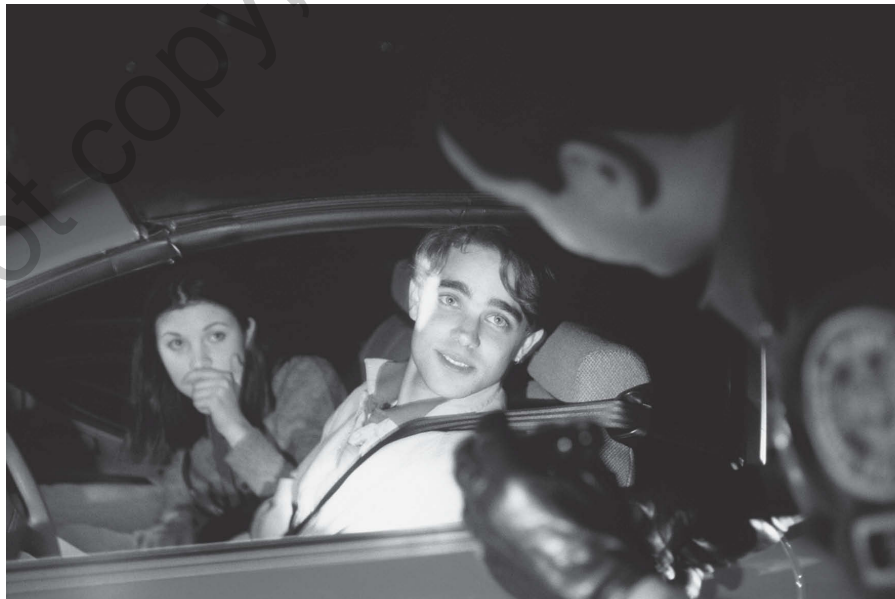
A final difficulty with legal definitions also characterizes behavioral definitions and results from the broad scope of behaviors potentially included. Does striking a child on the buttocks with an open hand constitute child abuse? What does *beyond the control of parents* mean? How is *incorrigible* to be defined? What does a *minor requiring authoritative intervention* (MRAI) look like? Although all of these questions may be answered by referring to definitions contained in state statutes, in practice they are certainly open to interpretation by parents, practitioners, and juveniles themselves. It should be noted that the broader the interpretation, the greater the number of victims and offenders.

BEHAVIORAL DEFINITIONS

In contrast to legal definitions, behavioral definitions focus on juveniles who offend or are victimized even if they are not officially adjudicated. Using a behavioral definition, a juvenile who shoplifts but is not apprehended is still considered delinquent, whereas that juvenile would not be considered delinquent using a legal definition. The same is true of a child who is abused but not officially labeled as abused. If we concentrate on juveniles who are officially labeled, we get a far different picture from that if we include all of those who offend or are victimized. Estimates of the extent of delinquency and abuse based on a legal definition are far lower than those based on a behavioral definition. In addition, the nature of delinquency and abuse appears to be different depending on the definition employed.

We might assume, for example, that the more serious the case, the greater the likelihood of official labeling. If this assumption is correct, relying on official statistics would lead us to believe that the proportion of serious offenses by and against juveniles is much higher than it actually is (using the behavioral definition). Finally, relying on legal definitions (and the official statistics based on such definitions) would lead us to overestimate the proportion of lower-social-class children involved in delinquency and abuse. The reasons for this overestimation are discussed later in this chapter.

In general, we prefer a behavioral definition because it provides a more realistic picture of the extent and nature of offenders and victims. It may be applied across time and jurisdictions because it is broad enough to encompass the age and behavioral categories of different jurisdictions and statutes. In addition, the broader perspective provided may help in the development of more realistic programs for preventing or controlling delinquency. In spite of its advantages, however, there is one major difficulty with the behavioral definition. Because it includes many juveniles who do not become part of official statistics, we need to rely on unofficial, and sometimes questionable, methods of assessing the extent and nature of unofficial or “hidden” delinquency and abuse.



Police prepare to search juveniles for drugs or weapons.

Doug Menezes/Photodisc/Getty Images

OFFICIAL STATISTICS: SOURCES AND PROBLEMS

Official Delinquency Statistics

What do current official statistics on delinquency and abuse indicate? Despite growth in the juvenile population over the past decade, crime and violence by juveniles have declined. As per the most recent data available, arrests for juvenile offenses decreased 9.4% from the 8,730,665 youth arrested in 2014 to the 8,248,709 juveniles arrested in 2015 (FBI, 2016a). Similar trends are evidenced across most offense categories for both male and female and white and minority youth. In fact, children are at a much greater risk of being the victims of violent crime than of being the perpetrators of violent crime.

During the last 10 years, the population of offenders in residential placement dropped by nearly 44%. However, this decline did not affect all racial/ethnic groups similarly. Indeed, according to the OJJDP (2013), in 2013, the population of youth held in residential placement for delinquency or status offenses was 40% black, 32% white, and 23% Hispanic. Youth of other races, including those of two or more races, accounted for 5% of youth in residential placement. The race/ethnicity profile of offenders in residential placement shifted substantially from a decade earlier. In 2003, 39% of juvenile offenders in residential placement were white, 38% were black, and 19% were Hispanic. (p. 12)

Where do such varied statistics come from, and how accurate are they likely to be?

Official statistics on delinquency are available at the national level in *Crime in the United States*, published annually by the FBI based on Uniform Crime Reports (UCRs). Since 1964, these reports have contained information on arrests of persons under 18 years of age. In addition, since 1974, the reports have included information on police dispositions of juvenile offenders taken into custody as well as urban, suburban, and rural arrest rates. Although the FBI statistics are the most comprehensive official statistics available, they are not totally accurate for several reasons.

First, because UCRs are based on reports from law enforcement agencies throughout the nation, errors in reporting made by each separate agency become part of national statistics. Sources of error include mistakes in calculating percentages and in placing offenders in appropriate categories. Statistics reported to the FBI are based on “offenses cleared by arrest” and, therefore, say nothing about whether the offenders were actually adjudicated delinquent for the offenses in question.

Assuming that more serious offenses are more likely to lead to arrests (however defined) than are less serious and more typically juvenile offenses, arrest statistics would show a disproportionate number of serious juvenile offenses. These types of cases actually account for only a very small proportion of all delinquent acts. Black and Reiss (1970) found that in urban areas only about 5% of police encounters with juveniles involved alleged felonies. Lundman, Sykes, and Clark (1978) replicated the Black and Reiss study and also found a 5% felony rate, noting that only approximately 15% of all police–juvenile encounters result in arrests, leaving 85% of these encounters that cannot become a part of official police statistics. Empey, Stafford, and Hay (1999) concluded the following:

We have seen that the police traditionally have been inclined to avoid arresting juveniles. Because they have been granted considerable discretion, however, the police continue to counsel and release many of those whom they have arrested, albeit less frequently than in the past. (p. 331)

Myers (2004) noted this:

While official statistics tell the story about the number of juveniles arrested and processed into the system, they only capture a fraction of the contacts that police have with juveniles and only a fraction of the information. Little is known about the rest of the story, about the nature of police juvenile encounters, the factors that shape police responses to juveniles in these encounters, and about those juveniles who have contact with the police and are subsequently released with a reprimand that is something other than a formal police response. (p. 2)

Myers observed that of 654 juvenile suspects involved in police encounters, 84, or 13%, were arrested.

In an attempt to combat some of the reporting problems found in UCR data since 1987, the FBI has implemented an incident-based reporting system, a modification of the original UCR reporting system, throughout the United States. In 2014, there were 18,498 law enforcement agencies that contributed data to the **National Incident-Based Reporting System (NIBRS)**.

Based on 2014 data submissions, 16 states (Arkansas, Colorado, Delaware, Idaho, Iowa, Michigan, Montana, New Hampshire, North Dakota, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, and West Virginia) submit all their data via the NIBRS. Thirty-three state UCR Programs are certified for NIBRS participation (FBI, 2014).

The NIBRS was developed to collect information on each crime occurrence. Under this reporting system, policing agencies report data on **offenses known to the police** (offenses reported to or observed by the police) instead of only those offenses cleared by arrest, as was done in the original UCR crime reporting process. Of all official statistics, offenses known to the police probably provide the most complete picture of the extent and nature of illegal activity, although there is considerable evidence from **victim survey research** (discussed later in this chapter) that even these statistics include information on fewer than 50% of the offenses actually committed (Hart & Rennison, 2003, p. 1). According to Langton, Berzofsky, Krebs, and Smiley-McDonald (2012, p. 1), from 2006–2010, approximately 52% of violent crime victimizations were not reported to the police.

Criminal justice agencies are allowed to customize the NIBRS to meet agency statistical needs while still meeting the requirements of the UCRs without biasing the data. In addition, crimes that were not discussed in UCRs originally are included in the new reporting system, including terrorism, white-collar crimes, children missing due to criminal behaviors, hate crimes, juvenile gang crimes, parental kidnapping, child and adult pornography, driving under the influence, and alcohol-related offenses.

Data at the national level are also available from the **National Center for Juvenile Justice**, which collects and publishes information on the number of delinquency, neglect, and dependency cases processed by juvenile courts nationwide. In addition, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in the U.S. Department of Justice maintains and publishes statistics on juveniles. Unfortunately, much of the information available from these two agencies is out of date by the time it is published (2- to 4-year time lags are not uncommon).

OFFICIAL STATISTICS ON ABUSE AND NEGLECT

Child abuse and neglect may be defined as “any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation; or an act or failure to act, which presents an imminent risk of serious harm” (Child Abuse Prevention and Treatment Act [CAPTA], 42 U.S.C. §5101, 2010). Official statistics on

abused and neglected children are available from a number of sources but are probably even more inaccurate than other crime statistics because of underreporting. Part II of the UCR contains data on “offenses against family and children.” The **National Center on Child Abuse and Neglect**, the **National Children’s Advocacy Center**, and the National Resource Center on Child Sexual Abuse (under the auspices of the U.S. Department of Health and Human Services, the American Humane Association, and the National Committee for the Prevention of Cruelty to Children, respectively), as well as the OJJDP, publish data on abuse and neglect of children. Data are also kept and periodically published by departments of children and family services of each state. Throughout the nation in 2014, social service agencies received an estimated 3.6 million referrals that involved the alleged maltreatment of approximately 6.6 million children (Administration for Children and Families, 2014). Among these referrals, 60.7% resulted in investigations or assessments that were substantiated. Thus, in 2014, 2.2 million child protection investigations found at least one child to be a victim of abuse or neglect (Administration for Children and Families, 2014). This does not mean that all cases of maltreatment are reported; in fact, according to the U.S. Department of Health and Human Services (2005), because parents are the perpetrators of maltreatment in approximately 80% of substantiated cases, and because most substantiated maltreatment occurs in private settings, it is likely that the majority of such cases are not reported.

National Crime Victimization Survey

The U.S. Department of Justice (Bureau of Justice Statistics) and the U.S. Bureau of the Census semiannually provide us with official data on crime from the perspective of victims. The **National Crime Victimization Survey (NCVS)** has been collecting data on personal and household victimization since 1973. Based on a survey of a nationally representative sample of residential addresses, the NCVS is the primary source of information on the characteristics of criminal victimization and on the number and types of crimes not reported to law enforcement authorities. Twice each year, data are obtained from a sample of roughly 49,000 households comprising about 100,000 persons on the frequency, characteristics, and consequences of criminal victimization in the United States (National Crime Victimization Survey Resource Guide, n.d.). When NCVS data are compared with the data from the UCRs, we can make some rough estimates of the extent to which certain types of crime occur but are not reported. For example, for the year 2006, Rand and Catalano (2007) concluded that about 43% of robberies, 41% of aggravated assaults, 50% of burglaries, and 59% of sex offenses experienced were not reported to the police. According to Baumer and Lauritsen (2009), “In most cases, more than half of the crimes experienced by Americans are not conveyed to law enforcement officials” (p. 33).

The reasons for not reporting crime are diverse (see, for example, In Practice 2.3) and include the following:

- Private or personal matters

- Nonbelief that the police can do anything about the crime

- Fear of reprisal

- Too inconvenient

- Lack of proof (Baumer & Lauritsen, 2009; Bureau of Justice Statistics, 2005; Kruttschnitt & Carbone-Lopez, 2009)

In addition to the NCVS, the Bureau of Justice Statistics has worked with the Office of Community Oriented Policing Services (COPS) to develop a statistical software program measuring victimization and citizen attitudes on crime. Local policing municipalities participating in community policing programs use the software program in conjunction with telephone surveys of local residents to collect data on crime victimization, attitudes toward the police, and other community issues. The results are used to identify which community programs are needed and where those programs should be located in the community.

IN PRACTICE 2.3

WHY DON'T SOME PEOPLE REPORT CHILD ABUSE AND NEGLECT?

Among the most frequently identified reasons for not reporting are lack of knowledge about child abuse and neglect and lack of familiarity with state reporting laws. Other reasons people don't report include the following:

- Choosing instead to effectively intervene independent of the formal system
- Fearing or being unwilling to get involved
- Fearing that a report will make matters worse
- Being reluctant to risk angering the family
- Being concerned that making a report will negatively impact an existing relationship with the child or others
- Believing that someone else will speak up and do something

Although these feelings are understandable and it can be frightening to respond to suspected child abuse and neglect, the consequences of *not* reporting your worries to child welfare professionals could be seriously detrimental to a child's safety. In some cases, they might even be life threatening. So don't be afraid to call and ask for help. Your call will help child welfare professionals determine the most appropriate response, including whether an assessment or investigation of the situation is needed and what further supports may be beneficial or necessary. A trained set of eyes on the situation may be the best response when other efforts have failed or the seriousness of a situation requires it. It is not your responsibility to investigate; it is your responsibility to be involved and contact appropriate professionals when you have heightened concerns. The safety of a child is at stake.

Questions to Consider

1. True or False: Persons are expected to wait until they are certain of child abuse before making a report.
2. Multiple Choice: Which of the following is not a reason people give for not reporting abuse or neglect?
 - a. Believing that someone else will report the incident
 - b. Being afraid to create friction or a negative relationship with the reported family
 - c. Wanting to get involved and stop the violence
 - d. Believing that reporting will make the situation worse for the child
3. Given the concerns that people note about reporting suspected child abuse, how do you think that authorities can increase reporting of likely child abuse?

Source: American Humane Association (2008).

Although victimization surveys would appear to be a better overall indicator of the extent and nature of crime, delinquency, and abuse, they also have their limitations. As is the case with all self-report measures (see the following section), there are serious questions about the accuracy and specificity of reports by victims. In addition, the surveys do not include interviews with children under the age of 12 and do not include questions about all types of crime (the NCVS focuses primarily on violent offenses). Because of this, incidents of family violence like we encountered in our What Would You Do? exercise at the beginning of this chapter may go undetected until after the circumstance ends in a homicide.

Sources of Error in Official Statistics

Official statistics are collected at several different levels in the juvenile justice network, and each level includes possible sources of error. Table 2.4 indicates some sources of error that may affect official statistics collected at various levels. Each official source has its uses, but generally the sources of error increase as we move up each level in the network.

There are two additional sources of error that may affect all official statistics. First, those who are least able to afford the luxury of private counsel and middle-class standards of living are probably overrepresented throughout all levels. Thus, official statistics might not represent actual differences in delinquency and abuse by social class but rather might represent the ability of middle- and upper-class members to avoid being labeled (for a more thorough discussion, see Elliott & Huizinga, 2006, pp. 149–177; Empey & Stafford, 1991, pp. 315–317; Garrett & Short, 1975; Knudsen, 1992, p. 31). Second, it is important to remember that agencies collect and publish statistics for a variety of administrative purposes (e.g., to justify more personnel and more money). This does not mean that all or even most agencies deliberately manipulate statistics for their own purposes. All statistics are open to interpretation and may be presented in a variety of ways, depending on the intent of the presenters.

TABLE 2.4 ■ Sources of Error at Specified Levels in the Juvenile Justice System

Data Collected	Sources of Error in Official Statistics
Offenses known to the police	All offenses not detected All offenses not reported to or recorded by the police
Offenses cleared by arrests	Errors from Level 1 All offenses that do not lead to arrests
Offenses leading to prosecution	Errors from Levels 1 and 2 All offenses that result in arrests but do not lead to prosecution
Offenses leading to adjudication of delinquency	Errors from Levels 1, 2, and 3 All offenses prosecuted that do not lead to adjudication of delinquency
Offenses leading to incarceration	Errors from Levels 1, 2, 3, and 4 All offenses leading to adjudication of delinquency but not to incarceration

Unofficial Sources of Data

It is clear that relying on official statistics on delinquency and abuse is like looking at the tip of an iceberg; that is, a substantial proportion of these offenses remain hidden beneath the surface. Although it is certain that much delinquency and maltreatment is not reported to, or recorded by, officials (**unofficial sources of data**), there is no perfect method for determining just how many of these behaviors remain hidden.

Self-Report Studies

Recognizing that official statistics provide a false dichotomy between those who are officially labeled and those who are not, a number of researchers have focused on comparing the extent and nature of delinquency among institutionalized (labeled) delinquents and noninstitutionalized (nonlabeled) juveniles. Short and Nye (1958) used self-reports of delinquent behavior obtained by distributing questionnaires to both labeled and nonlabeled juveniles. These questionnaires called on respondents to indicate what types of delinquent acts they had committed and the frequency with which such acts had been committed. Short and Nye concluded that delinquency among noninstitutionalized juveniles is extensive and that there is little difference between the extent and nature of delinquent acts committed by noninstitutionalized juveniles and those committed by institutionalized juveniles. In addition, the researchers indicated that official statistics lead us to misbelieve that delinquency is largely a lower-class phenomenon given that few significant differences exist in the incidence of delinquency among upper-, middle-, and lower-class juveniles. Conclusions reached in similar **self-report studies** by Porterfield (1946), Akers (1964), Voss (1966), and Bynum and Thompson (1992, pp. 78–79) generally agreed with those of Short and Nye (1958). Based on these self-report studies, it is apparent that the vast majority of delinquent acts never become part of official statistics (Conklin, 1998, p. 67). This, of course, parallels information from victim survey research at the adult level.

Additional studies of self-reported delinquency have been conducted by Taylor, McGue, and Iacono (2000); Pagani, Boulerice, and Vitaro (1999); Williams and Dunlop (1999); Farrington and colleagues (2003); and Gover, Jennings, and Tewksbury (2009), indicating that the technique is still in use. Self-report studies, however, are subject to criticism on the basis that respondents may underreport or overreport delinquency or abuse as a result of either poor recall or deliberate deception. To some extent, this criticism applies to victimization surveys as well, even though victims are not asked to incriminate themselves. Mistakes in recalling the date of an incident, the exact nature of the incident, or the characteristics of the parties involved may occur. Or for reasons of their own, victims may choose not to report particular incidents. NCVS interviewers attempt to minimize these problems by asking only about crimes during the prior 6 months and by avoiding questions requiring personal admissions of offenses, but there are still no guarantees of accuracy, and this is certainly the case when asking juveniles to report their own crimes or abuse. Hindelang, Hirschi, and Weis (1981, p. 22), for example, contended that illegal behaviors of seriously delinquent juveniles are underestimated in self-report studies because such juveniles are less likely to answer questions truthfully. Farrington and colleagues (2003), Costanza and Kilburn (2004), and Rennison and Melde (2009) concluded that research based on self-reports sometimes yields different conclusions compared with research based on official records or other research techniques.



Two teenagers pass drugs in the street. How much impact do drugs have on delinquent activities?

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Some researchers have included trap questions to detect these deceptions. In 1966, Clark and Tiffit used follow-up interviews and a polygraph to assess the accuracy of self-report inventories. They administered a 35-item self-report questionnaire to a group of 45 male college students. The respondents were to report the frequency of each delinquent behavior they had engaged in since entering high school. At a later date, each respondent was asked to reexamine his questionnaire and to correct any mistakes after being told he would be asked to take a polygraph test to determine the accuracy of his responses. Clark and Tiffit (1966) found that all respondents made corrections on their original questionnaires (58% at the first opportunity and 42% during the polygraph examination). Three-fourths of all changes increased the frequency of admitted deviancy, all respondents underreported the frequency of their misconduct on at least one item, and 50% overreported on at least one item. With respect to self-reported delinquency, Clark and Tiffit (1966) concluded that “those items most frequently used on delinquency scales were found to be rather inaccurate” (p. 523).

There are ways of attempting to improve the accuracy of self-reports. In a study of convicted child molesters, official records concerning the sexually abusive activity of the inmates could be compared with their self-reports of behavior. In some cases, it was also possible to confirm through official records the inmates' claims that they themselves had been abused as children (Rinehart, 1991). Without some corroboration, however, the use of self-reports to determine the extent and nature of either delinquency or child abuse is, at best, risky. Empey and colleagues (1999) concluded, “In short, self-report surveys, like other ways of estimating delinquent behavior, have their limitations. Nonetheless, they are probably the single most accurate source of information on the actual illegal acts of young people” (p. 87). As noted earlier, self-reports of delinquency are more comprehensive than official reports because the former include behaviors not reported, or not otherwise known, to the authorities. At least some research indicates

that juveniles are willing to report accurate information about their delinquent acts (Farrington, Loeber, Stouthamer-Loeber, Van Kammen, & Schmidt, 1996). Based on a review of self-reported delinquency studies, Espiritu, Huizinga, Crawford, and Loeber (2001) found that the vast majority of juveniles 12 years or under reported involvement in some form of aggression or violence, but only roughly 5% reported being involved in violence serious enough to be considered a delinquent or criminal offense. Furthermore, the authors noted that self-report rates for major forms of delinquency were nearly the same in 1976 and 1998. Still, van Batenburg-Eddes et al. (2012) assessed the differential validity of self-reported delinquency in adolescents as related to self-reported police contacts and concluded that using only self-reported data to measure delinquency in an ethnically diverse population results in substantial bias. They advise the use of multiple sources to measure the prevalence of delinquency.

Finally, self-report studies of juvenile delinquency have been conducted to examine the relationship between prior victimization of youth and future delinquent behavior. Indeed, this has been examined not only in the United States but in 30 other countries around the globe (Enzmann et al., 2015). In studies such as the one conducted by Enzmann et al. (2015), victimization data are gathered through the use of the International Crime Victim Survey (ICVS), which is the international version of the previously discussed National Crime Victimization Survey (NCVS) that is used in the United States. As can be seen, the basic components of studying juvenile delinquency go beyond the borders of the United States and extend to juvenile issues around the world.

Police Observational Studies

Another method for determining the extent and nature of offenses by and against juveniles is observation of police encounters related to juveniles (**police observational studies**). Several studies over the years have found that most delinquent acts, even when they become known to the police, do not lead to official action and, thus, do not become a part of official statistics (Black & Reiss, 1970; Piliavin & Briar, 1964; Terry, 1967; Werthman & Piliavin, 1967). These studies indicated that 70% to 85% of encounters between police and juveniles do not lead to arrests and inclusion in official delinquency statistics.

In the summers of 1996 and 1997, trained observers rode with patrol and community officers during their assigned shifts and recorded information on 443 police–juvenile encounters where at least one juvenile was treated by the observed officer as a suspect (Myers, 2004, p. 91). The conclusions from this observational study largely confirm what previous studies on police–juvenile interactions have reported with respect to police use of authority. The police used their authority to formally take juveniles into custody infrequently. Only 13% of suspects were taken into custody for the purpose of charging. Police officers were more likely to arrest juvenile suspects when the problem was of a more serious nature and when juvenile suspects were verbally or behaviorally disrespectful toward police, though being disrespectful increased the probability by only a modest amount. The author concluded (p. 200) that “in resolving issues with juvenile suspects, police are clearly using their discretion and acting both as a social control agent and as a public service provider” (Myers, 2004, pp. 180–200).

However, Frazier, Bishop, and Henretta (1992) found that Black juveniles were more likely to receive harsher dispositions in areas where the proportion of whites was high, thereby introducing another possible source of bias (relative proportion of whites and Blacks in the community) in police statistics. Engel, Sobol, and Worden (2000) found that police action was affected by a state of intoxication when combined with displays of disrespect on the part of the suspect. Overall, however, they concluded, “It appears that police officers expect their authority to be

observed equally by all suspects, and do not make distinctions based on race, sex, location, and the seriousness of the situation” (pp. 255–256). Using observational and interview data from two medium-sized cities, Rossler and Terrill (2012) “examined how officers respond to noncoercive citizen requests for service during encounters, and the impact that situational and officer characteristics have on their willingness to comply with requests” (p. 3). The researchers concluded that officers complied with a majority of citizen requests involving respectful citizens, wealthier citizens, and white officers, whereas officers were less likely to comply with requests from younger and older citizens. Rydberg and Terrill (2010, p. 92), based on observations of the police in two medium-sized cities, determined that although higher education showed no influence on the probability of an arrest or search occurring in a police–suspect encounter, college education does appear to significantly reduce the likelihood of force occurring. Clearly, a variety of factors influence the extent to which police officers take official action in encounters and the extent to which they report such encounters.

The influence of theories of causation cannot be overlooked when it comes to defining and measuring delinquency and child abuse. Such theories provide guidelines as to where to look for victims and offenders and how to define both categories, thus affecting statistics concerning abuse and delinquency. A fairly recent study by Goodrich, Anderson, and LaMotte (2014) examined both youth and police officer views of one another, citing attribution theory as the underlying perspective to their research. The idea was that prior experience from each group would significantly impact the attributions that they made in the future toward one another. What is interesting about this study is that the number of years that police were on duty did not affect their attitude toward youth. Nor was their sense of feeling confident in working with youth necessarily linked to time in the profession. However, this study did show that officers were keenly aware of the potential impact that they could have on a young person’s life and adjusted their reactions accordingly (Goodrich, Anderson, & LaMotte, 2014). Thus, it would appear that attributions toward youth, made by police, are neither seasoned nor jaded by years of service. Rather, most police who work with youth understand the juncture among age, adolescent development, decision making, risk factors, and protective factors that can coalesce into a juvenile–police encounter.

CAREER OPPORTUNITY: CHIEF JUVENILE PROBATION OFFICER

Job description: Supervise juvenile probation officers as they supervise probationers, conduct presentence investigations, and hold preliminary conferences. Coordinate with police, judges, and other juvenile justice practitioners. Supervise probationers if dictated by caseloads.

Employment requirements: A master’s degree in social work, criminal justice, corrections, or a related field. Ten years of experience in juvenile justice, with at least 5 years of direct service and casework experience.

Beginning salary: \$30,000 to \$50,000. Typically good retirement and benefits packages.

SUMMARY

Official profiles of juvenile offenders reflect only the characteristics of those who have been apprehended and officially processed. Although they tell little or nothing about the characteristics of all juveniles who actually commit delinquent acts, they are useful in dealing with juveniles who have been officially processed. These official statistics currently lead us to some

discomforting conclusions about the nature of delinquency in America as it relates to social and physical factors. In addition, official statistics reflect only the tip of the iceberg with respect to delinquency and mistreatment and are subject to errors in compilation and reporting. The use of self-report techniques, victim survey research, and police observational studies helps us to better assess the extent of unofficial or hidden delinquency, abuse, and neglect—although each of these methods has weaknesses.

It might not be the single parent home itself that leads to delinquency; instead, it may be the quality of life within the family in terms of consistency of discipline, level of tension, and ease of communication. Therefore, in some instances, it may be better to remove children from intact families that do not provide a suitable environment than to maintain the integrity of the families. We perhaps need to rethink our position on the “ideal” family consisting of two biological parents and their children. This family no longer exists for most American children. For many children, the family of reality consists of a single mother who is head of the household or a biological parent and stepparent. Although many one-parent families experience varying degrees of delinquency and abuse or neglect, children in many others are valued, protected, and raised in circumstances designed to give them a chance at success in life.

We have concentrated our interest and research activities on delinquency and abuse and neglect of the lower social class and have generally ignored the existence of these problems in the middle and upper classes. The importance of lower-class delinquency cannot be ignored, but we must also realize that the problem may be equally widespread, although perhaps in different forms, in the middle and upper classes. We can no longer afford the luxury of viewing delinquency as only a problem of lower-class neighborhoods in urban areas. The delinquency also exists in what are commonly considered to be “quiet middle-class suburban areas” and in many rural areas as well. Because motivations and types of offenses committed by middle-class delinquents may differ from those of their lower-class counterparts, new techniques and approaches for dealing with these problems may be required.

Finally, there is no denying that African American juveniles are disproportionately involved in official delinquency. Although there are still those who argue racial connections to such delinquency, the evidence that such behavior is a result of family, school, and neighborhood conditions and perhaps the actions of juvenile justice practitioners rather than genetics is overwhelming. Whatever the reasons for the high rates of delinquency—and especially violent offenses—in Black neighborhoods, it behooves us all to address this issue with as many resources as possible in the interests of those living in both high-crime areas and the larger society.

Attempts to improve the quality of family life and the relevancy of education and attempts to change discriminatory practices in terms of social class, race, and gender are sorely needed. Improvements in these areas will go a long way toward reducing the frequency of certain types of delinquent activity.

In addition, it is clear that there are several potential problems arising from definitional difficulties. First, we need to keep in mind the fact that defining a juvenile as a delinquent is often interpreted as meaning a young criminal. Although some juveniles who commit serious offenses are certainly young criminals, it is important to note that others who commit acts that are illegal solely because of their age, or who are one-time offenders, may also be labeled as young criminals. Yet these offenses (e.g., underage drinking, illegal possession of alcohol, curfew violations) would not have been considered criminal if the juveniles had been adults.

There is no doubt that a good deal more delinquency and abuse occur than are reported, although the exact amount is very difficult to determine. There are scores of delinquent acts and abused children that are never reported. Although it is tempting to divide the world into those who have committed delinquent acts and those who have not—or those who have been abuse victims and those who have not—this polarizes the categories and overlooks the fact that there are many in the official nondelinquent, nonabused category who actually are delinquent or abused.

It is easy to perceive those who are delinquent or abused as abnormal when, in fact, the only abnormal characteristic of many of these juveniles may be that they were detected and labeled. In most other respects, except for extreme cases, these juveniles may differ little from their cohorts. With respect to delinquency at least, there are reasons to be both optimistic and pessimistic based on this view. If most juveniles engage in behavior similar to that which causes some to be labeled as delinquent, there is reason to believe there is no serious underlying pathology in most delinquents. Some types of delinquency occur as a “normal” part of adolescence. Activities such as underage drinking, curfew violation, and experimentation with sex and marijuana seem to be widespread among adolescents. Although these activities may be undesirable, they are not abnormal or atypical.

Both legal and behavioral definitions of delinquency and child maltreatment present problems. Legal definitions assess, more or less accurately, numbers and characteristics of juveniles who become officially labeled. However, use of legal definitions can be misleading with respect to the actual extent and nature of offenses by and against juveniles. Behavioral definitions assess the extent and nature of such activities more accurately but raise serious problems in the area of data collection. How do we identify those juveniles who commit delinquent acts or who are mistreated but not officially detected?

KEY TERMS

age ambiguity	offenses known to the police
behavioral definitions	Office of Juvenile Justice and Delinquency Prevention (OJJDP)
behavioral profiling	police observational studies
bullying	self-report studies
crack	single parent homes
criminal subculture	social exclusion
disproportionate minority contact (DMC)	social factors
intersectionality	socialization process
latchkey children	socioeconomic status
learning disabled	statistical profiling
legal definitions	underclass
methamphetamines	Uniform Crime Reports (UCRs)
National Center on Child Abuse and Neglect	unofficial sources of data
National Center for Juvenile Justice	victim survey research
National Children’s Advocacy Center	youth culture
National Crime Victimization Survey (NCVS)	
National Incident-Based Reporting System (NIBRS)	

CRITICAL THINKING QUESTIONS

1. What are the two major types of definitions of *delinquency* and *child maltreatment*? Discuss the strengths and weaknesses of each. How might legal definitions lead to mistaken impressions of delinquents and abused juveniles on behalf of juvenile court personnel?
2. What are the national sources of official statistics on delinquency? On child abuse? Discuss the limitations of these statistics.
3. What is the value of self-report studies? Of victim survey research? What are the weaknesses of these two types of data collection?
4. Compare and contrast the nature and extent of delinquency and child abuse as seen through official statistics on the one hand and self-report, victim survey, and police observational studies on the other.
5. Discuss the relationships among the family, the educational system, drugs, and delinquency.
6. Discuss DMC and its consequences.
7. How do an area of the city, race, and social class combine to affect delinquency?

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