JUVENILE JUSTICE

> Existing research on the history of American juvenile justice tends to generalize from the experiences of white American and European immigrant groups. It pays limited attention to how status distinctions besides age, and particularly race and ethnicity, have contributed to variation in the notion of childhood and experiences of juvenile social control.
>
> **—Geoff K. Ward (2012, p. 34)**

The quotation above appears in *The Black Child Savers*, which presents a revisionist history of race and juvenile justice from the Jim Crow era to the post–civil rights era of the late 20th century. In past years, most textbooks on juvenile delinquency and juvenile justice provided only a cursory discussion of race (Taylor Greene, Gabbidon, & Ebersole, 2001) and focused primarily on statistics, police arrest decisions, gangs, and, more recently, **disproportionate minority contact (DMC)**. With the rising interest in matters concerning race and juvenile justice, there are now entire texts that address the topic (Freiburger & Jordan, 2016). These new texts have begun to examine fully the history of discrimination and segregation in juvenile facilities since their inception in the 1800s and examine the important role played by minority communities in protecting their youth from involvement in crime.

With very few exceptions, most historical research on race and juvenile justice focuses on White and Black youth (Adams & Addie, 2010; Brunson & Weitzer, 2009; Frey, 1981; Mennel, 1973; Pisciotta, 1983; Vaughn, Wallace, Davis, Fernandes, & Howard, 2008; Ward, 2001, 2012; Wines, 1903, cited in Pisciotta, 1983; Young, 1993), while contemporary research includes Blacks, Whites, and other minority groups. Research on Latinos/as (Cintron, 2005; Cuellar & Curry, 2007; Dillon, Robbins, Szapocznik, & Pantin, 2008; Flexon, Greenleaf, & Lurigio, 2012; Gallegos-Castillo & Patino, 2006; McCluskey, 2002; McCluskey, Krohn, Lizotte, & Rodriguez, 2002;

McCluskey & Tovar, 2003; McGee et al., 2005; Miller, 2015; Miller, Barnes, & Hartley, 2011; Peguero & Shekarkhar, 2011; Shekarkhar & Gibson, 2011; Solis, Portillos, & Brunson, 2009; Vega & Gil, 1998), Native Americans (Hartshorn, Whitbeck, & Prentice, 2015; Hautala, Sittner, & Whitbeck, 2016; Mmari, Blum, & Teufel-Shone, 2010), and Asian Americans (Bui, 2009; Godinet, 2013; Guerrero et al., 2010; Le, Monfared, & Stockdale, 2005; Wolf & Hartney, 2005) is more readily available than in the past. Numerous government documents and edited volumes that focus on minority youth, delinquency, and justice are also available (see, e.g., Chavez-Garcia, 2012; Gray, 2014; Hawkins & Kempf-Leonard, 2005; Leonard, Pope, & Feyerherm, 1995; Parsons-Pollard, 2017; Penn, Taylor Greene, & Gabbidon, 2006; Rosenfeld, Edberg, Fang, & Florence, 2013; Sickmund & Puzzanchera, 2014; Tapia, 2012). In spite of a considerable amount of research, there is still a lack of consensus about why Blacks and other minority youth continue to be overrepresented in the juvenile justice system and the best way to address this challenge.

The goal of this chapter is to explore race effects in juvenile justice. It begins with a brief overview of juvenile justice in the United States, moves to a historical overview of race and juvenile justice, and then examines race and the extent of juvenile crime and victimization. Next it discusses several contemporary issues, including DMC, the **school-to-prison pipeline**, minority female delinquency, life without parole sentences for juveniles, and delinquency prevention.

OVERVIEW OF JUVENILE JUSTICE

Many students are surprised to learn that the concepts of juvenile delinquency and juvenile justice are of a fairly recent origin. Prior to the 19th century, youth were the primary responsibility of their families and communities. Those who could not be controlled were punished like adults or sent to live with other families, usually as apprentices to learn a skill or trade. During the 1800s, separate facilities for youth in trouble were established. These early institutions included asylums, orphanages, houses of refuge, and reformatories.

Later in the century, in 1899, the first **juvenile court** opened in Cook County (Chicago), Illinois. Today, the phrase *juvenile justice system* is used to refer to the agencies and processes responsible for the prevention and control of juvenile delinquency. In fact, according to the National Center for Juvenile Justice (2004), there are actually 51 separate juvenile justice systems in the United States, and each "has its own history and set of laws and policies and delivers services to juvenile delinquents in its own way" (King, 2006, p. 1). Figure 9.1 presents an overview of case flow through a contemporary juvenile justice system. Like the adult criminal justice system, the juvenile justice system includes law enforcement, courts, corrections, and the use of discretion in decision making at several stages. The systems intersect because some juveniles are tried in criminal courts, detained in jails, and sentenced to adult prisons. Like adults, juveniles can be detained without bail before their trials (adjudicatory hearing), have procedural safeguards, have the right to an appeal (in some states), and can be placed on probation.
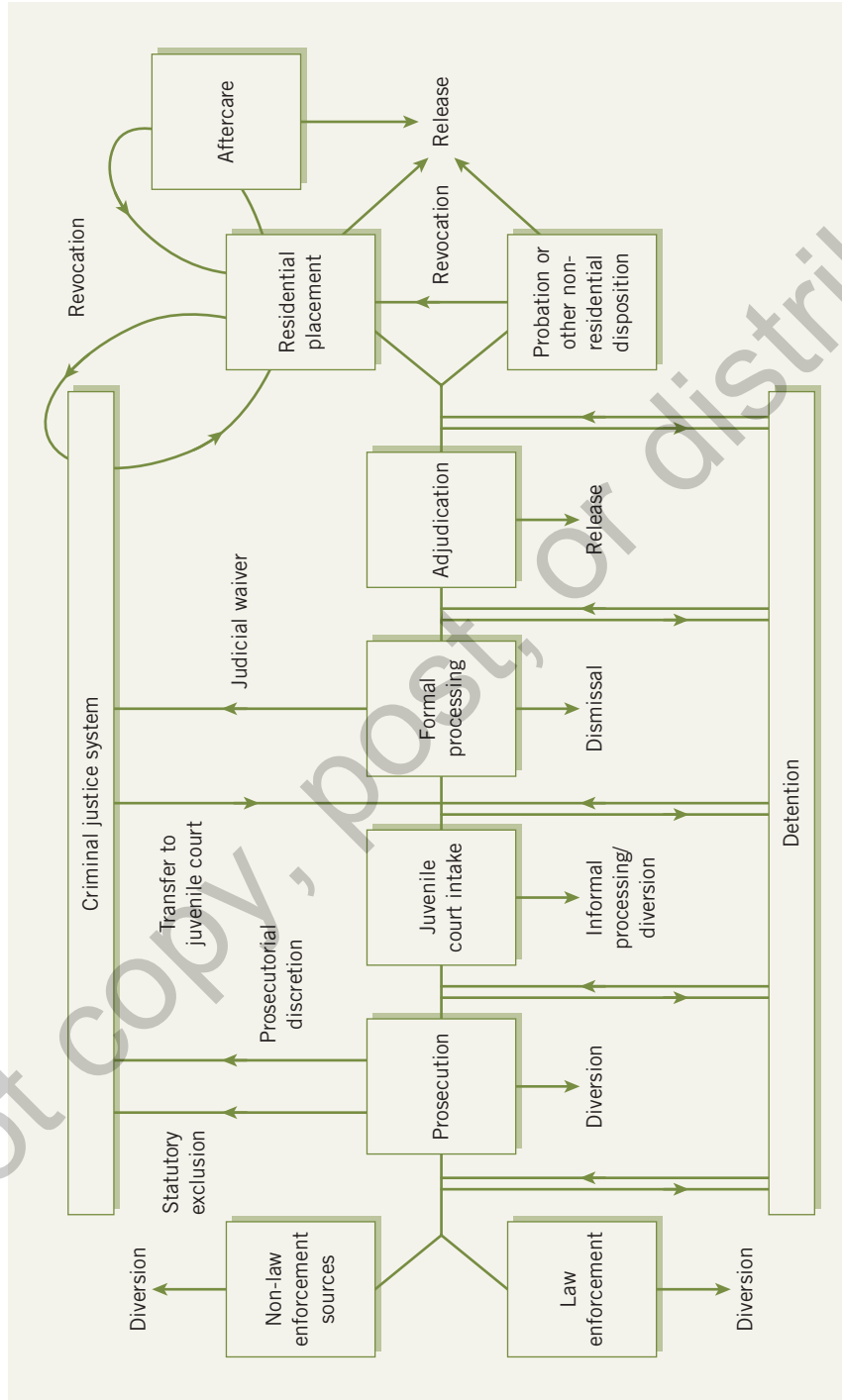
In addition to these similarities, there are many differences between the two systems, including more parental involvement in the juvenile system, different terminology, and the fact that juveniles do not have a constitutional right to a jury trial (Lawrence & Hemmens, 2008; see *McKeiver v. Pennsylvania*, 1971).

The most important stages of the juvenile justice process are referrals (usually by police), **intake**, **adjudication**, and **disposition**. Juveniles may be diverted from the process at any stage by police, probation officers, and judges. For example, a juvenile referred to the court for a minor offense can be diverted from the process or detained by an intake or probation officer. A juvenile accused of a more serious crime, like rape, is less likely to be diverted. Rather, the juvenile could be formally petitioned to appear in juvenile court or transferred (waived) to adult court. If the juvenile accused of rape is adjudicated as a delinquent (in juvenile court), several dispositions are available, including (intensive) probation, restitution, community service, and secure confinement. If the juvenile accused of committing a rape is waived to adult court, there also are several possible outcomes, including either plea negotiations or a trial. Also if found guilty, the juvenile would face sentencing alternatives in adult court that are similar to dispositions available in juvenile court. However, unlike youth tried in juvenile court, those waived to adult court who are found guilty and sentenced to confinement will go to an adult prison not a juvenile detention center.

Another unique characteristic of the juvenile justice system is the jurisdiction of the juvenile court over delinquent youth, status offenders, and youth who are dependent, neglected, and abused. Juvenile delinquency is described by Greenwald (1993) as a "euphemism for behavioral problems of children and youth that reach beyond mere non-conformity and existed since earliest man" (p. 735). In the early 19th century, it encompassed any illegal behavior by a minor who fell under a statutory age limit and was labeled a serious social problem (Clement, 1993). In most states, juveniles include youth who are under the age of 18. Delinquent acts include both criminal and status offenses. Unlike adults, juveniles can be apprehended for offenses due solely to their status as children or adolescents. Curfew violations, underage drinking, incorrigibility, and running away are examples of status offenses. In some states, these juveniles are referred to as either "children" or "persons" in need of supervision (also referred to as CHINS or PINS).

The juvenile justice system today is quite different from how it was a century ago. Initially, the goal of the early courts was to rehabilitate youth and act in their best interest. In the 1960s, a fundamental shift away from the idea of rehabilitation began to occur (Urban, St. Cyr, & Decker, 2003). Several scholars have observed a gradual transition to what is now a more accountability-driven and punitive system (Benekos & Merlo, 2008; Feld, 1999, 2017; Freiburger & Jordan, 2016; Hinton, Sims, Adams, & West, 2007; Merlo & Benekos, 2017; Urban et al., 2003; Ward, 2001, 2012; Ward & Kupchik, 2009). Today, the competing goals of rehabilitation and punishment have resulted in a system that places the personal, social, and educational needs of juvenile delinquents second to the need to punish them (Urban et al., 2003). Bernard and Kurlycheck (2010) identified the cycle of juvenile justice as being driven by three ideas: Crime is exceptionally high, the present policies make

Figure 9.1 Juvenile Justice System Structure and Processes

Non-law enforcement sources → Diversion

Law enforcement → Diversion

Statutory exclusion

Prosecutorial discretion

Prosecution → Diversion

Transfer to juvenile court

Juvenile court intake → Informal processing/diversion

Criminal justice system

Judicial waiver

Formal processing → Dismissal

Adjudication → Release

Detention

Residential placement

Probation or other non-residential disposition

Revocation

Revocation

Revocation

Aftercare → Release

the problem worse, and changing the policies will reduce juvenile crime. According to the authors, the cycle of juvenile justice continues because the social conditions that foster juvenile delinquency are never adequately addressed. How did we go from a system that focused primarily on the best interest of the child to one that emphasizes punishment? When and why did we return to policies that blur the distinction between juveniles and adults? The following section provides some answers to these questions.

HISTORICAL OVERVIEW OF RACE AND JUVENILE JUSTICE

Children and youth have always misbehaved, and there have always been varying attitudes and practices toward what has come to be known as juvenile delinquency. Clement (1993) noted that, in colonial America, Southerners were more tolerant of misbehavior than were colonists in Massachusetts, Pennsylvania, and New York. More specifically, Southerners tolerated troublesome White males, but slave owners did not tolerate misbehavior of young (or adult) slaves. In the North, as the population in cities rapidly increased due primarily to urbanization, industrialization, and immigration, there was growing concern about youth crime. During the 1700s, the problem of youth misbehavior common to all children began to be referred to as the "crimes and conditions of poor children" (Mennel, 1973, p. xxvi). It was during the 1800s that concerned citizens, referred to as "**child savers**," coalesced to protect children and youth and work on their behalf. Early in the century, these individuals and their organizations were instrumental in establishing separate facilities for youth; later in the century, they were instrumental in the creation of the first juvenile court. From the beginning of the movement to salvage youth, Black children were excluded and treated differently. Pisciotta (1983) concluded that, "Historians have been particularly negligent in not explicating the dynamics of racism and sexism in juvenile reformatories and courts" (p. 256).

As early as 1819, a group of individuals concerned about pauperism and the plight of youth in New York City formed the Society for the Prevention of Pauperism, which later became known as the Society for the Reformation of Juvenile Delinquents. On January 1, 1825, this organization opened the New York House of Refuge; Boston and Philadelphia soon followed suit, opening **houses of refuge** prior to the 1830s. Most youth in the early houses of refuge were not committing crimes; rather they were impoverished, neglected, and homeless adolescent White males. There was a considerable amount of prejudice in these early facilities toward immigrants, especially Irish youth, as well as toward girls and Black delinquents. The New York and Boston houses of refuge admitted Whites and Blacks, although they were segregated. In 1849, Philadelphia opened a separate house of refuge for "colored juvenile delinquents" (Frey, 1981; Mennel, 1973). Interestingly, all Black children born in Pennsylvania after 1780 were free, even though prejudice and separation of the races were the norm well into the 20th century. Though segregated, the houses of refuge in Philadelphia sought to maintain social control over poor and delinquent youth and to instill in them a basic education, the desire to work, and a moral foundation (Frey, 1981). Early houses maintained a practice of placing youth in

apprenticeships or on rural farms. Because White girls and boys were preferred, Black youth stayed in the houses for longer periods of time (Ward, 2001, 2012).

Unlike northern states, most southern states moved slowly to open separate facilities for youth. Young (1993) noted "that the house of refuge established in Maryland in 1840 and opened in 1855 was restricted to White children due to the slave status of Black children" (p. 557). In Kentucky, the Louisville House of Refuge, established in 1854, also was for White children only (Young, 1994). Black youth were excluded from most facilities or treated quite differently. Managers believed that placing White and Black children together would be degrading to the White children (Mennel, 1973). Before and after the Civil War, in both the North and the South, Black youth were more likely to be sent to adult jails and prisons than to juvenile facilities. In Maryland, the children of free Blacks were perceived as a threat (as were their parents) and could be either sold or bound out if their parents could not provide for them (Young, 1993).

By the 1850s, houses of refuge that had opened earlier in the century were criticized and eventually replaced with **reformatories**. Massachusetts opened its first reform school for boys in 1847 and for girls in 1856. These institutions differed from houses of refuge in several ways. First, smaller buildings that were maintained by the occupants were utilized. Second, there was a greater emphasis on education. By 1890, most states outside the South had reform schools for boys and girls (Mennel, 1973).

Like the houses of refuge, the early reformatories excluded Blacks and instead sent them to adult jails and prisons. There is little information about the treatment of Black youth in adult facilities. We do know that the convict lease system in jails and prisons in the South was difficult for all prisoners (Du Bois, 1901/2002; LeFlouria, 2011; Oshinsky, 1996; Woodward, 1971; Work, 1939). As noted in earlier chapters, many southern states used the convict lease system as both a means of generating revenue to maintain their penal institutions and for profit. Punishment was excessive, death rates were high, sexual assaults and rapes were ignored, and oversight was rare (Colvin, 1997). Black youth outnumbered other juveniles in these facilities (Ward, 2001, 2012) and were subjected to the most brutal forms of punishment. It was not until 1873 that one of the first separate reformatories for "colored boys" opened in Baltimore, MD (Ward, 2001, 2012; Young, 1993). It would take several decades for other reformatories to open for Black youth. Virginia opened its first industrial home for "wayward colored girls" in 1915 and a facility for "wayward boys" in 1920 (Young, 1994). The opening of these segregated (and often inferior) reformatories was due, in large part, to the efforts of the child savers, especially **Black child savers**.

The Child Savers

As previously mentioned, child savers were concerned with the plight of poor, vagrant, and neglected children (Siegel, 2002). These activists were middle- and upper-class females, criminal justice practitioners, and various organizations that were primarily interested in saving White children, who usually came from immigrant families struggling with the transition to life in a new country. Most of the child savers who were White were not concerned about Negro children, who faced challenges similar to, if not worse than, White

immigrant youths. Although Platt (1969) and Shelden and Osborne (1989) questioned the benevolence of the child savers and posited that they were motivated by self-interest, they do not address how child savers overlooked Negro youth and the role of Black child savers (Ward, 2001, 2012). Frederick H. Wines, a leader in the National Conference of Charities and Correction and the National Prison Association in the late 1800s and early 1900s believed that "crime and delinquency among blacks was an 'insoluble problem,'" and that "because of their inherent biological, mental, and moral primitiveness . . . neither punishment or rehabilitation would work" (Wines, in Pisciotta, 1983).

Youth facilities were originally opened to separate delinquents from adults and the poor conditions found in prisons. It also was believed that youth were malleable and could be "saved" from the harmful effects of poverty and harsh living conditions. Unlike White youth, Black youth often were placed in adult facilities, evidence of what Ward (2001) referred to as "historical racial inequality" in juvenile justice. In addition, ideas of Black childhood varied between the races: Whites viewed Black childhood as developmentally limited, whereas Blacks viewed their development as critical to the future of the race (Ward, 2001).

Since the late 1800s, historically Black colleges and universities were in the vanguard of efforts to improve their race and instrumental in calling attention to Black youth. As early as 1899, at the Hampton Negro Conference, the issues of the need for clubs for girls and the dangers faced by girls migrating to the North were discussed. African American women who attended these institutions, most of them preparing to be teachers, realized that they would also need to become involved in their communities. For example, at the 1907 Hampton Conference, several women joined together to form the Virginia State Federation of Colored Women's Clubs. These women were at the forefront of the Black child savers who emerged in response to the unfair and prejudicial handling of Black youth. Like White child savers, the early Black child savers were initially women of a higher social class. However, they existed in a distinctly racially segregated community where the meaning of class was quite different. Although they held status and power in their own communities, Black child savers faced a greater challenge: a racialized justice system that was unwilling to invest in the rehabilitation of Black youth. They had to both challenge racial disparities and develop resources to finance facilities on their own (Ward, 2001).

Ward (2001, 2012) described at least three different types of Black child savers: early, reform oriented, and organizations. The early child savers were forced to work on the periphery of the justice system. The Federation of Colored Women's Clubs was at the forefront of the early Black child savers movement. These groups of women were active across the country, especially in the South, and were instrumental in creating the first reformatories for female and male Negro juveniles (Neverdon-Morton, 1989). The next group of Black child savers was more reform oriented and focused more directly on working as practitioners not only in juvenile justice, but in other agencies as well. They emerged early in the 20th century, when "African Americans were beginning to move from the periphery of juvenile justice, as community-based providers, toward its administrative center" (Ward, 2001, p. 164). These child savers were "African American participants in juvenile justice administration who aimed to affect outcomes in the legal

processing of Black delinquents especially, though not exclusively" (p. 120). The National Association for the Advancement of Colored People (NAACP) provides an example of the third type of Black child saver activists. The organization devoted a tremendous amount of time and resources to the plight of Black youth in the justice system in the early part of the 20th century. Ward (2001) did not idealize the Black child savers in light of their incredible obstacles, although he does conclude that they probably did "improve the circumstances of Black juvenile delinquents" (p. 186). In addition, Black and White child savers coalesced in some places. Were there child savers in other minority groups? More than likely, but there are very few historical accounts currently available (see, e.g., Bush, 2010; Chavez-Garcia, 2012).

Juvenile Courts

The creation of the juvenile court was one of the most important developments in the history of juvenile justice. When the first juvenile court opened in Chicago (Cook County, IL), it was viewed as a progressive idea that recognized the special needs of children not only in juvenile facilities but in court, as well. As previously stated, the primary goal of the first juvenile courts was rehabilitation and to act in the best interest of the child. There have always been two competing views of early juvenile courts; one viewed them as a "symbol of society's concern for its young" and another as oppressive and "dedicated to controlling the indigent and powerless" (Bortner, 1984, pp. 2–3). By the mid-1930s, most states had legislated some form of juvenile court. Racial segregation in the juvenile courts (and reformatories) continued well into the 20th century. Ward and Kupchik (2009) note that the U.S. Supreme Court ruling against the "separate but equal" doctrine in the 1954 *Brown v. Board of Education* decision was one of the earliest efforts to hold juvenile justice systems accountable to all youth.

By the 1960s, juvenile courts were criticized for lacking procedural safeguards, the insufficient training of judges and staff, and failing to control juvenile crime. During this decade, U.S. Supreme Court rulings guaranteed juveniles in the system some procedural safeguards in a few landmark decisions. In *Kent v. United States* (1966) the Court determined that a juvenile is entitled to due process and that the court was open to hearing juvenile appeals. The *In re Gault* (1967) decision further expanded due process rights. This case involved 15-year-old Gerald Gault who was arrested after making lewd statements during a phone call to a neighbor. Because of his juvenile status, several due process requirements applicable to adults were denied, and Gault was convicted and committed to an institution until his 21st birthday. This six-year sentence was far greater than the 18 months he would have received in the adult court. As a result of a multitude of concerns, Gault's parents appealed the decision. On appeal, the Supreme Court heard the case and considered whether Gault was, in fact, denied several constitutional rights, including the following: (1) notice of the charges, (2) right to counsel, (3) right to confront and cross-examine witnesses, (4) right against self-incrimination, (5) right to transcript of the proceedings, and (6) right to an appeal (see Burruss, 2009). The court eventually affirmed the first four of these rights and essentially challenged the notion of *parens patriae* in juvenile court.

There were important juvenile justice decisions by the U.S. Supreme Court in the 1970s as well. In the *In re Winship* (1970) decision, the court ruled whether 12-year-old Samuel Winship, who was facing significant time in a detention facility for shoplifting, should be tried using the due process standard of beyond a reasonable doubt or the lesser standard of preponderance of the evidence. The court ruled that "in delinquency cases where a juvenile faced a sentence in a secure facility, the judge must use the reasonable doubt standard before finding juveniles delinquent" (Burruss, 2009). The 1971 *McKeiver v. Pennsylvania* case reaffirmed that juveniles do not have a constitutional right to jury trials. Notably, the court did not prohibit states from allowing trials. Nevertheless, several states allow jury trials in juvenile court. Another significant case from the 1970s was *Breed v. Jones*. This case protected juveniles from being in "double jeopardy." The case required that a juvenile be waived to adult court prior to adjudication in juvenile court. This prevented juveniles from being adjudicated in juvenile court and then sent to adult court for trial.

In *Schall v. Martin* (1984), the Supreme Court weighed in on whether juveniles could be subject to preventative detention. Overturning lower court decisions, it decided in favor of the use of pretrial detention when it is required to protect the juvenile and others. In spite of Supreme Court decisions taken to protect the rights of juveniles, nationwide, juvenile courts had begun clearly to shift away from an emphasis on the welfare and rehabilitation of youth and toward becoming an even more punitive "second-rate criminal court for young offenders" (Feld, 1999, p. 5).] According to Ward and Kupchik (2009),

> A two-stage and limited philosophical displacement of the rehabilitative ideal occurred, beginning with discourse and policy focused on system accountability reforms in the 1950s, 1960s, and 1970s, followed by juvenile accountability reform efforts since the 1980s that mirror the punitive tenor of broader juvenile justice and criminal justice policy reform. (p. 101)

Although we know quite a bit about the development of juvenile courts (and juvenile justice), historical information about the treatment of Black and minority youth in these courts during the early 20th century is limited. Most of the early research consisted of case studies that examined Black delinquency in specific cities (see Abraham, 1948; Blue, 1948, 1959; Frazier, 1939, 1949; Moses, 1933, 1936; Watts, 1941). Platt (1969, 1977, 2009) mentioned that the first juvenile court in Chicago (Cook County) had one "colored" volunteer social worker. Frazier (1939, 1949) provided some information on Negro youth appearing before the children's court in the District of Columbia; Nashville, Tennessee; New York City; and other locales, although he emphasized community and family factors and did not address race effects. In light of segregation and the general treatment of Black prisoners in the early facilities, it is doubtful that the majority of Negro youth fared much better in juvenile courts in the early 20th century.

The Black child savers and other professionals may have played an important role in early juvenile courts in some locales, but there were not enough of them. Although they aimed to work in the best interest of the child, they could change neither the structural and economic conditions nor the stereotypical attitudes of other (White) justice

professionals. Among most justice practitioners, differential treatment of Black youth was tolerated and accepted. Feld (1999) argued that, since its inception, one of the most important functions of the juvenile court was to control ethnic and racial minorities:

> The Progressives created the juvenile court to assimilate, integrate, and control the children of the eastern European immigrants pouring into cities of the East and Midwest at the turn of the century. In postindustrial American cities today, juvenile courts function to maintain social control of minority youths, predominantly young black males. (p. 5)

The use of waivers to remove youth from the jurisdiction of the juvenile court flourished in the late 20th century after legislative changes to transfer laws became more punitive. Judicial, legislative, and prosecutorial waivers (sometimes known as transfers and/or certifications) facilitate trying youth as adults. In some states, reverse waivers permit criminal courts to send cases back to juvenile court and utilize a juvenile disposition (Brooks & Willingham, 2009; Jordan & Myers, 2007; King, 2018). Between 1985 and 2007, Black youth were more likely to be waived to adult court regardless of the type of offense (person, property, drugs, public order). During the 1990s, Black youth were twice as likely as White youth to be waived for offenses against the person and more than three times as likely to be waived for drug offenses (Adams & Addie, 2010). In 2007, Black and White youth had similar likelihoods of waiver, although Black youth were still more likely to be waived for offenses against the person and drug crimes than White youth (p. 4). According to the most recent data available in 2014, all youth were most likely to be waived for offenses against the person. Even so, Black youth were more likely than White youth to be waived for person and drug offenses (Hockenberry & Puzzanchera, 2017). DMC at this stage in the process continues to be problematic today.

In spite of efforts to deinstitutionalize youths convicted of crime—such as the 1974 Juvenile Justice and Delinquency Prevention Act that began this less punitive approach, the 1994 Violent Crime and Safe Streets Act that allocated more funding to preventive approaches for juveniles, and the recent Supreme Court decisions abolishing the death penalty and narrowing life without parole sentences for juveniles—the punishment model continues to define juvenile justice in most states. During the past two decades, the hybrid mix of rehabilitation, punishment, system accountability, and juvenile accountability has resulted in the implementation of numerous conflicting policies and programs to prevent and control juvenile delinquency. Goshe (2015) cautions that the "punitive legacy" could negatively impact progressive reforms. Some of these more punitive approaches—including trying juveniles as adults, mandatory sentences, and longer sentences—were a reaction to increases in juvenile involvement in violent crime, discussed in more detail next.

RACE, JUVENILE CRIME, AND VICTIMIZATION

For decades, juvenile involvement in crime as perpetrators and victims has received considerable attention. Part of the concern is related to the disproportionate number of

youth, especially Black and other minority youth, who are arrested and confined. Howell (2003) argued that one of the most damaging myths about juvenile crime and violence was the prediction that a new breed of juvenile offenders, ostensibly labeled *superpredators*, would emerge (DiLulio, 1995, 1996b). Implicit in the notion of the superpredator was the demonization of Black and Hispanic youth; these and other chronic offenders were projected as contributing to a youth violence epidemic in our country in the coming years (Blumstein, 1996). Although there were both increases and decreases in the number of juvenile arrests after these dire predictions, there was a "moral panic over juvenile delinquency" that resulted in more punitive measures and "a crisis of overload in the juvenile justice system" (Howell, 2003, p. 24). In fact, while the number of juveniles arrested for violent crimes is still a problem, juvenile arrests have leveled off and "the juvenile Violent Crime Index arrest rate reached a historic low in 2010" (Sickmund & Puzzanchera, 2014, p. 125).

Chapter 2 provided an overview of several sources of crime and victimization data that provide information on juveniles, including the FBI Uniform Crime Reports (UCR), National Incident Based Reporting System (NIBRS), and Hate Crime Statistics, as well as the Bureau of Justice Statistics (BJS) **National Crime Victimization Survey (NCVS)**. In 1999, the **Office of Juvenile Justice and Delinquency Prevention (OJJDP)** made its **Statistical Briefing Book (SBB)** available online (http://www.ojjdp.gov/ojstatbb/default.asp). It provides access to information about juvenile delinquents and victims, as well as to juvenile court statistics and data on youth in residential confinement. The SBB data analysis tools and national data sets are very useful for analyzing race and juvenile justice. Other sources of juvenile crime and victimization data are the Monitoring the Future Study, the National Adolescent Survey, the National Survey on Drug Use and Health, the National Youth Gang Survey, the Pathways to Desistance Study, and the Behavior Risk Surveillance System.

Chapter 2 also addressed the strengths and limitations of available data that are relevant to understanding race, juvenile crime, and victimization. Because a separate category for Hispanic arrests was unavailable until 2013, and only aggregate arrest data is available, intersectionalities of arrests with age, race, and gender can't be examined simultaneously. Also, UCR arrest data are based on estimates, and UCR juvenile arrests estimates may vary over time (see, e.g., Sickmund & Puzzanchera, 2014; Snyder, 1997, 2000, 2003). NCVS data are also problematic. First, the NCVS excludes youth under 12 years of age. Second, NCVS data are also based on estimates. Despite these limitations, the available data do help us understand patterns and trends in juvenile participation in crime as arrestees, victims, and those who are processed in the juvenile justice system.

Juvenile arrests during the 1980s and 1990s were much more numerous than they are today. After remaining constant between 1980 and 1987, the Violent Crime Index arrest rate grew between 1987 and 1994, after which it fell to its lowest level since 1980 in 2010 (Sickmund & Puzzanchera, 2014, p. 125). Across most offenses, juvenile arrests fell proportionately more than adult arrests between 2001 and 2010 (p. 120). However, in 2010, more than one-fourth of states had a juvenile violent crime arrest rate above the national average (p. 142). According to the OJJDP SBB, juvenile arrests between 2008 and 2014 steadily decreased; in 2008, an estimated 2.1 million juveniles were arrested, and in 2014, an estimated 1 million juveniles were arrested (see Table 9.1).

In 2016, when we consider the race arrestees in UCR data, we find that the majority of juveniles arrested were either White (62%) or Black (35%); American Indians or Alaskan Natives and Native Hawaiians or other Pacific Islanders represented approximately 3% of juvenile arrestees (see Table 9.3). In 2016, taking into account ethnicity, an estimated 113,244 Hispanic/Latino juveniles were arrested (22.8% of juvenile arrests).

Like adults, juvenile arrestees are mostly males, although the number of female arrestees has increased in recent years. According to the UCR, 18.9% and 17% of juvenile arrestees were females in 2006 and 2009, respectively (FBI, 2007a, 2010a). Although the male arrest rate had decreased since 1980, in 2010 the female rate was higher (Sickmund & Puzzanchera, 2014, p. 125). In 2016, 8% of the total arrests in the United States were of juveniles (FBI, 2017a). Most juveniles arrested for violent and property crimes, regardless of age, race, ethnicity, and gender, are arrested for larceny-theft (excluding the "all other offenses" category). Blacks outnumbered Whites and others arrested for murder, robbery, prostitution and commercial vice, gambling, and buying, receiving, and possessing stolen property. Black juveniles accounted for 52% of arrests for violent crime, whereas White juveniles accounted for 58.4 of juveniles arrested for property crime. After larceny-theft, and excluding the category of "all other offenses," more juveniles were arrested for other assaults, disorderly conduct, and drug abuse violations. Among American Indians or Alaskan Natives, more juveniles were arrested for larceny-theft and all other offenses (except traffic). Asians and Native Hawaiian or Other Pacific Islanders were also more likely to be arrested for the same offenses (FBI, 2017a; see Table 9.3).

Youth involvement in violent crimes as both victims and offenders is of concern to families, child advocates, communities, juvenile justice practitioners, and other stakeholders. More recently, these concerns have become a national priority (see Listenbee et al., 2012). According to former Attorney General Holder's Task Force on Children

Table 9.1 Juvenile Arrest Estimates, 2008–2014

Year	Arrests	Percentage Total Arrests
2008	2,100,800	15.0
2009	1,906,400	13.9
2010	1,642,500	12.5
2011	1,470,000	11.8
2012	1,319,700	10.8
2013	1,081,400	9.6
2014	1,023,800	9.1

Source: OJJDP Statistical Briefing Book Data Analysis Tool: Easy Access to FBI Arrest Statistics.

Exposed to Violence, part of the Defending Childhood Initiative, youth exposure to violence has been a problem for decades:

> In 1979, U.S. Surgeon General Julius B. Richmond declared violence a public health crisis of the highest priority, and yet 33 years later that crisis remains. Whether the violence occurs in children's homes, neighborhoods, schools, playgrounds or playing fields, locker rooms, places of worship, shelters, streets, or in juvenile detention centers, the exposure of children to violence is a uniquely traumatic experience that has the potential to profoundly derail the child's security, health, happiness, and ability to grow and learn—with effects lasting well into adulthood. (Listenbee et al., 2012, p. 3)

According to the National Center for Injury Prevention and Control (2010), homicide was the fourth leading cause of death for children aged 1 to 11 and second cause of death for youth aged 12 to 17. Between 2000 and 2005, there were 9,312 juvenile murder victims, many of them very young (OJJDP, 2008). In 2010, it is estimated that 1,450 youth were murdered in the United States (Sickmund & Puzzanchera, 2014). Forty nine percent of juveniles murdered were Black, and 47% were White. The Black murder rate was almost five times the White rate, and the Black-White disparity has increased since 1999 (Sickmund & Puzzanchera, 2014, p. 52). Data on juvenile victims of nonfatal crimes are reported in victimization studies discussed next.

Table 9.2   Juveniles Murdered Between 1980 and 2010, by Offender Relationship

Offender Relationship to Victim (%)	Age of Victim					Victim Ages 0–17	
	0–17	0–5	6–11	12–14	15–17	Male	Female
Offender known	67	82	60	62	58	65	71
Total[a]	100	100	100	100	100	100	100
Parent/stepparent[b]	21	51	24	6	2	17	31
Other family member	4	5	8	6	3	4	6
Acquaintance	31	23	18	37	38	33	28
Stranger[c]	10	2	10	13	16	12	7
Offender unknown	33	8	40	38	33	35	29

Source: Sickmund, Melissa, and Puzzanchera, Charles (eds.). 2014. *Juvenile Offenders and Victims: 2014 National Report*. Pittsburgh, PA: National Center for Juvenile Justice.

Notes:

a. Detail may not total 100% because of rounding.

b. Female victims were far more likely than male victims to have been killed by a parent/stepparent or other family member.

c. Over the 31-year period, strangers were involved in at least 10% of the murders of juveniles. This figure is probably greater than 10% because strangers are likely to account for a disproportionate share of crimes in which the offender is unknown.

The NCVS includes reported violent victimizations (rape, sexual assault, robbery, aggravated assault, and simple assault) and property victimizations (attempted and completed theft, household burglary, and motor vehicle theft). According to Sickmund and Puzzanchera (2014), "from 1994 through 2010, youth ages 12–17 were about 2.2 times more likely to be victims of a serious violent crime . . . [and] 2.6 times more likely to be victims of a simple assault" (p. 39). Juveniles also are victims of bullying, cyberbullying, and sexual assaults. At times, this bullying in school can spill over into negative emotions that result in school shootings. In Focus box 9.1 discusses the phenomena of school shootings.

IN FOCUS 9.1

School Shootings: The Invisible Perpetrators

School shootings have long been a part of the American landscape. The first one occurred on July 26, 1764, during what is referred to as the Pontiac's Rebellion School Massacre. It involved four Lenape Indians who were part of a successful resistance movement against the brutal British colonization efforts (Dixon, 2005; Middleton, 2007). The Indians entered the log schoolhouse in the Conococheague Valley (near present-day Greencastle, PA), shot the headmaster, Enoch Brown, in the chest and then scalped him along with ten other children in the schoolhouse. Only two of the twelve children in the classroom survived (Dixon, 2005, p. 223). Since this first school shooting additional ones have occurred in every century since.

In more recent times, one set of scholars has observed that, from 1966 to 2008, there were 44 school shootings (approximately one per a year) in the United States. By comparison, during this same period, Canada had 7 school shootings and there were 7 in *all* of Europe (Kalesan et al., 2017). More recent analysis has found a considerable rise in the number of school shootings. Kalesan et al. (2017) examined school shootings during the three-year span from 2013 to 2015 and documented 154 episodes. Furthermore,

39 states had at least one shooting, with 11 not experiencing any. Of those killed during the incidents (57), nearly 60% were students. Among the non-fatally injured, 88 out of the 128 victims were students (p. 4).

Discussions concerning violence in America typically migrate into conversations about violence among racial/ethnic minorities—especially African Americans and Hispanics. In general, as reviewed in Chapter 2, there are racial disparities in the commission of violent offenses. Despite these disparities, it is important to remember that Whites also commit a considerable number of violent acts in the United States. It is easy to forget that nearly all the major school shootings (and mass shootings) in American history have been perpetrated by young, White males (Rocque and Duwe, 2018). School shootings generally get wide publicity. Hence, in the wake of shootings like the ones at Columbine High School (1999), Sandy Hook Elementary School (2012), and Marjory Stoneman Douglas High School (2018), there is outrage expressed across society. This outrage typically results in some recurring questions: Who was the perpetrator? Why did the person do it? And finally, what can be done to prevent school shootings? Let's look more closely at these questions.

Who are the perpetrators? The perpetrators are typically young, White boys (99%) from rural or suburban areas (Kimmel & Mahler, 2003; Rocque & Duwe, 2018). In fact, given their numbers in the population, White males are considerably overrepresented in school shootings (Madfis, 2017).

Why did the person do it? The literature consistently points to several factors that contribute to school shootings. Perpetrators of school violence have consistently encountered teasing, ostracism, or some other form of rejection. They also might have encountered some form of acute rejection in the form of a recent romantic breakup. Another consistent factor mentioned in school shootings is the mental health of the shooter. Some of the perpetrators have suffered from depression, engaged in self-mutilation, or struggled with attention-deficit /hyperactivity disorder, or ADHD (Leary, Kowalski, Smith, & Philips, 2003). While it has been found that school shooters tend to have mental health issues at a higher rate than the general population, some researchers have found that many of them "came from intact and relatively stable families, with no history of child abuse" (Kimmel & Mahler, 2003, p. 1442). School shooters also show an intense interest in guns, bombs, or explosives, and they tend to be fascinated with, for example, in the form of listening to death-related music or practicing Satanism (Leary et al., 2003, p. 205). Masculinity is another theme found in the literature seeking to understand school shootings (Kimmel & Mahler, 2003; Muschert, 2007). Here, the sense is that, at some point, the shooters feel emasculated because of being rejected by their classmates (especially girls and athletes) or by society at large, perhaps because the shooters have an unusual interest and/or appearance. At times, the classmates of school shooters have referred to them using homosexual slurs and other demeaning language (Kimmel & Mahler, 2003). Thus, to reassert their masculinity, they engage in deadly school shootings (Rocque & Duwe, 2018). There continue to be a multitude of explanations offered to explain these shootings. Along with explaining the shootings, victims, citizens, and policymakers have collectively sought ways to prevent them.

What can be done to prevent school shootings? The prevention of school shootings has been a major focus for the past few decades. The proposed preventative measures fall into a few categories. One of the more obvious measures is simply to encourage students to report any suspicious activity of their classmates. The "see something, say something" approach has been a consistent theme. Another approach that was required by the 1994 Gun-Free Schools Act is to mandate a one-year expulsion for students who bring guns to school. Other zero-tolerance policies were also put in place to provide safe schools. However, some have observed that these policies have been widely condemned. Specifically, some have expressed concerns about their legality and their lack of adherence to the principles of healthy child development; also, there are ongoing concerns about racial discrimination in the application of the policies (Borum, Cornell, Modzeleski, & Jimerson, 2010). Another familiar approach that has been suggested is the use of profiles and warning signs to prevent school shootings. As has been shown in other areas of the justice system, relying on profiles is a recipe for disaster. On this point, Borum et al. (2010) state, "Because school shootings are so rare, most students who fit the profile will not engage in a targeted school-based attack, and some students who are planning and preparing for an attack will be missed because they do not fit the expected profile" (p. 29).

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The most popular policy suggestion to prevent school shootings is gun control. Many school shootings involve the use of military grade weapons that are either sold or available to young people. Restricting the purchase of such weapons tends to be the most controversial suggestion since fervent Second Amendment supporters and organizations, such as the powerful National Rifle Association (NRA), are always wary of this talk. In fact, gun and ammunition sales increase when there are mass shootings since gun supporters are reacting to the potential future gun restrictions that might follow (Persio, 2018). The most palatable gun control law relates to enhancing the background checks required for gun purchases. Notably, empirical investigations of the value of this type of legislation have been promising, with multiple studies showing that "restrictive firearm laws such as BC [background checks] were associated with lower firearm mortality" (Kalesan et al., 2017, p. 325). On the flip side, some jurisdictions have decided to arm school resource officers (SRO) as well as hire uniformed officers. In fact, in 1994, only 13% of schools had uniformed persons on site. Two decades later, 51% of schools had uniformed officers on their campuses. The literature is inconclusive as to whether this measure is effective. It is widely known that Columbine High School did employ armed SROs and unarmed school security

(Jonson, 2017). Despite this, in the wake of a recent school shooting at Marshall County High School in Benton, Kentucky, the governor and legislators have discussed arming teachers and staff who would serve as "School Marshalls" (Barton, 2018).

Promising policies include increased per capita spending on mental health and also on K-12 education. Increasing spending tied to mental health will obviously increase the potential for those in need to receive treatment services. Finally, it has long been determined "that increased education spending [is] associated with reduced crime and violence" (Kalesan et al., 2017, p. 325). Access control and the use of metal detectors have also been considered and instituted. There is very limited research on the effectiveness of access control. But the idea would seem to be contraindicated, as the persons typically doing the shooting have the identification required to access the school (Jonson, 2017). In the past, metal detectors were largely found only in urban schools, but today they can be found at schools in all settings. Today, even with the increased use of metal detectors, only 10% of schools in the United States require their students to pass through them (Jonson, 2017). Unfortunately, even with these prevention possibilities, the consistency at which the shootings occur in the United States avers that more are to come.

QUESTIONS

1. Do you believe there is an equal emphasis in society on White male violence and minority male violence?

2. Do you believe gun control policies or arming teachers and administrators will lead to a decline in school shootings?

3. Have you ever had a classmate that exhibited some of the characteristics of a school shooter? If so, what did you do?

4. What additional suggestions do you have to reduce school shootings?

Some juvenile crime and victimization is the result of youth in gangs, whose members are involved in a disproportionate amount of serious and violent crime (Thornberry, 1998; Thornberry, Huizinga, & Loeber, 2004) and are more likely to be violently victimized while in a gang (Peterson, Taylor, & Esbensen, 2004). Gang-related homicides are more likely to occur in large cities and suburban counties (Egley & Howell, 2011). Youth gang activity fluctuates and varies from time to time and place to place. In 2010, there were an estimated 29,400 youth gangs, with about 756,000 members in jurisdictions around the country (Sickmund & Puzzanchera, 2014, p. 69). In 2012, there were an estimated 30,700 gangs with 850,000 gang members (National Youth Gang Center, 2015). Contemporary gangs include mixed racial/ethnic members, more adults than younger members, and females. Gangs continue to be composed primarily of Hispanic/Latino youth (46%) and Blacks (35%) and to have fewer White (11%) and other youth (7%) members (National Youth Gang Center, 2015). Some street gangs are involved in illegal drug sales and distribution. We can't say for sure how many of the youths who participate in street gangs either use or sell drugs, but drug use and sales appear to increase after an individual joins a gang (Egley & Howell, 2011).

Juvenile drug behavior is often correlated with delinquency, although the nature of the relationship is unclear. Racial differences in drug arrest rates for Whites and Blacks changed dramatically between 1980 and 1991, increasing for Blacks and decreasing for Whites. While drug arrests increased for all youth in the 1990s, the Black rate was almost six times the White rate. More recently, between 1980 and 2010, the juvenile drug arrest rate for Whites and Blacks peaked in the 1990s, remaining constant for Whites and falling about 52% for Blacks by 2010. For males and females, the arrest rates in 2010 were above the 1980 rates (Sickmund & Puzzanchera, 2014, p. 137).

Most youthful offenders are involved with drugs or alcohol at an early age, and their involvement "increases the likelihood of chronic contact with the juvenile justice system" (Belenko, Sprott, & Petersen, 2004, p. 4). Drug and alcohol use are more common among juvenile offenders than among nonoffender students (Belenko et al., 2004).

YOUTH IN THE JUVENILE JUSTICE SYSTEM

Similar to patterns in FBI arrest data, most delinquency cases referred to juvenile court involve males, and most youth are referred for property offenses. Also, law enforcement referred most of the cases to juvenile court (82%). In 2014, there were an estimated 975,000 delinquency cases in United States courts with juvenile jurisdiction. In 2014, property offenses (333,500) comprised the majority of delinquency cases. Offenses against the person (homicide, robbery, rape, and aggravated assault) accounted for 262,800 delinquency cases. Delinquency cases have decreased 42% since 2005, 27% since 2010, and 5% since 2013. As with adult offenders, juvenile males comprised the largest share of delinquent cases in juvenile courts (72%). Since 2015 all racial/ethnic groups have recorded a decline in juvenile court cases. Even though Whites comprise 56% of the United States population under juvenile court jurisdiction, they comprised

Table 9.3   Arrests of Youth Under 18 by Race and Ethnicity, 2016

| Offense charged | Arrests under 18 | | | | | | Percent distribution[1] | | |
| | Race | | | | | | | | |
	Total	White	Black or African American	American Indian or Alaskan Native	Asian	Native Hawaiian or Other Pacific Islander	Total	White	Black or African American
TOTAL	674,820	419,393	234,092	11,509	7,424	2,402	100.0	62.1	34.7
Murder and nonnegligent manslaughter	679	244	413	9	11	2	100.0	35.9	60.8
Rape[3]	2,900	1,877	956	23	31	13	100.0	64.7	33.0
Robbery	15,293	4,468	10,520	94	139	72	100.0	29.2	68.8
Aggravated assault	22,217	12,086	9,486	350	223	72	100.0	54.4	42.7
Burglary	25,360	14,036	10,606	351	302	65	100.0	55.3	41.8
Larceny-theft	106,014	63,842	38,364	1,754	1,672	382	100.0	60.2	36.2
Motor vehicle theft	12,394	5,810	6,255	190	106	33	100.0	46.9	50.5
Arson	1,983	1,409	486	48	31	9	100.0	71.1	24.5
Violent crime[4]	41,089	18,675	21,375	476	404	159	100.0	45.5	52.0
Property crime[4]	145,751	85,097	55,711	2,343	2,111	489	100.0	58.4	38.2
Other assaults	101,852	58,674	40,635	1,425	782	336	100.0	57.6	39.9
Forgery and counterfeiting	961	534	405	6	14	2	100.0	55.6	42.1
Fraud	3,646	1,818	1,745	49	29	5	100.0	49.9	47.9
Embezzlement	537	316	202	7	12	0	100.0	58.8	37.6
Stolen property; buying, receiving, possessing	8,614	3,390	5,035	87	81	21	100.0	39.4	58.5
Vandalism	30,863	21,355	8,536	620	260	92	100.0	69.2	27.7
Weapons; carrying, possessing, etc.	15,342	8,249	6,698	162	211	22	100.0	53.8	43.7
Prostitution and commercialized vice	395	157	227	2	5	4	100.0	39.7	57.5

| | Percent distribution[1] | | | Arrests under 18 | | | | | |
| | | | | Ethnicity | | | Percent distribution[1] | | |
	American Indian or Alaskan Native	Asian	Native Hawaiian or Other Pacific Islander	Total[2]	Hispanic or Latino	Not Hispanic or Latino	Total	Hispanic or Latino	Not Hispanic or Latino
	1.7	**1.1**	**0.4**	**496,233**	**113,244**	**382,989**	**100.0**	**22.8**	**77.2**
	1.3	1.6	0.3	416	103	313	100.0	24.8	75.2
	0.8	1.1	0.4	2,137	455	1,682	100.0	21.3	78.7
	0.6	0.9	0.5	11,254	2,462	8,792	100.0	21.9	78.1
	1.6	1.0	0.3	17,438	4,600	12,838	100.0	26.4	73.6
	1.4	1.2	0.3	17,560	4,874	12,686	100.0	27.8	72.2
	1.7	1.6	0.4	72,692	15,155	57,537	100.0	20.8	79.2
	1.5	0.9	0.3	7,979	2,123	5,856	100.0	26.6	73.4
	2.4	1.6	0.5	1,454	298	1,156	100.0	20.5	79.5
	1.2	1.0	0.4	31,245	7,620	23,625	100.0	24.4	75.6
	1.6	1.4	0.3	99,685	22,450	77,235	100.0	22.5	77.5
	1.4	0.8	0.3	78,351	17,144	61,207	100.0	21.9	78.1
	0.6	1.5	0.2	715	126	589	100.0	17.6	82.4
	1.3	0.8	0.1	2,788	384	2,404	100.0	13.8	86.2
	1.3	2.2	0.0	443	144	299	100.0	32.5	67.5
	1.0	0.9	0.2	5,849	1,228	4,621	100.0	21.0	79.0
	2.0	0.8	0.3	22,603	5,175	17,428	100.0	22.9	77.1
	1.1	1.4	0.1	11,505	3,644	7,861	100.0	31.7	68.3
	0.5	1.3	1.0	331	52	279	100.0	15.7	84.3

(Continued)

Table 9.3 (Continued)

| Offense charged | Arrests under 18 | | | | | | Percent distribution[1] | | |
| | Race | | | | | | | | |
	Total	White	Black or African American	American Indian or Alaskan Native	Asian	Native Hawaiian or Other Pacific Islander	Total	White	Black or African American
Sex offenses (except rape and prostitution)	6,659	4,786	1,707	62	85	19	100.0	71.9	25.6
Drug abuse violations	77,527	58,017	17,107	1,242	917	244	100.0	74.8	22.1
Gambling	203	50	150	0	3	0	100.0	24.6	73.9
Offenses against the family and children	2,703	1,596	646	443	17	1	100.0	59.0	23.9
Driving under the influence	5,059	4,499	338	132	73	17	100.0	88.9	6.7
Liquor laws	28,598	25,203	1,923	1,055	352	65	100.0	88.1	6.7
Drunkenness	3,753	3,132	373	194	46	8	100.0	83.5	9.9
Disorderly conduct	51,928	27,777	22,915	829	332	75	100.0	53.5	44.1
Vagrancy	608	368	220	11	7	2	100.0	60.5	36.2
All other offenses (except traffic)	121,710	80,504	37,132	1,938	1,375	761	100.0	66.1	30.5
Suspicion	74	34	33	0	4	3	100.0	45.9	44.6
Curfew and loitering law violations	26,948	15,162	10,979	426	304	77	100.0	56.3	40.7

Source: FBI (2017, Table 21B).

Notes: Data collected from 13,049 agencies; percentages based on 2016 estimated population 257,112,535.

1 Because of rounding, the percentages may not add to 100.0.

2 The ethnicity totals are representative of those agencies that provided ethnicity breakdowns. Not all agencies provide ethnicity data; therefore, the race and ethnicity totals will not be equal.

3 The rape figures in this table are an aggregate total of the data submitted using both the revised and legacy Uniform Crime Reporting definitions.

4 Violent crimes in this table are offenses of murder and nonnegligent manslaughter, rape (revised and legacy definitions), robbery, and aggravated assault. Property crimes are offenses of burglary, larceny-theft, motor vehicle theft, and arson.

* Less than one-tenth of 1%.

	Percent distribution[1]			Arrests under 18 Ethnicity			Percent distribution[1]		
	American Indian or Alaskan Native	Asian	Native Hawaiian or Other Pacific Islander	Total[2]	Hispanic or Latino	Not Hispanic or Latino	Total	Hispanic or Latino	Not Hispanic or Latino
	0.9	1.3	0.3	5,169	1,278	3,891	100.0	24.7	75.3
	1.6	1.2	0.3	57,833	16,358	41,475	100.0	28.3	71.7
	0.0	1.5	0.0	102	21	81	100.0	20.6	79.4
	16.4	0.6	*	2,205	306	1,899	100.0	13.9	86.1
	2.6	1.4	0.3	4,074	977	3,097	100.0	24.0	76.0
	3.7	1.2	0.2	21,892	3,540	18,352	100.0	16.2	83.8
	5.2	1.2	0.2	3,326	1,405	1,921	100.0	42.2	57.8
	1.6	0.6	0.1	35,870	6,040	29,830	100.0	16.8	83.2
	1.8	1.2	0.3	383	102	281	100.0	26.6	73.4
	1.6	1.1	0.6	89,152	20,306	68,846	100.0	22.8	77.2
	0.0	5.4	4.1	46	8	38	100.0	17.4	82.6
	1.6	1.1	0.3	22,666	4,936	17,730	100.0	21.8	78.2

Table 9.4 Racial Profile of Delinquency Cases

RACE	Percentage of U.S. Population Under Juvenile Court Jurisdiction	Percentage of Delinquency cases in 2014
White	56%	43%
Black	15%	36%
Hispanic	23%	18%
American Indian	1%	2%
Asian	5%	1%
Total	100%	100%

Source: Hockenberry, S., & Puzzanchera, C. (2017). *Juvenile court statistics 2014.* Pittsburgh, PA: National Center for Juvenile Justice.

only 43% of the delinquency cases. Hispanic youth were also underrepresented in their presence in the juvenile court cases (18%) in comparison to the number of Hispanic youth that fall under the juvenile court jurisdiction (23%). Table 9.4 reveals that Asians were also underrepresented and American Indians were slightly overrepresented. Conversely, Black youth represent 36% of delinquency cases and 15% of the youth fall under the juvenile court jurisdiction.

Examining the type and percentage of cases in which youth were detained uncovered additional racial disparities. Table 9.5 shows that minority groups are detained more than Whites in every instance.

Table 9.5 Percentage of Cases Involving Detention, by Offense and Race/Ethnicity, 2014

Most Serious Offense	White	Black	Hispanic	American Indian	Asian
2014					
Delinquency	18%	25%	23%	26%	24%
Person	24%	29%	28%	31%	34%
Property	14	23%	18%	20%	15%
Drugs	123	23%	16%	19%	20%
Public order	22	26%	30%	35%	30%

Source: Hockenberry, S., & Puzzanchera, C. (2017). *Juvenile court statistics 2014.* Pittsburgh, PA: National Center for Juvenile Justice.

Juvenile court data also show that juvenile courts petitioned 56% of all delinquency cases in 2014. The percentage of petitioned cases varied by offense, age (younger than 16) and race/ethnicity. Juveniles committing more serious crimes, older juveniles, and cases involving non-Whites were more likely to be petitioned, while cases involving females were less likely to be petitioned than those involving males. Older juveniles were more likely to be petitioned (p. 39). In terms of race, "the proportion of delinquency cases petitioned decreased slightly between 2005 and 2014 for Hispanic and Asian youth (down 1 and 2 percentage points, respectively), remained the same for White and American Indian youth, and increased slightly for Black youth (up 3 percentage points)" (p. 39).

BOTH SIDES OF THE DEBATE 9.1
SHOULD AFFLUENZA BE ALLOWED AS A MITIGATING CIRCUMSTANCE IN CASES INVOLVING JUVENILES?

In 2013, a White Texas teenager, Ethan Couch, was under the influence of alcohol and valium when he drove his pickup truck over 80 miles per hour with some of his friends in the flatbed. As a result, an accident that occurred during his intoxicated state (blood alcohol level of 0.24), led to one of his friends being seriously injured and the death of four pedestrians who were stranded on the roadside (Douds et al., 2016). During his trial, Couch's attorney argued that "affluenza"—the combining of the words *affluence* and *influenza*—had contributed to his bad decision making. Affluenza is considered "a psychological malaise supposedly affecting wealthy young people, symptoms of which include a lack of motivation, feelings of guilt, and a sense of isolation." In other words, Couch's wealth led him to not consider the consequences of his actions. An expert witness confirmed this diagnosis, and the judge in the case sentenced Couch to 10 years of probation. He was also ordered to stay away from alcohol; a provision he later violated. After violating probation, he was taken into custody after traveling to Mexico with his mother. He was then transferred to adult court

and was ordered to serve two years in jail. This represented four consecutive 180-day sentences for each of the people he killed (Palmer, 2018). Couch was released on April 2, 2018—only five years after killing four people.

Some have argued that affluenza is a reasonable mitigating factor to consider. Often, wealthy young people live in worlds in which they are sheltered and unable to understand the consequences of their behavior. Also, since poverty is frequently considered a mitigating factor, why shouldn't wealth be too? On the flip side, some believe that this line of defense is just excuse making. Of all people, wealthy, privileged youth should be held accountable for their actions. Douds et al. (2016) surveyed Pennsylvanians on their views about affluenza. Fewer than half the respondents were supportive of the notion that wealth was a contributor to crime, while nearly two-thirds felt that poverty was a contributor to crime. It is clear that, at least in Pennsylvania, there is more support for the effects of poverty on offending. It is also reasonable to conclude from these results that a considerable number of Pennsylvania residents

(Continued)

believe that both wealth and poverty can influence involvement in delinquency. Close to half of the Pennsylvania respondents felt that a delinquent Black youth would not have the same success as a White youth with the affluenza defense (Douds et al., 2016).

1. Do you think that the affluenza defense is valid?

2. Do you believe that Blacks and Hispanics would be equally as successful as Whites with the affluenza defense? What about Asian Americans and Native Americans?

Sources:

Douds, A. S., Howard, D., Hummer, D., & Gabbidon, S. L. (2016). Public opinion on the affluenza defense, race, and sentencing decisions: Results from a statewide poll. *Journal of Crime & Justice, 39,* 230–242

Palmer, E. (2018, March 20). Ethan Couch: "Affluenza teen" who killed four people in car crash to be freed from jail. Newsweek. Retrieved from http://www.newsweek.com/affluenza-teen-ethan-couch-who-killed-four-people-car-crash-be-freed-jail-soon-853248

In 2014, slightly more than 1% of all petitioned delinquency cases were waived to criminal court (4,200 cases). The number of waivers peaked in 2006 at 7,200. The decline in cases waived is thought to be the result of (1) declines in juvenile involvement in violent crimes and (2) the expansion of nonjudicial transfer laws (Hockenberry & Puzzanchera, 2014). Table 9.6 illuminates that this decision point in delinquency cases also varies by offense and race/ethnicity. Cases involving crimes against persons were the ones most likely to be waived regardless of race/ethnicity. Delinquency cases involving Blacks are—in every instance—more likely than those involving other racial/ethnic groups to be waived to criminal court (p. 42).

Table 9.6   Percentage of Petitioned Cases Judicially Waived, by Offense and Race/Ethnicity, 2014

Most Serious Offense	White	Black	Hispanic	American Indian	Asian
2014					
Delinquency	0.6%	1.0%	0.5%	0.7%	0.3%
Person	0.8%	1.8%	1.4%	1.4%	0.9%
Property	0.8%	0.8%	0.4%	0.6%	0.1%
Drugs	0.7%	0.8%	0.5%	0.6%	0.1%
Public order	0.2%	0.3%	0.1%	0.2%	0.1%

Source: Hockenberry, S., & Puzzanchera, C. (2017). *Juvenile court statistics 2014.* Pittsburgh, PA: National Center for Juvenile Justice.

Of the petitioned cases, 54% or 291,300 of the youth were adjudicated delinquent in 2014. The number of adjudicated delinquents has declined 48% since 2005 when the number was 560,600. According to Hockenberry and Puzzanchera (2017), "[b]etween 2005 and 2014, the likelihood of a delinquency adjudication decreased equally for white youth and black youth (8 percentage points each), the decrease for Hispanic youth was 5 percentage points during the same period" (p. 47). The authors also found that "[c]ases involving American Indian juveniles were more likely to result in a delinquency adjudication than cases involving all other races" (p. 47). Once an individual's case has been adjudicated delinquent, the disposition of that case is also a stage at which disparities might occur. Table 9.7 provides a glimpse of the out-of-home placement of those petitioned cases in which the juvenile was adjudicated delinquent. Across all offenses, Blacks, Hispanics, and American Indians were more likely than Whites to receive out-of-home placements. Conversely, Asians received fewer out-of-home placements than all racial/ethnic groups.

Decreases in the number of crimes committed, persons referred to juvenile courts, and juveniles waived to adult courts are important. Data limitations aside, it appears that reform efforts, including both punishment and rehabilitative approaches, work. At the same time, the overrepresentation of minorities, especially African American youth, in the juvenile justice system is an ongoing problem. Even though their referrals to juvenile court have decreased, they continued to represent at least 30% of delinquency cases in juvenile court between 2005 and 2014 (Hockenberry & Puzzanchera, 2017). What accounts for these racial disparities?

Table 9.7	Percentage of Petitioned Cases Adjudicated Delinquent, Resulting in Out-of-Home Placement by Offense and Race/Ethnicity, 2014				
Most Serious Offense	**White**	**Black**	**Hispanic**	**American Indian**	**Asian**
2014					
Delinquency	22%	28%	31%	24%	20%
Person	25%	29%	32%	30%	23%
Property	22%	28%	30%	23%	18%
Drugs	14%	21%	21%	15%	NA
Public order	23%	29%	36%	24%	22%

Source: Hockenberry, S., & Puzzanchera, C. (2017). *Juvenile court statistics 2014.* Pittsburgh, PA: National Center for Juvenile Justice.

CONTEMPORARY ISSUES IN JUVENILE JUSTICE

Disproportionate Minority Contact (DMC)

DMC is a term used to refer to the overrepresentation of minority youth in the juvenile justice system. As noted earlier, the concept of DMC was expanded to include disproportionate contact. This means that in addition to the disproportionate number of minority youth in confinement, DMC exists at many of the other contact/decision points and/or stages in the juvenile justice system (e.g., referral, diversion, arrest, petition, detention). According to Pope and Feyerherm (1990),

> There is evidence to suggest that processing decisions in many state and local juvenile justice systems may not be racially neutral. Race effects may occur at various decision points, they may be direct or indirect, and they may accumulate as youths are processed through the system. (p. 331)

Critical decision points where disproportionality is high include arrest, confinement, and waivers to adult court (Jones & Greene, 2014). Since we know that White and other minority youth (especially Blacks) are treated differently, the challenge "is to explain how these differences come about" (Bishop, 2005, p. 24).

The U.S. Congress formally addressed DMC in 1988 by amending the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974. For the first time, any state receiving federal funding through formula grants was required to determine whether DMC existed and, if necessary, address the problem. In 1991, OJJDP began to assist states in addressing DMC issues (Devine, Coolbaugh, & Jenkins, 1998), and in 1992, Congress made DMC a core requirement of the JJDP Act, which mandated compliance as a condition of funding. The DMC Index was created to help determine the extent of minority overrepresentation. A decade later, the JJDP Act of 2002 mandated that states failing to address DMC could forfeit 20% of their federal funding (OJJDP, 2004). According to Leiber (2002), OJJDP has adopted a judicious approach to DMC that appears to follow the "spirit" of the mandate and attempts to make inroads—"to get something done" rather than accomplishing "nothing at all" (p. 16). Unfortunately, there still are several challenges to reducing DMC; these include a lack of resources, inadequate information systems, the need for the identification and development of effective intervention strategies, and the need to transition from planning (state) to implementation (local). Leiber and Rodriguez (2011) examined whether or not the DMC mandate had been a success or failure and concluded that both have occurred. They acknowledge that while the mandate has heightened awareness of the importance of promoting equity in juvenile justice, reductions in DMC have been minimal: "Efforts, however, have to be made to strengthen the 'bite' of OJJDP to entice and encourage states and localities to comply" (p. 117).

Even though there has been a considerable amount of research yielding varying results (see Davis & Sorensen, 2013a, 2013b; Jones, 2016; Leiber & Rodriguez, 2011; Parsons-Pollard, 2017), most studies have found that racial and ethnic youth continue to

be treated differently (Bishop, 2005). A few earlier studies found no race effects whereas others found direct and/or indirect race effects during intake (Leiber & Mack, 2003), detention (Wordes, Bynum, & Corley, 1994), probation (Bridges & Steen, 1998), confinement (Bridges, Conley, Engen, & Price-Spratlen, 1995), and in the child welfare system (Lau et al., 2003). In a follow-up study to the Pope and Feyerherm (1990) review of the research literature discussed at the beginning of this chapter, Pope, Lovell, and Hsia (2002) reviewed DMC studies published between 1989 and 2001 and concluded, "The majority of studies continue to provide evidence of race effects, direct or indirect, at certain stages of juvenile justice processing and in certain jurisdictions" (p. 6). Relatedly, Ward (2001) noted,

> Despite these efforts among researchers and policy makers, nearly a decade later the DMC problem is only more entrenched, and its significance amplified in the wake of a retributive turn in the philosophy and organization of juvenile justice administration. (p. 2)

More recent research has sought to identify effective strategies for reducing DMC (Cabaniss, Frabutt, Kendrick, & Arbuckle, 2007; Davis & Sorensen, 2013a, 2013b; Hsia, Bridges, & McHale, 2004; Peck, 2016; Short & Sharp, 2005) and to examine DMC in the contexts of race and gender (Carr, Hudson, Hanks, & Hunt, 2008; Guevara, Herz, & Spohn, 2006; Leiber & Mack, 2003), at multiple stages instead of just one (Guevara et al., 2006), and inclusive of Blacks, Latinos/as, and American Indians (Rodriguez, 2007). The limited impact of DMC research on policy in this area extends, in part, from conceptual and empirical problems (Leiber & Rodriguez, 2011). In 2001, Ward identified the several DMC research problems that still exist today, including the conceptualization and measurement of race and how it operates at individual, cultural, and structural levels as well as within juvenile justice administration.

Why does DMC continue to challenge juvenile justice practitioners and other stakeholders? There are several plausible explanations. First, juvenile justice has always been a racialized system (Ward, 2001, 2012). Feld (1999) cited race and the macro-structural transformation of cities as two societal factors important for understanding juvenile justice policies and practices. More specifically, Feld was referring to the racial segregation in urban areas and the deindustrialization of cities that has occurred during the last few decades. Feld agreed with Sampson and Wilson's (1995) structural-cultural approach, which takes into consideration a community's structural disorganization, cultural isolation, and the concentration effects of poverty that foster criminal involvement (see Chapter 3). Another explanation is that, within a racialized system, police and other justice practitioners hold stereotypical views of minority youth that often result in differential treatment (Ward, 2001, 2012). Even if discrimination and more punitive policies account for some of the overrepresentation of minorities, their involvement in serious crime in some communities is also a factor.

The overrepresentation of juveniles in arrests indicates that crime might be viewed as acceptable by some youth. Explanations for the acceptance of and involvement in delinquency include alienation, reactions to discrimination, and "the street" factor.

According to the colonial model (see Chapter 3), some youth turn to crime in response to their alienation (Tatum, 1994). Others are reacting to their perceptions of inequality, oppression, and discrimination (Herda & McCarthy, 2017; S. Johnson, 1996; Vega & Gil, 1998; Unnever & Gabbidon, 2011). Some believe that crime and delinquency are acceptable because of the lack of access to legitimate means of economic gain that many attribute to racism. Relatedly, the "street factor" often requires involvement in crime to prove one's toughness; violence is viewed favorably, often as a way of gaining status (E. Anderson, 1999), and it is therefore more likely to be tolerated and perpetuated. Unnever and Gabbidon (2011), as well as others, posit that how parents socialize their youth to respond to racial discrimination can play a role in preventing youths' involvement in crime.

Some effective strategies for reducing DMC have emerged in the past decade, including data review and decision-point mapping, cultural competency training, increasing community-based detention alternatives, reducing decision-making subjectivity, reducing barriers to family involvement, and developing state leadership to legislate system-level changes (Cabaniss et al., 2007). Davis and Sorensen (2013a, 2013b) provided some positive national results concerning DMC. Their examination of OJJDP's ten-year analysis of Black-White confinement ratios showed a 20% decline. Donnelly (2017) also found that, in Pennsylvania, "the DMC mandate has successfully diminished the number of African American and Hispanic youths processed at multiple decision points of the Pennsylvania juvenile justice system" (p. 362).

The annual reports of the Federal Advisory Committee on Juvenile Justice (FACJJ) provide a report card on national compliance with core protections of the JJDP Act. The 2015 and 2016 reports included some of the following recommendations:

- Research the legal bases for appropriate jurisdictions to establish minimum standards and definitions for expungement, sealing, and confidentiality;

- Research and describe methods of access to juvenile records throughout the states, territories, and the federal government jurisdictions, and design these methods to protect expunged, sealed, and legally confidential records;

- Consider federal jurisdiction regarding the private security industry sale of juvenile records, and create regulatory and statutory suggestions to prevent the violation of state and federal prohibitions against the disclosure of expunged, sealed, or confidential information in interstate commerce;

- Develop goals for technical assistance, publications, and grant funding in this subject area;

- Amend existing federal laws to explicitly exempt juveniles (all persons who were below the age of 18 at the time of their offense) from all sex offender registration, community notification, and residency restriction laws;

- Study and research disparities within multiple youth-serving systems and their impact on juvenile DMC.

It is becoming a bit more clear that DMC efforts at the federal, state, and local levels are having a positive impact. Whether the continuing FACJJ recommendations will assist in continuing this trend is subject to debate.

The Future of DMC

Those committed to reducing DMC in this century can learn from the experiences of child savers centuries ago. Progress will require coalitions of individuals, organizations, stakeholders, and others who are willing to work together to identify best practices and develop model action plans for the coming decades. OJJDP requires states to follow a DMC Reduction Model if they accept formula grants. Many states now have DMC reduction plans in place that need continuous monitoring, evaluation, and revisions during the coming years. This initiative will require more oversight and resources than is currently available at the federal and state levels. James Bell of the W. Haywood Burns Institute would like to see OJJDP focus more on understanding DMC at the local level, for example in cities and counties (Chu, 2014; see also Jones, 2016). A cadre of DMC change agents are needed in almost every state, especially those where DMC is entrenched and where little progress has been made in the past 30 years. These change agents will need to continue to hold government officials accountable. After interviewing relevant DMC stakeholders including community members, Dawson-Edwards, Tewksbury, and Nelson (2017) found that "DMC is not regarded as a notable concern across the state, specifically for those who are not directly employed in the juvenile justice system" (p. 16). Given these findings, it is also essential that stakeholders are fully aware of the state of DMC in every state.

There will always be methodological issues related to the measurement of DMC. One issue that has been identified and is being addressed is the need for state information systems to accurately report and record the demographic characteristics of juveniles in contact with each stage of the juvenile process. Standards for collecting and reporting information, similar to those in use for collecting and reporting arrest and victimization data, should be implemented. The DMC Relative Rate Index (RRI), designed to "quantify the nature of the decisions at each decision point for each racial group and then compare these decisions" (Snyder & Sickmund, 2008, p. 190), is now the standard for understanding disparities. It is useful because it allows for a more comprehensive understanding of DMC, one that focuses on multistages instead of one stage (Guevara et al., 2006). The RRI is only useful if state data collected is accurate and complete. Another issue is the complexity of defining one's racial/ethnic status. While the categories have been expanded in some data collections, most omit information on mixed-race youth, culture, class, and country of origin (Kempf-Leonard, 2007). An emerging issue in using the RRI to understand disparities is whether or not it should be based on the White population when and where they are not the majority (Jones & Greene, 2014).

As Pope and Feyerherm (1990) noted nearly 30 years ago, the DMC problem and race effects will not end until the structural and economic factors that contribute to youth involvement in delinquency are recognized and addressed. It also is important

to prevent delinquency and address the challenge of making the attitudes of youth less favorable toward delinquency. Similar to the problem of DMC, the overrepresentation of Blacks and Latinos in **school punishment** continues to challenge practitioners, scholars, elected officials, and other stakeholders in the United States. Is there a school-to-prison pipeline? This issue is discussed next.

The School-to-Prison Pipeline (SPP)

Since the 1990s, as a result of concerns about increases in violent crime and the number of school shooting incidents, punitive approaches to school crime, such as zero-tolerance policies and placing police officers in schools, have been implemented. By the early 2000s, concerns about the "school-to-prison pipeline" (SPP) emerged as disparities for youth of color in both school punishment and juvenile justice received more attention (see Kim, Losen, & Hewitt, 2010). The term *SPP* is used to refer to the relationship between school punishment, such as in- and out-of-school suspension and expulsion, and an increase in the likelihood of confinement in either a juvenile institution, adult prison, or both. The Children's Defense Fund (2013) uses the term *Cradle to Prison Pipeline* to emphasize that for Black and Latino boys, the pipeline begins at birth, and they have a greater lifetime risk of going to prison than Whites, due, at least in part, to both poverty and race.

Although published research on the SPP in criminology and criminal justice literature is limited (see Hall & Karanxha, 2012; Kupchik, 2009; Payne & Welch, 2010; Rocque & Snellings, 2017; Welch & Payne, 2012), there has been a considerable amount of research on school discipline in the field of education (see Houchins, Shippen, & Murphy, 2012), and disparities have reported in many city-specific analyses (Kirwan Institute, 2014). Studies also find that schools with higher proportions of Black students use exclusionary school punishments more often (Kupchik, 2009; Payne & Welch, 2010; Welch & Payne, 2012). Other factors, including school climate, administrators' and teachers' racial biases, misperceptions about Black youth and crime, and fear of crime and victimization, influence school punishment (Welch, 2017; Welch & Payne, 2012). Teachers' racial or implicit bias has been found to be a contributing factor in racial disproportionality in school discipline and may explain why Black and White students receive different punishments for the same offenses (Kirwan Institute, 2014; Payne & Welch, 2010; Skiba, Michael, Nardo, & Peterson, 2002). Research has shown that school punishment is the beginning of the SPP and that it has long-term negative effects on the life course of youth (Cuellar & Markowitz, 2015). For example, students who are punished often fall behind in class assignments, and those who believe they were wrongfully punished can develop negative feelings toward school that impact their future school performance. As adults, they might be less likely to engage in civic activities, including voting (Kupchik & Catlaw, 2014).

If confinement in a juvenile or adult facility is the last component of the SPP, then understanding whether or not school punishment is related to DMC is important. As discussed in the previous section, DMC is still problematic for minority youth at almost all stages and decision points in juvenile justice (arrest, detention, referral to juvenile

court, petition, confinement, waiver, etc.). Although research that examines the relationship between school punishment and DMC is limited, there have been several published and unpublished studies (Fowler, Lightsey, Monger, & Aseltine, 2010a, 2010b; Hall & Karanxha, 2012; Wilson, Johnson, & Greene, 2015).

Minority Female Delinquency

One surprising finding of the school punishment data is the overrepresentation of girls from racial minorities in school punishment:

> From 2011 to 2012, black girls in public elementary and secondary schools nationwide were suspended at a rate of 12 percent, compared with a rate of just 2 percent for white girls, and more than girls of any other race or ethnicity. (Vega, 2014)

More recently, Epstein, Blake, and Gonzalez (2017) have examined the treatment of Black girls within society and the juvenile justice system. They discuss the adultification of Black children in general and girls in particular. They consider the adultification as "a social or cultural stereotype that is based on how adults perceive children." They believe that people perceive Black youths as adults even without knowledge of their behavior or verbalizations (p. 4). Building on the work of Philip Goff and his colleagues (2014), who examined how Black boys are perceived, Epstein, Blake, and Gonzalez (2017) find that, at an early age, Black girls are stereotyped as being more mature both because they are perceived as outspoken and because they do mature faster physically than White girls. Epstein et al. write that "adultification is a form of dehumanization, robbing Black children of the very essence of what makes childhood distinct from all other developmental periods: innocence" (p. 6). Relying on survey data, they found that across all age ranges, Black girls were perceived to be more adult than White girls. Thus, Black girls were seen as needing less protection and nurturing than White girls. The authors note that such findings have far reaching implications for the treatment of Black girls in schools and in the juvenile justice system where there are a host of racial disparities that are also seen across sex.

Girls' delinquency is not a new phenomenon, although it receives much more attention today. For years, researchers have considered whether females are treated differently in the juvenile justice system (see Chesney-Lind & Shelden, 2004). This contemporary interest is due, at least in part, to an increase in female arrests and court referrals for serious crimes. It is important to keep in mind that violent crimes are a small portion of youth arrests, that they have declined in recent years, and that more males than females are arrested for these offenses. For example, in 2006, 40 females and 724 males under age 18 were arrested for murder (FBI, 2006a). In 2016, an estimated 77 females and 773 males were arrested for murder (FBI, 2017a). Even though the number of females arrested for murder has increased, it is much lower than the number of males arrested; so is the estimated number of females under 18 arrested in 2016 for robbery (2,112) and aggravated assault (7,296).

During the 1980s and early 1990s, arrests for two offenses, aggravated assaults, and other assaults increased for both male and female juveniles (Chesney-Lind & Shelden, 2004). According to Chesney-Lind and Shelden, patterns of female juvenile arrests have not changed much during the past 25 years:

> Females have typically been arrested for the following offenses: running away, larceny-theft, liquor law violations, curfew violations, disorderly conduct, other assaults, and the catchall category "all other offenses." (p. 18)

According to the FBI, comparing 2006 and 2016 reveals that female juvenile arrests have decreased during this period. Arrests for aggravated assaults decreased approximately 48% and robbery by 35%. The percentage of females referred to juvenile court for delinquency cases shows a similar trend: Referrals increased from 19% in 1989 to 24% in 1998. Those referred for offenses against the person increased to 28% by 1998 (Puzzanchera, Stahl, Finnegan, Tierney, & Snyder, 2003a). Female person offense cases continued to increase between 1994 and 2004. In 2004, females accounted for 30% of person offense cases, 17% of property, 20% of drug violation, and 18% of public order offenses in juvenile courts (Stahl, 2008a). In 2014, they accounted for 30% of person offenses, 34% of property offenses, 10% of drug violations, and 26% of public order offenses (Hockenberry & Puzzanchera, 2017). According to the most recent data available, minority females comprise the majority (61%) of female youth in confinement for a violent offense (Sickmund & Puzzanchera, 2014). In concert with the earlier discussion about adultification, "White girls have experienced a more substantial decline in youth placements than African American girls. From 1997 to 2013, the white percentage of confined girls dropped from 49% to 41%; among black girls, however, it dropped from 34% to 31%" (The Sentencing Project, 2015).

In 2001, the American Bar Association and the National Bar Association issued a historic report on girls and juvenile justice. The report notes that the number of girls in the system has increased, and the system is not prepared to meet their special needs. Interestingly, although the extent of female delinquency is less than male delinquency, patterns of behavior and risk factors for both groups are quite similar. For example, poverty, family problems, academic failure, dropping out of school, and substance abuse are risk factors for both sexes (Belknap & Holsinger, 2006, 2013; Chesney-Lind & Shelden, 2004; Deschenes & Esbensen, 1999; Hawkins, et al. 2000; Howell, 2003). Unlike males, female delinquents experience more physical and sexual abuse, pregnancy, and adolescent motherhood; have lower self-esteem; and have different family and school relationship issues. For example, Davis (2007, 2013) examined how family conflict and struggles for parental control with daughters might result in assaults, calling the police for assistance, and involvement in the juvenile justice system. Although not unique to females, the experience of family conflict is believed to be more harmful for them. Brown, Chesney-Lind, and Stein (2007, 2013) note that in school settings, intersectionalities of class, gender, race, and sexual identity often are overlooked in bullying programs.

Are minority female youth more delinquent than White females? This question is extremely difficult to answer because there is no specific data set that addresses it.

Taylor, Biafora, Warheit, and Gil (1997) studied family factors and deviance in adolescent girls in Miami public schools. They found that 37.5% of the respondents engaged in serious delinquency, and Black respondents participated in more delinquent behaviors than did youths from other racial/ethnic groups. They also reported that family factors influenced girls' delinquency differently in Hispanic, African American, and White non-Hispanic families. Dunlap, Golub, and Johnson (2003) found that many girls were compelled to have sex by the age of 13, which often resulted in various forms of independent sexual behavior, such as prostitution and teen pregnancy. According to Chesney-Lind and Shelden (2004), both Black and White girls are more likely to be arrested for traditional female offenses, like running away and prostitution. Girls in gangs were more likely to engage in violent behavior and to be victims of violent crime. Chesney-Lind and Shelden (2004) concluded that, although there are differences between Black and White girls' offending, they are not as pronounced as some might expect.

To determine the prevalence of delinquency among African American and Caucasian female youth, Ahonen, Loeber, Farrington, Hipwell, and Stepp (2017) studied the concept of "scaling up" using the Pittsburgh Girls Study (PGS). Ahonen et al. describe the concept as follows:

> The concept of scaling up has been developed to indicate the prevalence and average number of self-reported delinquent acts as a proportion of all official contacts with the justice system during a given time period. For instance, as to prevalence, the scaling up indicates the proportion of self-reported delinquents over the proportion of arrested or convicted delinquents. As to frequency, if a population of youth self-reports an average of 10 delinquent acts, but on average is arrested for two delinquent acts the scaling up factor is 5. Thus, a scaling up factor describes the hidden figures of the prevalence and frequency of individuals' offending. (Ahonen et al. 2017)

The researchers did find a "dark figure" in that "for every female offender charged by the police between ages 12 and 17, there were about 3 self-reported offenders who did not show up in police reports, and this applied to both violent and theft offenses." The PGS also allowed the researchers to examine offending among African American and White girls. Of this comparison, the researchers concluded that "although more African American than Caucasian self-reported female offenders were charged by the police, the median and mean frequency of offending by African American girls was similar to that for Caucasian girls."

Interest in girls in relation to delinquency and violence in urban areas has increased due, at least in part, to the overrepresentation of minority females in the juvenile justice system. Miller (2008) and Jones (2010) focused specifically on African American girls in their research. Jones (2010) emphasizes that most teenage girls in these urban areas are neither in gangs nor delinquent. Miller (2008) examined sexual harassment, assaults, coercion, and relationship violence against these girls in their neighborhoods. She concludes that violence against these girls needs to be addressed and makes several recommendations while at the same time acknowledging that there are no easy

solutions in light of structural challenges. Jones (2010) provides an analysis of how girls traverse their inner-city social world, which often requires them to "manage potential threats of interpersonal violence—at the risk of violating mainstream and local expectations regarding appropriate feminine behavior" (p. 9). She notes, "In distressed inner-city neighborhoods, adolescent girls must actively work to develop ways to manage the various forms of violence that they may encounter in their everyday lives" (p. 153). While informative, ethnographic research is not generalizable. The problem of violence against girls might be greater in inner cities, but it is a problem elsewhere as well. There continues to be a dearth of information about minority girls and violence in smaller urban areas, as well as suburban and rural areas.

Delinquent girls' experiences are believed to require different interventions than those usually found in community and institutional settings. Since 1992, increased attention has been devoted to providing **gender-specific programs** that take into consideration the experiences and risks that girls face. Bloom, Owen, Deschenes, and Rosenbaum (2002, 2013) examined national efforts and those in the state of California and made several policy and program recommendations. Another recent study is by Cusworth Walker, Muno, and Sullivan-Colglazier (2015). They conducted a multistate analysis of the programs and practices being used for female delinquents. Figure 9.2 provides a gender-responsive continuum of care based on their research. Do gender-specific programs work? For whom? Do they take racial and ethnic differences into account? One study (Wolf, Graziano, & Hartney, 2009) found that African American girls had lower rates of success in both a gender-specific and traditional program compared to other girls. Even so, it is clear that a variety of gender-specific programs are promising (Cusworth Walker et al., 2015).

Race and Life Without Parole Sentences for Juveniles

Another contemporary issue is whether or not juveniles should be sentenced to either life without parole or death. Do you think juveniles who commit murder should be executed? The 5–4 Supreme Court decision in the 2005 case of *Roper v. Simmons* is indicative of the lack of consensus on this issue. The court ruled that executing juveniles is unconstitutional because it violates the Eighth Amendment and converted all juvenile death sentences to life without parole. The first juvenile executed in the United States was 16-year-old Thomas Graunger, executed in 1642 in Plymouth, Massachusetts, for committing the crime of bestiality. In 1885, James Arcene, a Cherokee, was hanged for a robbery and murder that occurred in 1872; he claimed that he was 10 years old when the crime was committed (Hakins, 2004). Since World War II, the youngest known person to be executed in the United States was George Stinney, a 14-year-old African American boy who was executed in South Carolina in 1944 for murdering two White girls, aged 8 and 11. Since 1976, 22 men have been executed for crimes committed as juveniles. Prior to the *Roper v. Simmons* decision, all juvenile offenders under sentence of death were males, and most committed their offenses at the age of 17. Forty-eight offenders (65%) were from minorities—1 American Indian, 2 Asians, 30 Blacks, and 15 Latinos—and 25 were Whites (Streib, 2004). According to the National Coalition to Abolish the Death Penalty (2004), two of three children sent to death row were people of color, and two of three people executed for crimes they committed as children have been African American.

Figure 9.2 Gender-Responsive Continuum of Care

Continuum of Care for Girls in Juvenile Justice—Considerations for Being Gender Responsive

Reinforcing our coalition's philosophy of learning from experts and experiences already engaged to build on the sound policy, practice, and programs for girls in Washington State.

- **Be culturally responsive:** Address girls' needs and risks based on the girls' identified cultures, which may include gender, race, ethnicity, religion, class, ability, and sexual orientation.
- **Build from relational theory:** Recognize healthy female developmental hinges on healthy, mutual relationships.
- **Address safety:** Integrate trust development, trauma-informed care, and awareness of socially based power differences.
- **Use a skills-based, strengths-based approach:** Increase engagement in services, increase confidence, and develop multiple competencies.
- **Serve girls holistically:** Consider individual differences, build on natural supports, and address needs in multiple areas of life, e.g., school, home, work, and with peers.

ARREST/INTAKE/SENTENCING	DETENTION—Short Term	PROBATION	RESIDENTIAL—Longer term	PAROLE
A Focus: Alignment based on needs and risk. Where practical, diverting girls from deeper system involvement through access to needed services and supports.	A Focus: Eliminating sexual, emotional, or physical abuse and other trauma while detained.	A Focus: Strengthening positive relationships and connecting to services.	A Focus: Encouraging the development of new behavioral skills, healthy relationship building, and eliminating sexual, emotional, or physical abuse and other trauma while confirmed.	A Focus: Maintaining treatment gains and reconnection with natural supports.
Screening/Assessment/Sentencing: Risk and needs assessment that is strength based to determine placement and judicial track. Must guide disposition planning. Covers trauma, prostitution human trafficking, behavioral health needs.	Screening/Assessment: Immediate behavioral health/suicide screening to triage for immediate safety and health needs. For longer periods of detention, service needs should be considered as well, including education, treatment intervention, basic health, etc.	Screening/Assessment: Comprehensive strength based assessment with family, school, and other collateral contact input. Assess to connect to needed community resources based on needs.	Screening/Assessment: Comprehensive strength-based assessment with family, school, and other collateral contact input. Screening for suicide. Holistic assessment, including trauma background, educational needs and strengths.	Screening/Assessment: Continue comprehensive strength-based assessment with family, school, and other collateral contact input. Assess to connect to needed community resources based on needs.

(Continued)

Figure 9.2 (Continued)

Treatment/Services: Few if any provided at this point. Service and support needs that are gender and culturally responsive need to be considered in decision making based on assessed needs and risk.	Treatment/Services: Have onsite mental health services or relationships with social service agencies to provide group and individual treatment; trauma informed care principles in place. Consideration of impacts of prostitution/human trafficking.	Treatment/Services: Girls only groups (e.g., Girls Circle) or probation caseloads. Connection to needed behavioral health services. Treatment is individualized, trauma-informed care principles in place. Consideration of impacts of prostitution/human trafficking. Ensure programs are culturally responsive. Evidence based programs with evidence for girls.	Treatment/Services: Girls participate in developing treatment plan. Onsite mental health or connection to outside services for treatment. Girls only groups. Involve family when possible. Trauma-informed care principles in place. Consideration of impacts of prostitution/human trafficking. Ensure programs are culturally responsive. Evidence based programs with evidence for girls.	Treatment/Services: Employment programs, girls only groups (e.g., Girls Circle) or parole caseloads. Connections to needed behavioral health services. Treatment is individualized, trauma-informed care principles in place. Consideration of impacts of prostitution/human trafficking. Ensure programs are culturally responsive. Evidence based programs with evidence for girls.
Environment: Gender responsive safe space for girls including privacy in interviews [and] searches, female judges/attorneys and other professionals. Preadjudication "girls courts."	Environment: Create an environment safe from sexual, physical, and emotional abuse or being retraumatized. Emphasis on nurturing relationships coupled with needed accountability to address needs and risk. Female housing separate from males. Female staff available all shifts. Girl-only alternative to detention programs or house girls in shelter care/assessment centers when appropriate. Single-bunk in cells. Policies emphasize verbal communication over physical interventions. Restraint use high-risk based only.	Environment: Create environment that supports healthy relationships and activities. Groups held at locations accessible to girls (geographically diverse) with support for transportation if needed.	Environment: See "Detention" Girls can decorate personal area, keep intimate clothing. Searches performed by female staff. Policies emphasize verbal communication over physical interventions. Restraint use high-risk based only.	Environment: Create an environment that supports healthy relationships and activities. Groups held at locations accessible to girls (geographically diverse) with support for transportation if needed.
Training: Police officers, judges, attorneys, intake workers to reinforce gender responsiveness especially in the areas of a relational approach and creating a safe environment.	Training: Managers and front line staff to reinforce gender responsiveness especially in the areas of a relational approach and creating a safe environment.	Training: Managers, front line staff on applications of GR principles in case management, gender specific program options.	Training: Managers and front line staff, including school and vocational personnel to reinforce gender responsiveness especially in the areas of a relational approach and creating a safe environment; de-escalation techniques and restraint use.	Training: Managers, front line staff on application of GR principles in case management, gender specific program options.
Transition Planning: Connect to gender responsive resources based on need and risk: sensitivity to relationship.		Transition Planning: Stage discharge to include family and community resource connection; link youth to gender responsive resources in community.		Transition Planning: Stage discharge to include family and community resource connection; link youth to gender responsive resources in community.

Before *Roper*, the Supreme Court had already decided several landmark cases related to the constitutionality of executing juveniles (*Eddings v. Oklahoma*, 1982; *Thompson v. Oklahoma*, 1988; *Stanford v. Kentucky*, 1989; *Wilkins v. Missouri*, 1989; *Atkins v. Virginia*, 2002). Although the era of executing juveniles in the United States is over, there are many juveniles serving life sentences for crimes committed when they were under the age of 18. The Equal Justice Initiative (2007) refers to this as "death in prison sentences" (p. 3). There are 2,570 juveniles sentenced to life without parole (ACLU, 2015), which, according to Kubiak and Allen (2011), is the most severe sanction available. In 2010, the Supreme Court ruled in *Graham v. Florida* that it is unconstitutional to sentence juveniles who haven't committed a homicide to life without parole and concluded,

> [There] is no penological justification for this sentencing practice . . . life without parole for juvenile non-homicide offenders accomplishes none of the traditional goals of penal sanctions—retribution, deterrence, incapacitation, and rehabilitation. (National Conference of State Legislatures, 2010, p. 1)

At that time, 37 states, the District of Columbia, and the federal government allowed life without parole for juvenile non-homicide offenses, six did not allow it, and seven allowed it for juveniles who committed homicide (National Conference of State Legislatures, 2010).

In most states, mandatory sentencing policies determine sentencing decisions. Juveniles as young as 12 can be tried as adults in many states, although 14 states do not set a minimum age (Kubiak & Allen, 2011). The Equal Justice Initiative (2007) identified 73 individuals sentenced to die in prison for crimes they committed when they were either 13 or 14 (p. 20); 49% were Black, 9.6% were Latino, 30% were White, and there was one Native American and one Asian American. "All of the children condemned to death in prison for non-homicide offenses are children of color. All but one of the children sentenced to life without parole for offenses committed at age 13 are children of color" (p. 21). In addition to the discriminatory manner in which life sentences appear to be imposed, they are contrary to international human rights law, such as the International Covenant on Civil and Political Rights and the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, both ratified by the United States (The Campaign for Fair Sentencing of Youth, 2009). There is limited research available on public opinion about life without parole sentences for juveniles (Greene & Evelo, 2013; Kubiak & Allen, 2011).

In 2012, the Supreme Court revisited the issue of life without parole for juveniles in the case of *Miller v. Alabama*. In this case, the court considered whether or not a life without parole sentence for two teenagers who committed murders at the age of 14 was in violation of the Eighth Amendment (Kennedy, 2014). In *Miller*,

> The court determined that although a person under the age of 18 may be sentenced to LWOP . . . they may not be sentenced until a judge or jury determines . . . that such a sentence is justified. (Kennedy, p. 560)

While the Supreme Court ruled that *mandatory* life without parole sentences were unconstitutional, it sidestepped the constitutionality of life without parole sentences. The court did emphasize that differences between children and adults are important during sentencing. Since *Miller*, federal courts as well as the states of Florida, Nebraska, New Hampshire, Illinois, Mississippi, Iowa, Massachusetts, Texas, and Wyoming have made life without parole retroactive (Equal Justice Initiative, 2015a). The Supreme Court was scheduled to consider this issue in the case of *Toca v. Louisiana* before Toca's release in January 2015 after he agreed to plead to a lesser charge (Simerman, 2015). At age 17, George Toca was arrested after a 1984 robbery during which his best friend was accidentally shot and killed. He remained imprisoned in Louisiana for 30 years, maintained his innocence throughout, and presented evidence that someone else was the shooter. After the Louisiana Supreme Court ruled that *Miller* was not retroactive in that state, Mr. Toca petitioned the U.S. Supreme Court (Wegman, 2014). Juveniles under life without parole sentences challenge us to consider the best approaches to prevent juvenile involvement in crime, especially serious violent crime. This issue is addressed next.

Delinquency Prevention

More than 50 years ago, the OJJDP was established. According to the OJJDP website (http://www.ojjdp.gov/), its mission is to "provide national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization." The federal government has provided billions of dollars to state and local governments to assist them in their efforts to prevent crime (Sherman, 1997). In FY 2017, the Office of Justice Programs (OJP) requested $334.4 million (21%) for juvenile justice programs. The amount spent on prevention programs pales in comparison to what is spent on punishment and the placement of youth in secure confinement, however. According to Taylor Greene and Penn (2005), the pendulum began to shift from punishment to prevention in juvenile justice due, at least in part, to the high cost of "get tough" policies that do not necessarily work.

How do we know what programs work? More than two decades ago, Sherman et al. (1997) conducted a study of factors that relate to juvenile crime and the effect of prevention programs on youth violence. The study was in response to a mandate from Congress to the attorney general to evaluate the effectiveness of crime prevention programs. Sherman (1997) concluded that, although some programs work, some do not, and others are promising; there is a need to identify what works in areas of concentrated poverty where homicides are rampant. In these communities, there are also the heightened problems of fear, violence, and victimization. The three primary sources of information about programs that work are the OJJDP Model Programs Guide, the Blueprints Program of the Center for the Study and Prevention of Violence, and the Office of Justice Programs' CrimeSolutions.gov. Each of these sources provides descriptions of programs that are effective and promising. OJJDP's Model Programs Guide also includes programs found to be ineffective. Effective programs are listed in all three sources.

The OJJDP's Model Program Guide (MPG) provides a compendium of evidence-based prevention and intervention programs. The prevention section emphasizes a shift from reactive to proactive delinquency prevention, referred to as the "public health model of crime prevention." The Center for the Study and Prevention of Violence has been identifying and evaluating violence prevention efforts since 1996. It selects "Blueprints Model Programs" based on several criteria for effectiveness, including evidence of a deterrent effect with a strong research design, evidence of a sustained effect, and replication elsewhere (Center for the Study and Prevention of Violence, 2015). "Promising Programs" are required to meet only the first criteria. In early 2018, there were 15 Blueprints Model Programs and 65 Promising Programs. The Blueprints Model Programs then included Big Brothers/Big Sisters of America and Functional Family Therapy (Blueprints Programs, 2018).

Howell (2003) offered the "comprehensive strategy framework" for integrating the delinquency prevention and juvenile justice fields. The key components of this strategy are prevention, effective early intervention with at-risk children and families, and graduated sanctions for youth in the juvenile justice system. The comprehensive strategy is research based and flexible, and it has been implemented in several jurisdictions. It utilizes a developmental prevention approach that focuses on risk and protective factors in the family, school, peer group, community, and the individual. More recently, Lipsey, Howell, Kelly, Chapman, and Carver (2010), focusing primarily on intervention, point to the importance of evidence-based practices for reducing recidivism, practices that take into consideration the risk level of the juvenile and behavior change through personal development, as well as other factors. Are any of the strategies mentioned earlier effective for minority youth who are locked in communities and environments plagued by poverty and disorder? Will they counter the pressures and temptations of drugs and delinquency? Do they take into consideration the pressures placed on some youth to engage in delinquent behaviors in order to survive in their neighborhoods? Do they acknowledge the relationship between violence and victimization? These and other questions about delinquency prevention programs for minority youth remain unanswered.

Taylor Greene and Penn (2005) noted that identifying programs that work for minority youth is difficult. First, just because programs such as the Blueprints, for example, have proven effective based on their deterrent effects, research design, sustained effects, and replication does not necessarily mean that they work for minority youth. If we could determine that more than 50% of the study samples in these assessments of effective programs are minority youth, then we could believe that they are effective with these youth. Understanding the relationship between violence and victimization is also important to developing effective prevention programs for minority youth. Youth who witness violence in their homes and in their communities are more vulnerable to involvement in delinquency. For some, the behavior is viewed as acceptable, and for others, it is required in order to have what E. Anderson (1999) described as "juice" or status. McGee (2003) and McGee and Baker (2002) found that direct victimization as a measure of exposure to violence was a predictor of problem behaviors. Victimization was linked to both internalizing and externalizing behaviors. McGee (2003) suggested that violence prevention programs must take into consideration the specific needs of students

exposed to danger and the importance of developing problem- and emotion-focused coping strategies. Relatedly, programs that emphasize resilience also are important.

Today, programs like the Safe Start Initiative target children exposed to violence. Klofas, Hipple, and McGarrell (2010) in *The New Criminal Justice* emphasize the importance of cooperation and collaborative problem solving across agencies (police, prosecutors, probation, etc.) in one locale. The Boston Gun Project, implemented in the 1990s to target gun crimes and the gun-related deaths of youths, was one of the earliest efforts that included coordination and cooperation across justice agencies in one jurisdiction. Today, partnerships and collaboration among stakeholders are more prevalent. Payne and Button (2009) point to the importance of involving all stakeholders in planning and implementing youth violence prevention plans. Youth themselves are important stakeholders (Dawson-Edwards et al., 2017).

CONCLUSION

This chapter traced the historical legacy of race in the juvenile justice system. It also presented information on the extent of juvenile crime and victimization and on juveniles in the juvenile system. The issue of DMC was examined to shed light on the ongoing problem of minority youth in the system. When considered historically, disproportionate minority confinement in or contact with the juvenile justice system is not a surprising problem, and it is likely to continue, if not worsen, unless society addresses the social conditions that foster delinquency and the racial attitudes that still taint the treatment of minority youth in the system. As noted, Feld (1999) described social and demographic changes in the 1970s that produced macrostructural conditions resulting in the escalation of youth violence in the 1980s. By the 1990s, the panic over violent juvenile crime adversely impacted urban Black males, who unfortunately were often the perpetrators of the most violent of crimes: murder (Feld, 1999). The hybrid mix of rehabilitation and punishment that evolved in juvenile justice has had both positive and negative results. On the positive side, prevention has reemerged as a cost-effective approach to delinquency, and juvenile homicides and other violent crimes have decreased. However, the punitive era in juvenile justice has proved to be quite costly and not necessarily effective. More troubling is that DMC has only improved slightly, and school punishment disparities by race point to the possibility of a relationship between DMC and school punishment. Other contemporary issues were also presented in this chapter: the school-to-prison pipeline, female delinquency, juveniles and life without parole sentences, and delinquency prevention. It is easy to lose sight of the fact that most of the more than 73 million juveniles in our country are not delinquent, regardless of their race, class, and gender. Parents, teachers, other individuals, and numerous community organizations are dedicated to the development of American youth. It makes much better sense to invest in education, health, and delinquency prevention than it does to invest in correctional institutions. This will require the identification of prevention programs that work, can be replicated, and are adequately funded. In recent decades there have been some steps in this direction, although we still need to identify and fund strategies that will reduce disparities in the juvenile justice system.

DISCUSSION QUESTIONS

1. How relevant is the historical treatment of minority youth in juvenile justice to the DMC issue today?

2. Do you think programs for delinquent youth should vary by race/ethnicity?

3. What do you think are the best strategies for reducing the school-to-prison pipeline?

4. Is life without parole sentencing for juveniles "cruel and unusual"?

5. Does juvenile victimization in the home or the community lead to youth delinquency or future criminality?

6. Do you believe that gender- or race-specific programming for youth have the potential to be more effective than gender- or race-neutral programs?

INTERNET EXERCISES

1. Use the OJJDP Statistical Briefing Book *Easy Access to the State and County Juvenile Court Case Counts* (http://www.ojjdp.gov/ojstatbb/ezaco/asp/TableDisplay.asp) to examine cases in two states. Include your state of residence.

2. Visit the Campaign for Fair Sentencing of Youth website (www.fairsentencingofyouth.org) to examine the status of life without parole laws for juveniles in the United States and to read varying perspectives on the issue.

INTERNET SITES

Office of Juvenile Justice and Delinquency Prevention: http://www.ojjdp.gov

Blueprints for Healthy Youth Development: http://www.blueprintsprograms.com

U.S. Department of Education Office for Civil Rights Data Collection: http://ocrdata.ed.gov