Adolescence and Delinquency

“The future promise of any nation can be directly measured by the present prospects of its youth.”

—President John F. Kennedy, February 14, 1963

| 1 | Compare how society treats adolescents today to how it handled them in the past. |
| 2 | Give examples of high-risk behaviors that characterize contemporary adolescence. |
| 3 | Define delinquency and explain what the term means in contemporary context. |
| 4 | Determine whether or not behaviors should be classified as status offenses. |
| 5 | Summarize the contemporary treatment of delinquents. |
| 6 | Summarize the three themes of this text. |
In the fall of 2010, U.S. attorney general Eric Holder announced a U.S. Department of Justice initiative named Defending Childhood. The initiative calls the exposure of America’s children to violence as both victims and witnesses “a national crisis,” and builds upon the theme of “Protect, Heal, and Thrive.” Programs funded under the initiative are designed to mitigate the negative impact of children’s exposure to violence when it does occur, and to spread awareness about problems that result from the exposure of children to violence.

A recent U.S. Department of Justice (DOJ)-funded study showed that a majority of children in the United States have been exposed to violence, crime, or abuse in their homes, schools, and communities. The study also demonstrated that children’s exposure to violence, whether as victims or witnesses, is frequently associated with long-term physical, psychological, and emotional harm. Finally, the study found that children exposed to violence are more likely to abuse drugs and alcohol; suffer from depression, anxiety, and post-traumatic disorders; fail or have difficulty in school; and become delinquent and engage in criminal behavior. According to researchers, a child’s exposure to one type of violence increases the likelihood that the child will be exposed to other types of violence and exposed multiple times. Children exposed to violence are at a higher risk of engaging in criminal behavior later in life and of becoming participants in a cycle of violence.

**How does exposure to violence during childhood affect children? Why does the social context surrounding such exposure matter?**

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In 2010, the DOJ provided more than $5.5 million in funding to programs seeking to address the high incidence of American children’s exposure to violence. The president’s fiscal year 2011 budget request included an additional $37 million for funding the initiative. Figure 1.1 shows past-year exposure to various categories of violence for children living in the United States.

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**The Changing Treatment of Adolescents**

This book focuses on juvenile delinquency. The juvenile court codes in every state define what constitutes delinquency and the conditions under which the state can legitimately intervene in a juvenile’s life. To bring the subject of delinquency into clearer focus, this chapter places it in the broader context of adolescence and the narrow context of those adolescents who are youths at risk. High-risk children can be further divided into delinquents and status offenders, which is what is discussed next. The chapter then examines how child delinquents have been handled from the past to the present and concludes with presenting three

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**We’ve got to break this cycle of violence. Through enhanced prevention, intervention, and accountability efforts, I believe we can.**

—Attorney General Eric H. Holder, Jr.
Adolescence brings increasing freedom from parental scrutiny.

Comparing how society treats adolescents today to how it handled them in the past.

GLOSSARY
juvenile delinquency An act committed by a minor that violates the penal code of the government with authority over the area in which the act occurs.

adolescence The life interval between childhood and adulthood; usually the period between the ages of 12 and 18 years.

Adolescence is a term that refers to the life interval between childhood and adulthood. In fact, prior to the 1930s, the concept of adolescence or teenagers did not exist. The term adolescence has been used in the last few decades to mark a new stage of human growth and development, but there is no agreed-on way to pinpoint this period chronologically or to restrict it within physiological boundaries; for purposes of discussion in this chapter, however, adolescence is considered to be the years between ages 12 and 18 years. Within this transitional period, youngsters experience many biological changes and develop new attitudes, values, and skills that they will carry into their young adult years.

Delinquency and other problem behaviors increase during the adolescent years for several reasons. These years bring increasing freedom from parental scrutiny, and with this freedom come more opportunities to be involved in socially unacceptable behavior. Teenagers develop new, often expensive tastes for such things as sound systems, clothing, automobiles, and alcohol, yet legitimate means for satisfying these desires are often not available. The lengthening of adolescence in U.S. culture has further expanded the crises and struggles of this life period, thereby increasing the chance of problems with the law, at school, and in the home. In addition, there is often a mismatch between adolescents’ needs and the opportunities provided to them by their social environment. Finally, in some cases, the unmet needs and frustrations of early childhood fester into socially unacceptable behavior in later years.

Adolescence, as a term describing a particular stage of human growth and development, evolved out of the modern notion of childhood. The concept of childhood, as reflected in today’s child-centered culture, is a relatively recent phenomenon. Much of recorded history reveals abuse and indifference to be the fate of many children. Lloyd de Mause, an American social thinker known for his work in the field of psychohistory, depicted childhood historically as a time when children were “killed, abandoned, beaten, terrorized, and sexually abused”; he prefaced this statement by saying, “The history of childhood is a nightmare from which we have only recently begun to awaken.”

The end of child labor was one of the watersheds in the development of modern adolescence. Throughout history, children have worked, but until the Industrial Revolution their work was usually done within or around the house, often outdoors. As work moved from the home to the factory, children were considered a source of cheap labor. Until the child labor laws were actually enforced, children as young as ages four and five worked in mines, mills, and factories. But with advancing technology and mechanization, children and adolescents were no longer needed in the labor market, and by 1914, every state but one had passed laws prohibiting the employment in industry of children under a certain age, generally 14.

Another important stage in the development of modern adolescence was compulsory public schooling. As Chapter 8 discusses, nineteenth-century U.S. schools were violent and chaotic places in which teachers attempted to maintain control over unmotivated and unruly children, sometimes using brutal disciplinary methods. The Progressive education movement arose partly because of the dissatisfaction of some elements of society with the schools. The influence of John Dewey and other Progressive educators encouraged individualism and personal growth in the classroom. Compulsory education laws also evolved from early-twentieth-century social and religious views, which held that adolescents should be kept in school because they needed guidance and control.

A further stage in the development of modern adolescence was the development in the twentieth century of the belief that raising children had less to do with conquering their spirits than with training and socializing them. Parents in the United States, especially since the 1940s, have emphasized a helping relationship, attempting to meet their children’s expanding needs in a democratic and supportive environment. An additional stage in this development took place in the 1960s and 1970s when special legal protections for juveniles were granted, highlighting the perception of adolescents as needing special attention, guidance, and support. Psychologist Erik H. Erikson has observed, “Childhood is the model of all oppression and enslavement, a kind of inner colonization, which forces grown-ups to accept inner repression and self-restriction.” A chief reason for the repression of childhood, according to Erikson and others, is the lack of rights given to young people. The children’s rights movement, which encompasses a spectrum of approaches, became popular in the 1970s as a means to compensate for young people’s lack of rights. Consensus also increased on what components are thought necessary for an adolescent to achieve responsible adulthood as noted in Figure 1.2.

In sum, the concept of adolescence centers on a set of beliefs that emerged during the late nineteenth and early twentieth centuries. These beliefs have had the result of removing young people from the employment world and the mainstream of society. This process of lengthening childhood and delaying adult responsibilities was strongly influenced not only by humanitarian considerations but also by major economic, social, and political forces in society. See Table 1.1 for a visual presentation regarding the treatment of adolescents in the past and in the present.

The contemporary concept of adolescence centers on a set of beliefs that emerged during the late nineteenth and early twentieth centuries.

The end of child labor was one of the watersheds in the development of modern adolescence.
Components thought necessary for an adolescent to achieve responsible adulthood

- Search for self-identity
- Need to experiment with a wide variety of behaviors, attitudes, and activities
- Ability to negotiate between the need for personal achievement and the need for peer acceptance
- Search for a personal set of values
- Acquisition of competencies necessary for adulthood, such as problem solving and decision making
- Acquisition of skills necessary for social interaction
- Attainment of emotional independence from parents
- Acquisition of competencies necessary for adulthood, such as problem solving and decision making

**Youth Culture**

A youth culture, which has emerged in recent decades in the United States and other nations, can be defined as the unique beliefs, behaviors, and symbols that represent young people in society; how, when, what, where, and whom they interact with is part of this culture. A primary feature of youth culture is the incorporation of trends or fads. A youth culture has distinctive clothing styles, hairstyles, behaviors, footwear, and interests. Vehicles such as cars, motor scooters, motorcycles, skateboards, and surf boards—as well as video games—have played central roles in the development of youth culture. As will be discussed in future chapters, the features of youth cultures vary by class, gender, race, and ethnicity.

Body piercing—often multiple piercings for both males and females in literally every part of the body, including the tongue, eyebrows, lips, cheeks, navel, genitals, and breasts—and tattooing are widely found among some youth cultures today. Ritual scarification and 3D-art implants are popular, and so are stretching and cutting of the genitals, scrotal implants, transdermal implants, tooth art, and facial sculpture.

Adolescents have always been connected to their peers, but they are now connected at all times of the day, texting in class or in the middle of the night. In addition to constant communication, adolescents are also joining online groups or communities, posting numerous self-portraits, and

**TABLE 1.1** Treatment of Adolescents in the Past and in the Present.

<table>
<thead>
<tr>
<th>Past Treatment</th>
<th>Present Treatment</th>
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<tbody>
<tr>
<td>Treated as small adults</td>
<td>Adolescence is seen as preparation for adulthood.</td>
</tr>
<tr>
<td>Expected to work in the home or outside the home at a young age</td>
<td>Employment takes place after school or on weekends and usually is seen as making extra money.</td>
</tr>
<tr>
<td>Education is seen as of minor significance and usually extends only a few years.</td>
<td>Compulsory education and increased emphasis is placed on attending college.</td>
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<tr>
<td>Adolescent girls are expected to marry and raise a family.</td>
<td>Growing equality for female adolescents</td>
</tr>
<tr>
<td>Minimal emotional attachment to children because of high infant death rates</td>
<td>Emotional investment in children from birth</td>
</tr>
<tr>
<td>Children are punished like adults.</td>
<td>Children, especially those who commit minor crimes, are protected by the state and are placed in a separate system and are separated from adults.</td>
</tr>
<tr>
<td>Children were seen as having few rights.</td>
<td>Special legal protections were granted to juveniles in the final decades of the late nineteenth century.</td>
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</tbody>
</table>
Youths at Risk

The population of children in the United States is increasing and becoming more racially and ethnically diverse. In 2011, there were approximately 75.6 million children, ages newborn to 17 years, in the United States. There were approximately equal numbers of children in each age group: 0–5 (25 million), 6–11 (24 million), and 12–17 (25 million) years of age. This represented 25 percent of the population, which was down from a peak of 36 percent at the end of the baby boom in 1964. The population of juveniles, according to the U.S. Census Bureau estimate, will increase 14 percent between 2000 and 2025; by 2050 the juvenile population will be 36 percent larger than it was in 2000.

The juvenile population is also becoming more racially and ethnically diverse. In 2003, 60 percent of this nation's children were Caucasian, 16 percent were African-American, and 4 percent were Asian. The proportion of Hispanic children has increased faster than the other racial and ethnic groups; it grew from 9 percent of the population in 1980 to 17 percent in 2004. Of the 25 million adolescents (ages 12 through 17 years) in the United States, approximately one in four was at high risk of engaging in multiple problem behaviors. These behaviors, particularly committing delinquent acts and abusing drugs and alcohol, quickly bring adolescents to the attention of the juvenile justice system. Another 6 million youngsters, making up 25 percent, practice risky behavior but to a lesser degree and, consequently, are less likely to experience negative consequences.

Noted youth researcher Nanette J. Davis said that the current adolescent population, which is increasing in number and diversity, is experiencing a crisis that ranges from "the personal to the global, from the specific to the general, and from the material to the symbolic levels." She added that an important feature of this crisis is that much of it is invisible. Invisible crises lurk beneath the surface of many adults' everyday lives, and they may choose not to see them, yet youths caught in crises are involved in such "structural" arrangements as the discrimination and humiliation of racism, the hazards and deprivations of poverty, the culture of violence, and the ever-present temptation of drugs and alcohol. The consequences of these crises are burgeoning youth gangs, rising homelessness among young persons, dropout rates of 50 percent in inner-city schools, widespread experimentation with various forms of dangerous drugs, and increasing numbers of youths sentenced to adult prisons.

The Children's Defense Fund (CDF) has argued for the past 30 years that children, especially poor and minority children and children with disabilities, are in grave crisis. This nonprofit organization seeks to educate the nation about the needs of children and to encourage preventive investment before youngsters become sick, get into trouble, drop out of school, or suffer family breakdown.

In The State of America's Children 2010 the CDF further charged that "children in America lag behind almost all industrialized nations on key child indicators. The United States has the unwanted distinction of being worst among industrialized nations in relative child poverty (Figure 1.3), in the gap between rich and poor, in teen birth rates, and in child gun violence, and first in the number of incarcerated persons." The CDF contended that it is morally and economically indefensible that the plight of African-American children is what it is in the United States.

High-Risk Behaviors and Adolescence

Researchers have made a number of important advances in understanding adolescence and problem behaviors. Those adolescents who have the most negative or problem-oriented factors in their lives are defined as "high risk." First, high-risk youths often experience multiple difficulties: They are frequently socialized in economically stressed families and communities, more often than not have histories of physical abuse and sexual victimization, typically have educational and vocational skill deficits, and are prone to become involved in alcohol and other drug abuse and forms of delinquency. The more of these problem behaviors that are present, the more likely it is that a youth will become involved in socially undesirable behaviors (see Figure 1.4). Second, adolescent problem behaviors—especially delinquent acts such as being involved in drug and alcohol abuse, failing in or dropping out of school, and having unprotected sex—are interrelated, or

Think About It...

Today's youths are much more connected through the use of electronic social networking than members of any previous generation. What are the implications of such connectivity both for delinquency and delinquency prevention?
linked; that is, an involvement in one problem behavior is generally indicative of some participation in other socially undesirable behaviors. Third, high-risk youths tend to become involved in behaviors that contribute to unintentional injury and violence; some of these behaviors include carrying a weapon, driving when they have been drinking, riding with someone else who has been drinking, and rarely or never wearing a seat belt when driving or riding with someone else.

Some researchers argue that the anticipation of an early death, which gives high-risk youths a sense of fearfulness, is a contributing factor to youth crime. The contention is made that adolescents who perceive a high likelihood of an early death, which is particularly true of youths who belong to gangs, have little reason to delay gratification for future benefits and, as a result, they pursue high-risk behaviors associated with immediate rewards, including crime and violence.

The Program of Research on the Causes and Correlates of Delinquency (Causes and Correlates Program, which is described in more detail in Chapter 2) comprises three coordinated longitudinal projects: the Denver Youth Survey, the Pittsburgh Youth Study, and the Rochester Youth Development Study. These three projects examined the co-occurrence or overlap of delinquent behavior with drug use, problems in school, and mental health problems. Across all three study sites, the prevalence of persistent problem behaviors was usually consistent: 20–30 percent of males were serious delinquents, 7–22 percent had school problems, 14–17 percent used drugs, and 7–14 percent had mental health problems.

Another study analyzed the prevalence and overlap of substance-related behaviors among youths. The central finding of this study is that given one substance-related behavior, other substance-related behaviors became much more likely. For example, among youths who reported drinking alcohol (23 percent of all youths ages 12–17), the level of marijuana use was 32 percent and the level of drug selling was 23 percent.

An alternative position is that a common factor may underlie all problem behaviors. The pursuit of this general tendency is generating considerable excitement among those interested in adolescent research. John E. Donovan and Richard Jessor suggested that a common factor of “unconventionality” underlies all of these behaviors. This factor of unconventionality is measured by lower religiosity, tolerance of deviance, approval of drug abuse, peer approval of deviant behavior, more liberal views, and poor school performance.

Travis Hirschi explained the relationship between drug abuse and delinquency by suggesting that the two are not merely influenced by the same factors but “are manifestations of the same thing”; this “thing” is criminality, which Hirschi defines as “the tendency or propensity of the individual to seek short-term, immediate pleasure,” which provides “money without work, sex without courtship, revenge without court delays.”

In their 1990 publication *A General Theory of Crime*, Michael

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**Think About It...**

The Children’s Defense Fund’s research publication, *The State of American Children*, tells us that more than 5.6 million children are in families living at half the poverty level or less. For a family of four that means $919 a month, or $213 a week, or $30 a day. Children in extreme poverty increased by 1.6 million between 2000 and 2008. Why is the issue of poverty so closely related to the general problem of youth crisis and the particular problem of juvenile delinquency? What do you believe society needs to do about the issue of poor children who seem to be getting poorer?
Delinquency Defined

R. Gottfredson and Travis Hirschi defined lack of self-control as the common factor underlying problem behaviors.33

Although researchers tend to be dubious about accepting this generality of deviance hypothesis, Helene Raskin White challenges the acceptability of a total generality of deviance hypothesis for the following reasons.34

• “The low correlations among problem behaviors indicate that the majority of the variance in one behavior is not shared with the others.”35

• “Various problem behaviors follow different developmental paths; for example, delinquency peaks between ages 15 and 17 and then declines, whereas polydrug use increases through adolescence into young adulthood.”36

• The constellation of problems varied by gender, and the associations among problem behaviors over time were unstable.37

• The “data indicate that problem behaviors do not cluster together in one homogeneous group of adolescents and the degree of overlap among problems is often low.”38

• “There are several independent influences on each behavior.”39

Delinquency is one of the problem behaviors with which all but low-risk adolescents become involved from time to time (see Chapter 2). Delinquency is a legal term initially used in 1899 when Illinois passed the first law on juvenile delinquent behavior. The age at which an individual is considered a minor varies among states, but it is 16 or 17 years and younger in most states.

Some evidence indicates that delinquency in U.S. society is changing. Beginning in the late 1980s and extending even throughout the 1990s, adolescents participated widely in street gangs, some of which provided a base for trafficking narcotics; had rising rates of murder from 1989 through 1993; were more likely to own and use firearms than ever before; and were becoming increasingly involved in various forms of hate crimes. These trends continued throughout the first decade of the twenty-first century.

Yet the average American delinquent is far more likely to shoplift, commit petty theft, use marijuana, violate liquor laws, or destroy property than to commit a violent or serious crime. In 2010, juveniles between the ages of 10 and 17 years were arrested for 290,351 property crimes, compared with 59,093 arrests for violent crimes. In other words, juveniles were arrested for committing four and one-half times more property crimes than violent crimes.40

Besides committing the same crimes as adults, juveniles also are arrested for truancy, incorrigibility, curfew violations, and runaway behavior. Such offenses are called status offenses because they would not be defined as criminal if adults committed them. (Status offenses are defined and discussed in more detail next.)

The legal separation between status offenders and delinquents is important because of the large number of arrests each year for acts such as being truant, disobeying parents, and running away from home. The Federal Bureau of Investigation (FBI) Crime in the United States 2009 (CUS 2008) data (see Chapter 2) reveal that three times as many youths were arrested for status offenses as for violent crimes. This ratio between status offenses and violent crimes would be even greater if truancy and incorrigibility were included, two of the most common status offenses.

Promise of Positive Youth Development (PYD)

A different way of thinking about youth development can be found in Positive Youth Development (PYD), a relatively new perspective that represents an alternative to the deficit-based approaches that dominated policy and practice throughout much of the twentieth century. The typical way of seeing adolescence is to see it as a period of turmoil and risk; when it is seen this way, the task of researchers is to identify and fix problems affecting individual youths, especially those identified as high risk. In challenging the deficit-based perspective, some researchers and practitioners have pointed out that most youths, even in the midst of multiple risk factors, manage to thrive. The term resilience has been used to describe the qualities that support healthy adolescent development in the face of adversity. Adolescent development began to be seen as a process sparked by the interactions that youths have with adults across such social environments as families, schools, workplaces, neighborhoods, and communities. Adolescents, in turn, are seen not as objects to be acted upon but rather as self-directed, independent individuals who may deserve special care but at the same time merit the dignity and autonomy accorded other members of the community. PYD suggests that youths can develop and flourish when they are connected to the right mix of opportunities, relationships, and social assets.41 In addition to presenting the traditional model of juvenile justice, this text will also discuss, when applicable, PYD and the resilience of youths. The PYD will receive additional discussion in a future chapter.

Delinquency Defined

Juvenile court codes, which exist in every state, specify the conditions under which states can legitimately intervene in a juvenile’s life. State juvenile codes, as part of the parens patriae philosophy of the juvenile court, were enacted to eliminate the arbitrary nature of juvenile justice beyond the rights afforded juveniles by the U.S. Constitution and to deal with youths more leniently because they were seen as not fully responsible for their behavior. The In re Poff (1955) decision aptly expresses the logic of this argument:

The original Juvenile Court Act enacted in the District of Columbia was devised to afford the juvenile protections in addition to those he already possessed under the Federal Constitution. Before this legislative enactment, the juvenile was subject to the same punishment for an offense as an adult. It follows logically that in the absence of such legislation the juvenile would be entitled to the same constitutional guarantees and
and supervision, it may decide to remove the child from the home for his or her own protection.

An examination of the various juvenile court codes, or statutes, shows the diverse definitions of delinquent behavior that have developed. Some statutes define a delinquent youth as a young person who has committed a crime or violated probation; others define a “delinquent child” in terms of such behaviors as “associating with immoral or vicious persons” (West Virginia) or “engaging in indecent or immoral conduct” (Connecticut).43 A particular juvenile, then, could be considered delinquent under some juvenile codes and not under others. Some controversy surrounds the issue of how long juveniles should remain under the jurisdiction of the juvenile court. The age at which a youthful offender is no longer treated as a juvenile ranges from 16 to 18 years. In 37 states and the District of Columbia, persons under 18 years of age charged with a law violation are considered juveniles. In 10 states, the upper limit of juvenile court jurisdiction is 16 years, and in 3 states, the upper limit is 15 years. (See Figure 1.5 for the upper age of juvenile court jurisdiction.)44

Status Offenders and Status Offenses

A status offense is behavior that is an offense only because the person involved is a juvenile. In various jurisdictions, status offenders are known as minors in need of supervision (MINS), and supervision, it may decide to remove the child from the home for his or her own protection.
children in need of supervision (CHINS), juveniles in need of supervision (JINS), children in need of assistance (CHINA), persons in need of supervision (PINS), children in need of protection and services (CHIPS), or members of families in need of supervision (FINS). They also may be termed predelinquent, incorrigible, beyond control, ungovernable, or wayward. What these terms and acronyms have in common is that they view the status offender as being in need of supervision or assistance.

There are three important questions about status offenders: Why do they behave the way they do? How do status offenders differ in offense behavior from delinquents? Should the juvenile court retain control over status offenders?

Explanations for Status Offense Behavior

Generally speaking, status offenders, many of whom come from single-parent homes, place the blame for their problems on parental figures in the home and believe that fulfilling their need for a warm, accepting, and loving relationship with their parents is not possible. They become resentful and angry with their parents, who may have problems in expressing physical affection, setting reasonable and consistent limits, and showing acceptance to their children.45

The parents, in turn, often view status offenders as defiant, demanding, and obnoxious. Parents usually believe that they have no control over their children, who will not accept restrictions or limitations on their behavior, and a power struggle results. As a result, parents may call the police to intervene with their abusive or unmanageable children. School officials and teachers tend to view status offenders, some of whom have had conflicts with teachers since kindergarten, as resistant to authority. Besides refusing to accept the limits placed on their behavior, status offenders also tend to be disruptive, disrespectful, belligerent, emotionally withdrawn or explosive, and uninterested or unconcerned. Many are psychologically tested and are found to be hyperactive or to have attention deficit disorder. They are then prescribed varying doses of medication, typically imipramine or Ritalin™, to help them focus and control their emotional difficulties.

While acknowledging these psychological explanations, some theorists argue that society’s response to status offenders, especially female status offenders, is a major contributing factor in defining who has this legal status. Society believes that young males should behave in a certain way, typically granting leniency for the right of “boys to be boys.” Society’s expectations for young females, however, are still based on the notion that “Sugar and spice and everything nice, that’s what little girls are made of.”46 University of Hawaii women’s studies professor Meda Chesney-Lind, and University of Denver professor Lisa J. Pasko, found during their examination of the judicial handling of female status offenders that the juvenile justice system discriminates against girls because of the fear of sexual activity.47

The Law-Breaking Behaviors of Status Offenders and Delinquents

Several conclusions can be drawn from studies of status offenders:

- Those who commit only status offenses represent a relatively small proportion of all youths who come in contact with the juvenile justice system. Most adolescents who are brought to court for status offense behavior are mixed offenders who have, at one time or another, been involved in misdemeanors and felonies as well as status offenses.48

- Status offenders vary by the seriousness of their behavior. One study identified three groups: the “heavies,” who are predominantly serious delinquent offenders; the “lightweights,” who commit misdemeanors as well as status offenses; and the “conforming youths,” who occasionally become involved in status offenses. The meaning of “status offenses,” according to this study, differs for each group. For heavies, a status offense is likely to be an incidental event; for lightweights, the pattern is one of minor and intermittent delinquent acts as well as status offenses. Conforming youths are likely to restrict themselves to a series of minor status offenses, perhaps as an outburst of rebellion against adult authority.49

- Status offenders are principally between the ages of 13 and 16 years, equally distributed between males and females, and more likely to be white than nonwhite.50

- Little evidence exists of escalation in offense behavior; that is, those juveniles who begin their careers engaging in status offenses are not likely to graduate into more serious crime.51 In a longitudinal study that followed more than 2,000 adolescent males, the researchers found little evidence of escalation; indeed, about two-thirds remained status offenders or never committed another offense.52

<table>
<thead>
<tr>
<th>TABLE 1.2</th>
<th>Status Offenses.</th>
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<tbody>
<tr>
<td>Incorrigibility at home</td>
<td>Ungovernability at school</td>
</tr>
<tr>
<td>Running away from home</td>
<td>Truancy</td>
</tr>
<tr>
<td>Smoking cigarettes and using smokeless tobacco</td>
<td>Drinking alcohol</td>
</tr>
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</table>

Status Offenders and Status Offenses
The juvenile court can institutionalize status offenders by redefining them as delinquent or as in need of mental health services.

In sum, studies generally conclude that status offenders differ in offense behavior from delinquents, that most status offenders are not likely to escalate to more serious behavior, that the behavior of female and male status offenders is frequently different, and that status offenders are less prone to recidivism than are delinquents. Yet many status offenders are also mixed offenders who commit delinquent offenses along with status offenses.56 See Table 1.2 showing examples of status offenses.

The Juvenile Court's Jurisdiction over Status Offenders

An important issue is whether the juvenile court should continue to have jurisdiction over status offenders. Critics argue that the status offender statutes’ lack of clarity often makes these laws blatantly discriminatory, especially in regard to gender. It is further argued that governmental bodies have no legitimate interest, or right to intercede, in many of the behaviors categorized as status offenses. Other critics contend that the juvenile court's intervention promotes rather than inhibits status offense behaviors. Many insist that status offenders represent a special class that must be treated differently from delinquents.57

Several states, including Maine, New York, and Washington, have decriminalized status offenses, thus removing them from the juvenile court's jurisdiction. However, the status offense legislation in Maine and Washington was partly repealed to give the juvenile courts a degree of jurisdiction, especially over abandoned, runaway, or seriously endangered children.58

The most broad-based movement to strip the juvenile court of jurisdiction over status offenders has taken place in New York State, heralded by the passage of the 1985 PINS Adjustment Services Act. A central goal of this legislation was to displace the family court as the institution of first choice for minor family-related matters. The PINS legislation also constructed an innovative system of its own that operates as formally as the family court. Children whose families are receptive are referred to the Designated Assessment Service (DAS), which in turn refers these youths to a community-based agency for long-term services. As long as youths are responsive to the rehabilitative programs designed for them, legal proceedings are suspended.59

According to Barry Feld, one of the nation's leading scholars of juvenile justice and Centennial Professor of Law at the University of Minnesota Law School, juvenile court judges frequently challenge the movement to strip courts of jurisdiction over status offenders (which is called “divestiture”), charging that status offenders will have no one to provide for or protect them if they are removed from the court's jurisdiction. This argument is reinforced every time a status offender is victimized or commits a serious crime.60

The fact is that juvenile court personnel do have jurisdiction over the status offender because they have the option of labeling youngsters downward as dependent or neglected youths, upward as delinquent youths, or laterally as needing private mental health facilities.61 Thus, even in states that strongly support deinstitutionalization, the juvenile court can institutionalize status offenders by redefining them as being delinquent or as in need of mental health services. A truant may be charged with a minor delinquent offense and be institutionalized in a private facility, or a court may require school attendance as a condition of probation and then define further truancy as a delinquent offense.62 This permits the “invisible” institutionalization of status offenders in either private or public institutions.

The Contemporary Treatment of Delinquents

The history of societal response to juvenile delinquency in the United States can be divided into seven periods: (1) colonial period, (2) houses of refuse, (3) juvenile court, (4) juvenile rights, (5) reform agenda, (6) social control and juvenile crime, and (7) contemporary delinquency and U.S. society (See Figure 1.6). This chapter examines the contemporary treatment of delinquency, but the other periods are considered in Chapter 11.

By the end of the 1980s, the major thrust of crime-control policies involving juveniles was to “get tough” on serious and violent juvenile crime and to undermine the earlier reform efforts of the 1970s.63

Even though the federal government and the public favored a more punishment-oriented response to juvenile delinquency, the juvenile court continued throughout the 1980s to employ three approaches in handling juvenile lawbreakers (see Figure 1.7). On one end of the spectrum, the court applied the parens patriae doctrine to status offenders and minor offenders; as in the past, these youths were presumed to need treatment rather than punishment, because their offenses were seen as caused by internal psychological or biological conditions or by sociological factors in their environment. On the other
end of the spectrum, juveniles who committed serious crimes or continued to break the law were presumed to deserve punishment rather than treatment on the grounds that such youngsters possessed free will and knew what they were doing; that is, the court viewed serious delinquents’ crimes as purposeful activities resulting from rational decisions in which youths weighed the pros and cons and performed the acts that promised the greatest potential gains.64 Their behavior was seen as being bad rather than sick and as arising from a rational decision-making process. In other words, youths in this group were to be treated rather than sick and as arising from a rational decision-making process.

Between these two groups fell youths who saw crime as a form of play and committed delinquent acts because they enjoyed the thrill of getting away with illegal behavior or because they wanted to relieve their boredom. Although criminologists usually conclude that the crimes these juveniles commit represent purposeful activity, the courts in the 1980s did not consider the youths in this middle group to be as bad as the serious delinquents, reasoning that even though these youths might be exercising free will, their behavior was mischievous rather than delinquent. The juvenile court today commonly continues to excuse such mischievous behavior.

Several interrelated social trends have recently emerged that have influenced delinquency in U.S. society in rather dramatic ways. In the mid-1980s, crack cocaine became widely available in urban areas. There was soon a large demand for this drug—some even referred to it as a crack epidemic—and this led to the recruitment of young people into the market to sell crack. By 1988–1989, the crack epidemic became a major impetus for the development and spread of drug-trafficking street gangs across the nation. Indeed, by the end of the decade, street gangs were found in nearly every city and in many smaller communities across the United States. One of the consequences of this illegal marketplace was that young people used guns to protect themselves from being robbed of the “valuable goods” they were carrying. Significantly, by the early 1990s, the use of guns had spread from individuals involved in drug transactions to larger numbers of young people, and the availability and use of guns, the spread of the drug market, and the skyrocketing growth of street gangs all contributed to a dramatic rise in murder rates among young people.65 Finally, beginning in the 1980s and continuing through the 1990s, young people became increasingly involved in various forms of hate crimes.

This changing nature of delinquency, as well as increased media coverage of violent juveniles who carried weapons and were typically involved in gangs, began to harden public attitudes toward juvenile delinquents. The resulting “get tough” attitude toward the violent juvenile led to a number of juvenile justice initiatives in the 1990s that went beyond those implemented in the 1980s. The urgency with which states responded is seen in the fact that in the 1990s, nearly every state enacted legislation changing the way juvenile delinquents were handled.66 This legislation led to nine state initiatives in juvenile justice that continue in force today: (1) curfews, (2) parental responsibility laws, (3) combating of street gangs,
(4) movement toward graduated sanctions, (5) juvenile boot camps, (6) youths and guns, (7) juvenile proceedings and records, (8) juvenile transfers to criminal court, and (9) expanded sentencing authority. All of these will be discussed in greater detail in future chapters.

The Three Themes of this Text

Before concluding this introductory chapter, it is important to discuss the three themes that flow through this text. The first theme focuses on the social context of delinquency, looking at the environment in which youngsters grow up and by which they are influenced. An appreciation for social context provides one critical component in understanding delinquent behavior. Some studies of delinquency use contextual analysis to understand how much the interrelationships of various contexts affect the interpretation and handling of delinquency. Interest in doing contextual analysis in examinations of delinquency increased during the 1980s and 1990s. We will describe some of these studies later in this text.

The second theme, delinquency across the life course, examines risk factors that contribute to delinquent behavior and asks how such behavior affects subsequent life experiences. Developmental life-course (DLC) theory represents a major change in how we think about and study lives.67 DLC theory is concerned with three main issues in the study of delinquency: (1) development of offending and antisocial behavior, (2) protective factors and risk of offending at different ages, and (3) effects of life events on the course of each individual’s development.68

See Figure 1.8 for the principles of life-course delinquency, as identified by John A. Laub in a speech he gave at the American Society of Criminology on November 16, 2005.

John A. Laub identified five principles of what he, along with collaborator Robert Sampson, called Life-Course Criminology. Laub asserts “that these [principles] can provide the basis of a paradigm on the causes and dynamics of crime for the field. In turn, this body of knowledge can be referred to as the core, that is, the soul of criminology:”

Principle 1
Crime is more likely to occur when an individual’s ties to society are attenuated.

Principle 2
Delinquency and other forms of antisocial behavior in childhood are strongly related to troublesome adult behaviors including crime as well as other problem behaviors in a variety of life domains.

Principle 3
Social ties embedded in adult transitions explain variation in crime unaccounted for by childhood propensities. The adult life course matters.

Principle 4
Human agency is vitally important to understanding patterns of stability and change in criminal behavior over the life course. Individuals, whether criminal actors or not, make choices and are active participants in the construction of their lives.

Principle 5
A dual policy focus emphasizing prevention and reform should be the central feature of criminal justice practices.

The Social Context of Delinquency

This theme helps us to understand definitions of delinquency as social products, to appreciate the social causes of delinquent behavior, and to appreciate the fact that the reform and punishment of delinquent offenders takes place within a social context.

Delinquency across the Life Course

Life course theory is concerned with three major issues in the study of delinquency—(1) the development of offending and antisocial behavior, (2) protective factors as they lower the risk of offending at different ages, and (3) the effects of events in the life course on the development of the individual.

Social Policy and Preventing Delinquency

This third theme involves the prevention of delinquent behavior and (eventually) adult crime. It champions policies and programs that lift children out of poverty, protect them from abuse and neglect, and that ensure their access to health care and quality education.
The prevention of delinquency and social policy forms our third theme—one that asks what can be done to improve the quality of young people's lives and one that provides ideas for effectively preventing and controlling youth crime. Far too many children are involved in delinquent behaviors and go on to adult crime. The pressing and exciting challenge for all of us is to design policies that provide helpful directions for dealing more effectively with adolescents in general, for preventing juvenile crime, and for handling law-violating youths. See Figure 1.9, which illustrates the three themes of this text.

The two basic tools of science are research and theory—each helps to guide and direct the other. Research identifies appropriate methods to collect data, helps to identify variables to be studied, tests variables for their impact on the subject under study, analyzes related variables, and suggests new directions for theory. Theory points the way to new research, helps derive new variables, builds interconnections among variables, interprets old and new ideas, builds systems of thought, and leads the way to new social and theoretical conclusions. Research collects and theory analyzes; research discovers and theory explains; research disproves and theory reorders. Policy recommendations will be taken more seriously by policy makers if they are based on research findings that are inextricably bound to sound theory. See Figure 1.10 for the relationship among research, theory, and social policy.

The increased study of the life course in both sociology and delinquency studies has been accompanied by a dramatic resurgence of interest in the concept of human agency, which recognizes the important fact that juveniles, like people everywhere, are influenced by social opportunities and structural constraints, and that they make choices and decisions based on the alternatives that they perceive.
Until she was five years old, Amy Watters didn’t know that she lived a life different from most children. Shortly after she was born her mother, Kassey, was killed in a car accident. Amy was only six months old at the time, and had no recollection of her mother as she started kindergarten. She had been raised by her father, Simon—a loving, but hard-working man—and by her older sister, Jordan. On her first day in kindergarten, however, she was unsettled to see the many doting mothers that accompanied the other children to school. Amy’s father had dropped Amy off at the school, leaving her in the hands of a capable teacher, before rushing off to work. Jordan, a sixth grader, had taken the bus to school.

Although Amy sensed on that first school day that something was different about her, she was unaware of recently published life-course research showing that the more mothers shower their young children with warmth and affection, the less anxious, hostile, and distressed those children will likely be as adults. Other studies, published at about the same time, revealed the important role of genetics in personality development, showing that children of parents with anxiety disorders are up to seven times more likely than other children to develop anxiety problems themselves.

There had also been another significant event in Amy’s life that happened even before she was born. When her mother was eight months pregnant, a category 3 hurricane struck southern Florida where the family lived. Although no one in the family was physically injured, the experience had been stressful for Amy’s parents and sister, and had resulted in quite a bit of damage to their home and to the surrounding community. Again, although Amy didn’t know it, studies have demonstrated that stressful events like hurricanes can have a lasting impact on fetal development.

What have been the most significant influences in Amy’s young life? What things might have happened differently, causing her life to take a different direction?

Learn more on the Web:
- Fetal Distress Risk: http://usat.ly/aUj6R7
- Childhood Affection and Stress: http://usat.ly/bEknJB
- Learn more about the causes and correlates of girls delinquency from the Girls Study Group via http://justicestudies.com/girls_study_group.pdf.

Follow the continuing Amy Watters saga in the next chapter.
1. Compare how society treats adolescents today to how it handled them in the past.

Delinquents today are treated very differently than they have been in the past, partially because of changing understandings of adolescence.

1. How has the cultural understanding of adolescence changed over time?
2. What elements of U.S. society have contributed to “the lengthening of adolescence”?

2. Give examples of high-risk behaviors that characterize contemporary adolescence.

Such behaviors include histories of physical abuse and sexual victimization, educational and vocational skill deficits, bullying, and involvement in alcohol and drug abuse.

1. Why are factors such as physical and sexual abuse, and alcohol and drug abuse related to delinquency?
2. How are deficits in vocational and educational skills related to delinquency?

3. Define delinquency and explain what the term means in contemporary context.

Juvenile delinquency is an act committed by a minor that violates the penal code of the government with authority over the area in which the act occurs. Adolescence is the life interval between childhood and adulthood; usually the period between the ages of 12 and 18 years.

4. Determine whether or not behaviors should be classified as status offenses.

A status offense is behavior that is an offense only because the person involved is a juvenile. Typical status offenders exhibit incorrigibility at home, runaway from home, and are truant from school. Some status offenders commit both status offenses and delinquency, and it is not always easy to separate an offending population into delinquents and status offenders.

1. What is a status offense?
2. What factors might propel a status offender into more severe kinds of offenses?
Summarize the contemporary treatment of delinquents.

Delinquents have been treated with harsher punishments in the contemporary era than they have since the beginning of juvenile justice as a separate area of offender treatment in the nineteenth century.

1. Why has a “get tough” on juveniles policy been seen in the final years of the twentieth century and the early twenty-first century?
2. Do you think that policy will continue for long? Why or not?

Summarize the three themes of this text.

The three themes of this text are as follows: 1) the social context of delinquency, which examines the environment in which youngsters grow up and by which they are influenced; 2) delinquency across the life course, a perspective that assesses risk factors that contribute to delinquent behavior and explores how delinquent behavior affects subsequent life experiences; and 3) delinquency and social policy, a theme that asks what can be done to improve the quality of young people’s lives and focuses on preventing and controlling youth crime.

1. What are the three themes that flow through this text?
2. Why are those themes important to the study of delinquency?

**LEARNING OUTCOMES**

| **16** | Chapter 1 | Adolescence and Delinquency |

**MyCrimeKit**

Go to the Chapter 1 section in MyCrimeKit to review the objectives, read a chapter summary, practice key terms with flashcards, view related media, and assess your understanding with practice quizzes. MyCrimeKit can be found at [www.MyCrimeKit.com](http://www.MyCrimeKit.com).

**Additional Links**


Go to the Youth Risk Behavior Surveillance System (YRBSS) on the Web at [www.childtrendsdbank.org](http://www.childtrendsdbank.org). The YRBSS was developed to monitor priority health risk behaviors that contribute markedly to the leading causes of death, disability, and social problems among youth and adults in the United States.

The Child Trends DataBank can be seen at [www.childtrendsdbank.org](http://www.childtrendsdbank.org) and provides information about the latest national trends and research on over 100 key indicators of child and youth well-being.

The U.S. Department of Health and Human Services’ (HHS) Child Welfare Information Gateway can be found at [www.childwelfare.gov](http://www.childwelfare.gov). The Gateway provides access to information and resources to help protect children and strengthen families.

An insightful paper by Philip W. Harris, Wayne N. Welsh, and Frank Butler, entitled “A Century of Juvenile Justice,” is available through the National Criminal Justice Reference Service at [www.ncjrs.gov/criminal_justice2000/vol_1/02h.pdf](http://www.ncjrs.gov/criminal_justice2000/vol_1/02h.pdf). The report examines the historical forces that have substantially impacted juvenile justice in America.

**Parens Patriae** A medieval English doctrine that sanctioned the right of the Crown to intervene in natural family relations whenever a child’s welfare was threatened. The philosophy of the juvenile court is based on this legal concept.

**Developmental Life-Course (DLC) Theory** A framework suggesting that four key factors determine the shape of the life course: location in time and place, linked lives, human agency, and timing of lives.

**Human Agency** The active role juveniles take in their lives; the fact that juveniles are not merely subject to social and structural constraints but also make choices and decisions based on the alternatives that they see before them.