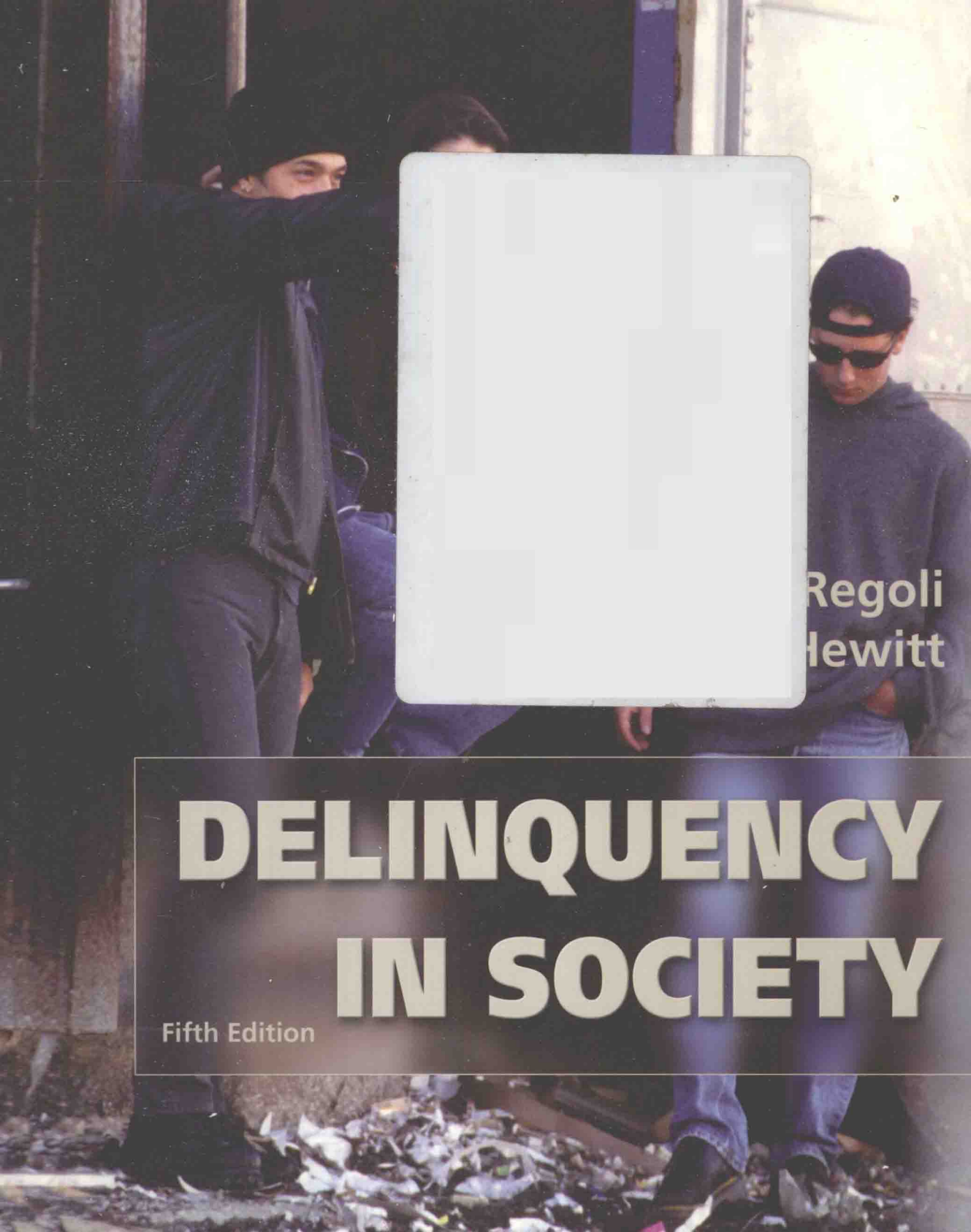




Regoli
Hewitt

DELINQUENCY IN SOCIETY

Fifth Edition

Delinquency in Society

Fifth Edition

Robert M. Regoli

University of Colorado

John D. Hewitt

Grand Valley State University



Boston Burr Ridge, IL Dubuque, IA Madison, WI New York
San Francisco St. Louis Bangkok Bogotá Caracas Kuala Lumpur
Lisbon London Madrid Mexico City Milan Montreal New Delhi
Santiago Seoul Singapore Sydney Taipei Toronto

McGraw-Hill Higher Education

A Division of The McGraw-Hill Companies

DELINQUENCY IN SOCIETY

Published by McGraw-Hill, a business unit of the McGraw-Hill Companies, Inc., 1221 Avenue of the Americas, New York, NY, 10020. Copyright 2003, 2000, 1997, 1994, 1991 by The McGraw-Hill Companies, Inc. All rights reserved. No part of this publication may be reproduced or distributed in any form or by any means, or stored in a database or retrieval system, without the prior written consent of The McGraw-Hill Companies, Inc., including, but not limited to, in any network or other electronic storage or transmission, or broadcast for distance learning. Some ancillaries, including electronic and print components, may not be available to customers outside the United States.

This book is printed on acid-free paper.

3 4 5 6 7 8 9 0 DOC/DOC 0 9 8 7 6 5 4

ISBN 0-07-248596-5

Editorial director: *Phillip A. Butcher*
Senior sponsoring editor: *Carolyn Henderson Meier*
Senior marketing manager: *Daniel M. Loch*
Media producer: *Shannon Rider*
Project manager: *Diane M. Folliard*
Lead production supervisor: *Lori Koettters*
Senior designer: *Jenny El-Shamy*
Photo research coordinator: *Judy Kausal*
Photo research: *Inge King*
Supplement producer: *Nate Perry*
Cover design: *Donna Cambra*
Typeface: *10/12 Berhold Baskerville*
Compositor: *GAC Indianapolis*
Printer: *R. R. Donnelley*

Library of Congress Cataloging-in-Publication Data

Regoli, Robert M.

Delinquency in society / Robert M. Regoli, John D. Hewitt.—5th ed.
p. cm.

Includes indexes.

ISBN 0-07-248596-5 (alk.paper)

1. Juvenile delinquency—United States. 2. Juvenile justice, Administration of—United States. I. Hewitt, John D., 1945- II. Title.

HV9104 .R43 2003

364.36'0973—dc21

2002024626

<http://www.mhhe.com>

Delinquency in Society

To the men and women who preserve freedom,
making it possible for us to follow more trivial pursuits.

RMR

JDH

About the Authors

Robert M. Regoli is professor of sociology at the University of Colorado in Boulder. In 1975, he received his Ph.D. in sociology from Washington State University, where he was elected to Phi Beta Kappa. Professor Regoli is the author of more than 100 journal publications and books and is past-president and fellow of the Academy of Criminal Justice Sciences and is a Fulbright scholar.

John D. Hewitt is professor of criminal justice at Grand Valley State University in Grand Rapids, Michigan. He received his Ph.D. in sociology from Washington State University in 1975. Professor Hewitt is the author or co-author of four books and more than 30 articles. His writings have been published in journals such as *Justice Quarterly*, *Crime and Delinquency*, *Law and Human Behavior*, *Social Forces*, *Journal of Social Research*, and *Law and Policy Quarterly*.

Preface

If it is true that in teaching we learn, we have had the good fortune to do quite a bit of both since the first edition of *Delinquency in Society* was published in 1991. Its continued success is a reflection of what we learn from the comments and suggestions of our students, our professional colleagues, and their students around the country who read the book. We do enjoy hearing compliments, but we pay very careful attention to the suggestions for improvements. Such suggestions have resulted in a number of changes to the fifth edition, which we have detailed below. One change is actually a return to our commitment to a “child-centered approach” emphasized in earlier editions of the book, but somehow lost in later editions. Our child-centered approach suggests that juvenile delinquency represents the culmination of a process that begins at conception and evolves through adolescence. We believe that the vulnerable and unequal status of children in society, one which leads to their oppression, determines the nature of their relations with others, and hence, behaviors that come to be viewed as delinquency. It is the relationships in which children find themselves that serve as the breeding ground for juvenile delinquency. While this approach does not excuse the criminal behavior of children, we believe it helps to contextualize its origins and thus may provide better understanding for the eventual reduction of delinquent behavior.

The Fifth Edition

While this edition continues to provide a comprehensive theoretical framework for understanding the evolving phenomenon of delinquency and society’s response to the problem, it has been thoroughly updated to reflect the most current trends and developments in delinquency, including discussions of the history, institutional context, and societal reactions to delinquent behavior. Among the more significant changes found in this edition are the following:

- The chapters on drugs and delinquency and on youth violence have been moved from the third section of the book on the social context of delinquency up to the first section of the book on the nature and extent of delinquency. This change places the discussion of serious delinquency immediately following the more general discussion of measuring delinquency.

- The chapter on female delinquency has been substantially revised and moved. The previous discussion on the nature and extent of female delinquency has been placed in the section on sex and delinquency in Chapter 2. The chapter now focuses largely on theories of female delinquency and is appropriately located in the section of the book dealing with theories of delinquency.
- There is expanded discussion of the relationship of race and delinquency throughout the book. For example, racial profiling is more extensively discussed in Chapter 13, "Police and Delinquency," and racial disparities in court appearance, detention, adjudication, disposition, and waiver are given extensive coverage in Chapter 14, "The Juvenile Court."
- There is expanded discussion of chronic offenders in Chapter 2, "Measuring Delinquency."
- With national concern over recent school shootings, Chapter 3, "Youth Violence," now has a greatly expanded discussion of the nature and extent of school violence and approaches to prevention of school violence.
- The discussion of Agnew's General Strain Theory and Gottfredson and Hirschi's General Theory of Crime has been expanded in Chapter 7.
- Chapter 8, "Labeling, Critical, and Conflict Theories," now contains a discussion of Left Realism.
- Chapter 10, "Family and Delinquency," contains new discussions of teen fathers, nonresident parents and failure to pay support, and consequences of court-ordered visitations on children.
- New material on bullying has been added to Chapter 11, "Schools and Delinquency," as a result of growing sensitivity to the consequences of bullying and its potential relationship to more serious forms of school violence.
- Chapter 13, "Police and Delinquency," contains new material on racial profiling and expanded discussion of police discretion. These initial discretionary contacts between police and juveniles create significant opportunities for determining whether a particular juvenile becomes identified as a delinquent.
- Chapter 14, "The Juvenile Court," has been revised to provide more extensive coverage of all the major court hearings juveniles face. Although most states continue to hold juvenile court hearings out of the public eye, it is critical that students understand this important process. Each stage in the juvenile court process, from intake, detention, and waiver hearings to adjudication and disposition hearings, produces opportunities for diversion out of the system as well as for disparities in treatment based on sex, race, age, and socioeconomic status.
- New coverage of the process of deciding appropriate dispositions and restorative justice has been added to Chapter 15, "Juvenile Corrections."

Overview of Contents

Section One, “Nature and Extent of Juvenile Delinquency,” introduces students to historical and contemporary perceptions of children and how their misbehaviors have been defined as delinquent. It examines the major sources of data on delinquency and problems with measuring the extent of delinquency. Students are also given in-depth coverage of two of the most critical areas of contemporary delinquency in the chapters on youth violence and illegal drug use.

Section Two, “Causes of Delinquency,” provides students with an easy-to-understand discussion of all the major theoretical approaches to explaining juvenile delinquency. Students will be able to examine early supernatural, Classical, and Neoclassical theories; the substantial contributions of biological and psychological theories; and the dominant sociological theories ranging from social disorganization, strain, and social control to labeling, conflict, and radical theories, as well as specialized explanations of female delinquency.

Section Three, “The Social Context of Delinquency,” contextualizes delinquency within three major social settings: the family, the school, and the gang. Students will be introduced to provocative discussions dealing with the relationship of family structure and process on delinquency, the nature of delinquency within schools and how schools may contribute to the problem of delinquency, and the extensive problems related to juvenile gangs.

Section Four, “The Juvenile Justice System,” examines the formal societal response to delinquency within the context of the police, the courts, and corrections. Each chapter provides extensive, cutting-edge coverage of procedures and issues critical in the juvenile justice system’s attempt to prevent and control delinquency.

Learning Aids

The fifth edition of *Delinquency in Society* contains many of the same outstanding pedagogical features we introduced in previous editions, as well as a number of significant new learning aids.

- **Getting Connected.** At the end of each chapter, Internet sites are identified that will provide students with the most current information available on various chapter topics. Each of these sites is now accompanied by exercises students can use to guide their exploration of the topic.
- **Chapter Outlines.** Each chapter begins with an easy-to-follow outline of the major topics that will be discussed. These outlines immediately alert students to the central issues of the chapter as well as to the order in which they are presented.

- **Provocative Discussion Questions.** Each chapter contains a wealth of provocative discussion questions about important issues. The questions are located in the margins next to the topics they explore further and are designed to stimulate discussion in class and sharpen student critical thinking.
- **Critical-Thinking Questions for Photographs.** The wealth of new photographs in the book are accompanied by intriguing questions or extended narratives designed to encourage critical thinking.
- **Theory In a Nutshell Asides.** Many students have difficulty grasping the differences among the various theories of behavior. To make theories more manageable and understandable, each of the more important theories discussed in Section 2 is presented in brief encapsulated form in the chapter margins.
- **Unique and Exciting Boxes.** To make the text more relevant and interesting for students, we have created three different thematic boxes and inserted them where appropriate within the text:
 - **The Face of Delinquency** A series of boxes discussing various facets of delinquency personalize the story of delinquency and bring into focus the different life situations of victims and offenders.
 - **Cross-Cultural Perspectives on Delinquency** Thematic boxes providing students with brief glimpses into the nature of delinquency in other countries allow students to consider the similarities and differences among nations.
 - **Delinquency Prevention** A thematic box focusing on issues related to the prevention, reduction, or control of delinquency. Some of the programs discussed are well established and appear to most criminologists to be effective in achieving their goals. Other programs discussed hold great promise but are relatively new and untested.
- **Key Terms and Glossary.** Students are provided with succinct definitions of commonly used terms and descriptions of important concepts found in bold type throughout the text. For easy reference when students are preparing for exams, each chapter's key terms are defined at the end of the chapter in addition to being included in the Glossary.
- **Legal Case Index.** Each court case discussed in the chapters is alphabetically listed with its most current citations and is accompanied by a brief annotation of the case in the Legal Case Index, located at the back of the book.
- **Name and Subject Indexes.** Separate name and subject indexes are provided at the end of the book to help students in their search for particular issues or concerns.

Supplements

For the Student

- *Making the Grade Student CD-ROM* (prepared by Thomas McAninch of Scott Community College)—a free electronic study guide packaged with each new book that includes chapter self-tests with feedback indicating why the student's response is correct or incorrect, an Internet guide, and much more.

For the Instructor

- *Instructor's Manual/Testbank* (prepared by Beverly Quist of Mohawk Valley Community College)—chapter outlines, key terms, overviews, lecture notes, discussion questions, a complete testbank, and more.
- *Computerized Testbank*—easy-to-use computerized testing program for both Windows and Macintosh computers.
- *PowerPoint Slides*—complete chapter-by-chapter slide shows featuring text, tables, and illustrations.

Acknowledgments

We would like to thank our team at McGraw-Hill for their continued support of *Delinquency in Society*. Carolyn Henderson Meier, acquisitions editor and guiding light for this project, has brought the fifth edition of this book to a new level. Her insights and creative touches have amazed us, and we greatly appreciate her direction of the project. There are a number of other wonderful folks at McGraw-Hill who have contributed to this edition, including Julie Abodeely, editorial coordinator, Dan Loch, marketing manager, Shannon Rider, media producer, Diane Folliard, project manager, and Phil Butcher, publisher. In addition, we want to thank Inge King, our photo editor, who directed the fifth edition's wonderful photo program and Beverly Quist, who continues to produce the exceptional Instructor's Manual that accompanies this book.

A special thanks must go to Matt DeLisi of Iowa State University who developed the many provocative critical-thinking questions found in the chapter margins and photo captions.

We also would like to thank our many colleagues and students for their solicited and unsolicited insights, guidance, criticism, and assistance, with special thanks to Gregg Barak, Joanne Belknap, Ingrid Bennett, Bob Bohm, Sue Caulfield, Todd Clear, Frank Cullen, John Fuller, Mark Hamm, Lou Holscher, Charles Hou, Peter Iadicola, Richard Lawrence, Bill Miller, Hal Pepinsky, Tom Reed, George Rivera, Rick Rogers, Andrew Schmurr, Vic Streib, Jay Watterworth, Jules Wanderer, and Tom Winfree.

Other colleagues who were selected by McGraw-Hill to review the text helped improve this fifth edition in innumerable ways. We extend our sincere gratitude to:

Roy L. Austin, *Pennsylvania State University*

James J. Chriss, *Cleveland State University*

Matt DeLisi, *Iowa State University*

Mary Jackson, *East Carolina University*

David F. Machell, *Western Connecticut State University*

David Mackey, *Framingham State College*

John Quicker, *California State University, Dominguez Hills*

Stanley L. Swart, *University of North Florida*

Kevin Thompson, *North Dakota State University*

Major writing projects always take their toll on those people closest to the authors; for us, those people are our families. We would like to give very special thanks to our wives, Debbie and Avis, who stood beside us as we worked on this project, providing encouragement, love, and both solicited and unsolicited insights that strengthened the final product. We also must recognize Adam, Andrea, Eben, Sara, and new grandson, Henry, for their love and support.

Bob Regoli

regoli@spot.colorado.edu

John D. Hewitt

hewittj@gvsu.edu

A Guided Tour of *Delinquency in Society*

As noted in the Preface, this text reflects the authors' commitment to a "child-centered" approach to juvenile delinquency. This approach is based on the idea that juvenile delinquency is the culmination of a process that begins at conception and evolves through adolescence. In the authors' view, the vulnerable and unequal status of children in society—one which leads to their oppression—determines the nature of their relations with others, and hence, behaviors that come to be viewed as delinquency. It is the relationships in which children find themselves that serve as the breeding ground for juvenile delinquency. While this approach does not excuse the criminal behavior of children, it may help to contextualize the behavior's origins and thus may provide better understanding for the eventual reduction of delinquent behavior.

Chapter 7

Cultural Deviance, Strain, and Social Control Theories



Cultural Deviance Theory
Clifford Shaw and Henry McKay
Edwin Sutherland
Walter Miller

Strain Theories
Robert Merton
Albert Cohen
Robert Cloward and Lloyd Ohlin
Robert Agnew
Types of Strain

Social Control Theory
David Matza
Thurs. Hirschi
Michael Gottman and Thers. Hirschi

Juvenile Justice Policy Applications
Cultural Deviance Theory
Strain Theory
Social Control Theory

Conclusions
Key Terms
Getting Connected

Poverty urges us to do and suffer anything that we may escape from it, and so leads us away from virtue.

—Huxley

Absolutely critical to any course in juvenile delinquency is early, clear, comprehensive coverage of the major theoretical approaches to explaining juvenile delinquency.

BOX 8-6 THEORY IN A NUTSHELL

Karl Marx and Friedrich Engels

Marx and Engels believed that the ruling class in capitalist societies is responsible for the creation and application of criminal law. Acts threatening interest of the bourgeoisie will be punished by criminal law. In addition, they believed that crime reflected the disorganization of the urban population, which consists of unemployed and underemployed workers.

Is the existence of an underclass inevitable? Are some people simply unwilling to conventionally participate in society and instead choose to lead lives of vice and delinquency?

Chapter 8 LABELING, CONTEXT, AND RACIAL THEORIES 117

Karl Marx and Friedrich Engels

Writing in the latter half of the 19th century, Karl Marx and Friedrich Engels argued that the character of every society is determined by its particular mode of economic production. The primary conflict in society is between the material forces of production and the social relations of production. By *material force of production*, they meant the ability of a society to produce material goods. The concept of *social relations of production* refers simply to relationships among people, especially those relationships based upon property, and the manner in which material goods produced are distributed. The primary relationship in industrialized societies reflects the incompatible economic interests of the owners of the means of production (the bourgeoisie) and people who sell their labor (the proletariat). The inevitable class conflict between these two groups also produces (both directly and indirectly) the conditions for delinquency.¹⁴

Because the bourgeoisie controls the means of production, it also can control all aspects of social life, even the production of ideas. Included in the production of ideas would be those that create the criminal law along with ideological or philosophical beliefs that become the basis for policies of law enforcement. According to Marx and Engels, law and its enforcement are simply tools of the powerful designed to protect their own economic interests. The police, courts, and a correctional system of society operate to control the working class (see Box 8-6). Behaviors prohibited by criminal law are selectively enforced by the police and courts reflect acts or values that threaten the interests of the dominant class (see Figure 8-2 for an illustration of this process).

Marx and Engels offered, at best, a very modest explanation of crime and delinquency. According to Paul Hirschi, Marx and Engels believed that crime was largely the product of a dehumanized working class. It was part of human nature to work and be productive, and yet capitalist societies created large surplus populations of unemployed and underemployed workers. Over time, unproductiveness leaves the individual demoralized and vulnerable to crime and vice. Marx and Engels called criminals and their juvenile counterparts the lumpenproletariat, the "dangerous class," and a "parasitic class living off productive labor by theft, extortion and beggary, or by providing 'services' such as prostitution and gambling. These class interests are diametrically opposed to those of the workers. They make their living by picking up the crumbs of capitalist relations of exchange."¹⁵

Not all conflict theory is based on strict economic competition between classes or the unequal distribution of economic resources. The work of Thersien Sellen and George Vold (discussed below) explored the nature of group conflict in so-called heterogeneous societies. Generally, the groups in such societies reflect associations based on common interests, such as the pursuit of goals or the protection of vested interests (power, wealth, and status).

This critical coverage is neatly encapsulated in **Theory in a Nutshell** boxes throughout section 2 of the text, making it easier for students to grasp the differences between important theories and study for exams.

Chapter 3

Violent Youth Crime



The Nature and Extent of Youth Violence

Death in Youth Violence
Violence Perpetrated by Youth
Violence in Schools

The Role of Firearms in Youth Violence

Guns and Possessing Guns
Guns, Gangs, and Drugs

Violence Prevention

Controlling Availability of Guns
Reducing Violence in Families
Preventing School Violence
Community-Based Prevention Programs
Treatment and "Get Tough" Approaches

Conclusions

Key Terms

Getting Connected

Endnotes

Is this going to take long?
I got somewhere to go tonight.

—An eight-year-old Chicago boy as he was questioned by
police after shooting a classmate in the spine.¹

83

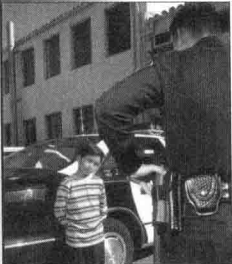
With national concern over recent school shootings, Chapter 3, "Youth Violence," now has a greatly expanded discussion of the nature and extent of school violence and approaches to prevention of school violence.

Thorough updates throughout reflect the most current trends and developments in delinquency.

Chapter 13, "Police and Delinquency," contains new material on racial profiling and expanded discussion of police discretion. These initial discretionary contacts between the police and juveniles create significant opportunities for determining whether a particular juvenile becomes identified as a delinquent.

Chapter 13

Police and Delinquency



Policing in the United States

Police: Children, and the Law

Search and Seizure
Arrest
Detention
Investigative
Language

Police Discretion

Legal Powers

National Factors

Police Structures

Internal Discursion

External Discursion

Conclusions

Key Terms

Getting Connected

Endnotes

Resist Miranda Warning You have the right to remain silent. You also have the right to swing first. However, if you choose the right to swing first, any move you make can and will be used as an excuse to beat the shit out of you. You have the right to have a doctor present. If you cannot afford a doctor, one will be appointed for you. Do you understand what I just told you, you asshole!

—Anonymous¹

214 Section 8 THE SOCIAL CONTEXT OF DELINQUENCY

BOX 10-2 FACE OF DELINQUENCY Court-Ordered Visitations

Numerous studies indicate that most children are adversely affected by the divorce of their parents and the struggle of the custodial parent to provide for the well-being of the children in the absence of the other parent. But do court-ordered visitations with the noncustodial parent aggravate the adjustment difficulties of child? Paula was only four years old when her parents separated. Her father resented her life when she was eight, and got a court to grant him rights to regular visitation. By the time Paula was 11, she had accumulated a police record of drug use, public drinking, and theft. She had also become sexually active with two 17-year-old boys. How much of her delinquency might be attributed to the consequences of court-ordered visitations with her father? Are court-ordered visitations in the child's best interests?

Judith Wallerstein and her colleagues have studied the effects of divorce on children (and parents) for over 25 years. Paula was just one of the many children who reported that being subjected to court-ordered visitations made them feel like "stepchildren" with no right to express opinions or preferences or to question the visitation arrangements imposed on them. Thousands of children, many as young as eight or nine, make lengthy and complicated trips by themselves to comply with the court's orders. While Paula did not have to fly to visit her father, the court did require that the visitation start for two weekends each month, that holidays be created every other year, and that Paula reside with her father during the month of July. According to Wallerstein, "The visiting schedule was set up on the basis of a compromise meeting the demands of both parents."

Working Mothers and Latchkey Children

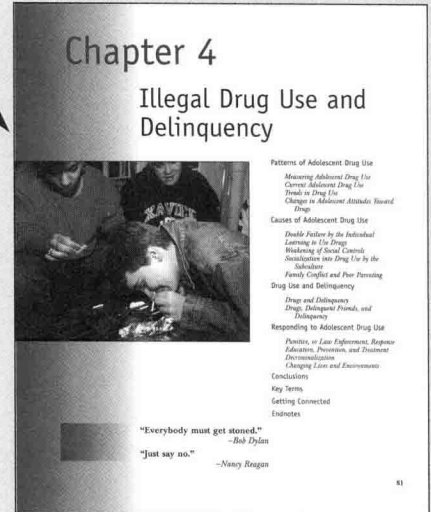
Most women participate full time or part time in the labor force today. Three-fourths of married women with children between the ages of 6 and 17 are employed; 78 percent of single mothers with children in this same age group are employed. But mothers with much younger children are also working outside the home. In 1990, 10.3 million women with children under age 6 were employed. This includes 61 percent of married women and 67 percent of single women with children under age 6.¹ Some criminologists ask whether there is a connection between women in the labor force and delinquency.

Research has found one definite effect of mothers being in the labor force—they have less time to spend with their children. But Russell Hill and Frank Stafford report that college-educated working mothers try hard to compensate: They cut down on time spent sleeping and relaxing more than they cut down on time spent with their children.² The same authors also note that by the time children reach adolescence, parents in general spend

Chapter 10, "Family and Delinquency," contains new discussions of teen fathers, non-resident parents and failure to pay support, and the consequences of court-ordered visitations on children.

Easy-to-follow chapter-opening outlines of the major topics that will be discussed immediately alert students to the central issues of the chapter as well as the order in which they are presented.

The wealth of new photographs in the book are accompanied by intriguing questions or extended narratives designed to stimulate class discussion and critical thinking.



Each chapter also contains a wealth of provocative discussion questions about important issues. The questions are located in the margins next to the topics they explore further and are designed to stimulate discussion in class and to sharpen students' critical-thinking skills.

