



# JUVENILE DELINQUENCY

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JUVENILE DELINQUENCY

*The quality of the materials used in the manufacture  
of this book is governed by continued postwar shortages.*

## PREFACE

The study of juvenile delinquency in America has taken precedence over the investigation of adult crime. The most outstanding and significant researches have been made in the juvenile field. The greatest amount of expert social work and guidance has been applied to the treatment of young offenders. Moreover, it is now recognized that the beginnings of adult criminal careers have their sources in juvenile difficulties and behavior problems which have accumulated uncorrected from childhood and adolescence. As researches and treatment programs continue to concentrate on unadjusted children, increasing control over this problem is to be expected. More children will be adjusted before they graduate into a career of adult, professional crime.

Almost every educated person has his "pet" theories regarding the causes of and the cures for delinquency. These can be checked against the available facts to see to what extent they are applicable. Usually such theories will apply in part only, unless they are grossly medieval and hereditarian, in which case one must rule against them.

The facts clearly indicate that causation is multiple rather than single. In other words, the causes for delinquency in general or in a given case are compound and complex. The statistics and the cases bear out the contention that delinquent behavior is situational, that is, grows out of the total situation in which the child is a part. The data do not support the conclusion that delinquency is predetermined biologically. Delinquent behavior seems to be predetermined only in so far as the situation in which the child becomes an official problem is predetermined.

Those who expect the authors to produce a list of their proposed causes for delinquency should realize that few sociologists explain social problems by armchair methods of speculation. It is much more important for the student, the practical worker, and the educated layman to understand the principle of multiple causation, to be able to analyze the causes in individual cases

(assuming adequate case records), to be qualified to interpret the tabulated information on juvenile delinquents which is presented to them as a result of surveys and studies.

In using this book as a course of study as much emphasis as possible should be placed on projects in the field or at the agencies where the cases are to be found. Immediately after Chap. VII it would be wise to reserve time for the analysis and factorizing of published and original case studies (see Appendix D). After Chap XII it would be profitable to study the published cases in terms of methods and techniques of treatment (see Appendix D). At the same time students could be placed on projects that attempt to measure the extent to which certain social-agency programs reach problem children positively.

While the data and material of this volume have been integrated jointly, each author assumes responsibility for his chapters. Chapters I, VII, VIII, IX, X, and XI were written by Dr. Reckless; Chaps. II, III, IV, V, VI, and XII, by Dr. Smith. The appendices were assembled by Dr. Reckless.

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NASHVILLE, TENN.

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*April, 1932.*

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# JUVENILE DELINQUENCY

## CHAPTER I

### CHANGING CONCEPTIONS OF DELINQUENCY

**Lag in Popular Conceptions.**—The popular notions of the juvenile offender lag considerably behind the facts of recent study and research. The lag is due partly to a resistance to new findings which shake the foundations of old stereotyped conceptions and partly to the slow seepage of research discoveries (not widely advertised) down through the masses. Although the theory of relativity has had the advantage of dissemination by international news services, it may take several years before fundamentalist legislatures will discover its contradiction to the story of Genesis. Evolution took sixty years to reach the hinterland before it was ruled out in anti-evolution bills.

In certain sections are found people who are convinced that the juvenile offender is possessed—possessed of the devil and meanness combined. In other quarters, he is a little imp, a moral leper, a scapegrace. These conceptions are lingering medievalisms which in no uncertain terms form the basis for community action—the harrying him out of the neighborhood and penning him up in the institutional cage for wild children.

*The Neighborhood Terror: A Case Summary.*—A committee of citizens from a low-class industrial area of a city (size: 150,000) petitioned the juvenile court for the removal of a twelve-year-old, cross-eyed, unkempt, malnourished (pellagra), undersized girl. To the complaining neighbors she was a terror, a plague, a curse, a menace. She stole, begged, lied, swore, and threw rocks at the neighborhood children who ran from her when she appeared and called her maddening names at safe distances. Gussie really looked possessed and wild to the average citizen. Once she had been sent to the reform school where she broke windows, refused to work, fought and bit those who crossed her path. Since she was ferociously uncontrollable, the matronly authorities had to return her to the juvenile court. She was then sent to the House of

Good Shepherd, but the Catholic sisters, strict disciplinarians as they can be, had to return her.

Gussie had not been to school for several years. School could not contain her and none was willing in that part of town to take her—so far had her reputation extended. She had to go out of the neighborhood to Sunday school (the few times she went), because neighbors would not allow their children to associate with her. She was refused participation in a local social settlement house.

Her father had deserted the family when she was nine months old. The mother supported the family by working in a near-by hosiery mill. The status of the family declined in the eyes of the neighborhood when the mother showed signs of immoral conduct. It had never been very high, in neighborhood estimation; for its members were considered "no-'count" white trash. The desertion of the father and the reputed immorality of the mother, therefore, served to lower the family's standing still further. The family's bad reputation was held against the child and was partly responsible for the way she was treated in, and the way she treated, the neighborhood. When the girl was seven, the mother remarried. The stepfather was a man of fairly stable habits but had no corrective influence on the child. She became unmanageable at home when crossed or corrected; she developed such a "fierce" temper that her parents and her two elder sisters (sixteen and seventeen, living at home) let her alone. Matters got worse as time went on.

Among the many other difficulties she had recently contracted gonorrhea from a male cousin who had violated her on one occasion. This misfortune was whispered about the community to the increased disadvantage of the girl. When tested psychologically, she was found to be somewhat retarded, which retardation was felt, by the constituted experts on the case, to be the result of lack of home training and schooling and of malnutrition.

*The Treatment Course and Results.*—In dealing with this case it so happened that the Court could not send her to an institution. She had been tried in two before and had to be let out—such a rumpus did she cause. With no child-placing facilities at hand, she had to be dealt with at home. The first attack was made on the community. We gathered the settlement heads, important neighbors, and mill owners together, explained her situation, and asked for their help, which was granted. After this and other conferences, she was not such an accursed child in the eyes of the pillars of her local society. We had glasses made for her and managed by rewards and other devices to get her to wear them and cease breaking them. We managed to get her to look into a mirror and wash her face and comb her matted, straggly hair. We managed to put cabbage and other vegetables in her diet. In a few months her complexion and appearance changed for the better.

She looked less like her former self and more like the other neighborhood girls. We stimulated self-pride in her new appearance.

We enlisted the interest of the near-by school principal in her case and asked him to let her come to school under his special supervision. He was a man who prided himself on his ability to control children. We suggested that he keep her at his desk rather than put her in class and give her such attention as he could. This was done not so much for the formal education as for instilling orderly attitudes and habits. The principal picked out two or three outstanding girls of Gussie's age who lived in her neighborhood and had them singly or in pairs call for her in the morning and walk home with her in the afternoon. At first she bolted from school and ran home. Then she wandered out and around the school. But pretty soon, without forced methods, Mr. Jones was able to make her stay at his desk until such times when he sent her on errands to the various classrooms. Being favored by the principal, she gained status with the school children and especially with the neighborhood children. Her reputation (based on rumors) improved with the adult members of the neighborhood. Besides, they could see visible signs of improvement.

We felt that the turning point in the reconstruction of the girl's personality, apart from her improved status in the eyes of her neighborhood, occurred in this incident. One day, after several weeks at the principal's desk, she wandered off to the lunch room and told the "mothers" in charge that Mr. Jones wanted them to give her two sandwiches. (He used to see to it that she got her lunch free as the family could not afford 10 cents a day for her.) She took the sandwiches, bolted out the school door, and ran toward home. (The principal witnessed this unseen from a window.) Her pace gradually slackened and she came to a halt about a block away from the school. At this point she turned about, walked slowly back to the school entrance, laid the sandwiches uneaten on the front steps, and ran home.

We considered this the conquest of nurture over nature and the dawn of moral attitudes and habits. She came along with her school companions the next morning. Progress from then on seemed to be sped up. A year later the same people who wanted the accursed imp harried out of the community were saying, "Did you ever see such a change come over anybody in your life? Why, she's really got good stuff in her and is a good child at heart."

**Social Stigma and Branding.**—When children are viciously stigmatized because of their court records, the ancient heritage of branding persons who do not conform to the social code is in operation. The justification for harrying them out, caging them, segregating them is that the community must be spared contamination from those it conceives to be possessed of moral

leprosy. It was not long ago that a committee from a Boys' Work Council waited on the superintendent of a city school system in order to get him to modify his ruling that no child who had been in the juvenile court would be allowed to re-enter the school system. Without eradicating the rule, he was prevailed upon to re-admit deserving individual cases.

**Fallacy of the Biological Type.**—Existing alongside the notion that the juvenile delinquent is possessed, is the one that he is a biological type—that he is a special order of being different in physique, physiognomy, and mentality from law-abiding citizens. While the biological-type idea is a modern notion which appeared to the layman to have the sound backing of the science of biology, there is really very little difference between branding a delinquent child as a throwback or a constitutionally inferior type and branding him as an imp. In the one case the public falls back on the laws of biological inheritance for its authority and in the other case it falls back on superstitious or magical explanations. But in either case the juvenile delinquent is assumed to have *it* in him—that is, his violating nature—no matter whether he inherited it or is possessed of it.

The biological type which is supposed to become an offender is just as fictitious as Lombroso's born-criminal type which was explained by atavism and degeneracy. Adult criminals, in spite of our stereotyped ideas and of pictures of convicts in newspapers and in the movies, do not conform to a type with definite inherited physical and mental stigmata, obviously separating them from the civil population. Goring in his study *The English Convict* demonstrated, by subjecting prison populations to measurements, that there was no biological criminal type such as Lombroso had described.

**Case of Chinky.**—Of the cases of delinquent children so far published the following one seems to approximate, roughly, the stereotyped picture of the born type of criminal as lodged in the mind of the public today.

Chinky, a boy of eleven years, had a Mongolian cast of features. His sparse hair grew low upon an unusually broad forehead. He was small in stature but sturdy and stocky. His body was "almost entirely" scarred. His problem is reported as follows (the italics indicating traits conforming to the stereotyped notions of born criminals).<sup>1</sup>

<sup>1</sup> We are not attempting to square popular impressions with the traits Lombroso assigned to the born criminal.

1. Delinquency.
  - a. *Shrewd and clever pilfering* from stores and individuals to such an extent that he came to be regarded and feared as a menace in the neighborhood.
  - b. *Bold, cunning, and audacious* in his schemes to defraud and rob.
  - c. Leader of a gang, composed of boys older and younger than himself, whom he led into all sorts of depredations and mischief in different sections of the city.
  - d. *Perverted sex tendencies*; instigated the members of his gang to violate small girls.
  - e. *Incorrigible liar*, and given to the use of profane and obscene language.
2. The school.
  - a. *Obstinate*, and continued truancy.
  - b. Had a school attendance of less than six months to his credit since his kindergarten period.
  - c. Defiant, disobedient, and always in readiness to "fight" any teacher, school-attendance officer, or any authority who ventured to reprove or remonstrate with him.
  - d. Induced the children in his classroom of the moment to rebel, and mock at the teacher. Influenced the bolder spirits to join his gang.
  - e. Enjoyed caricaturing the teacher and throwing spitballs, which "sport" he then calmly attributed to the instigation of some timid youngster, who frequently would be punished for his misdeeds.
3. Home.
  - a. *Unmanageable* and given to *violent temper tantrums*.
  - b. Stealing from parents, and pawning any articles of value they possessed.
  - c. Stayed out in the streets till all hours of the night. Slept at home only when it suited his purposes.
  - d. If punished by parents, would retort with vile language and any missile that came readily to his hand.
4. Society.
  - a. *Recognized neither law nor order*, and followed the mood of the moment regardless of consequences.
  - b. Influenced the members of his gang to prey upon the various neighborhoods and *revenged himself upon any citizen* who complained to the police, by *ruthless thefts*, window smashing, maltreating his children, and most abusive language.
  - c. Arrested three times for larceny and disorderly conduct.
  - d. Juvenile court records.
    - 2-18-16. Charged with acting in a disorderly manner in a moving picture parlor. Placed in care of Miss R—for three months.

7-24-17. Feloniously entering dwelling house and stealing therefrom two gold-tooth bridges valued at \$23. Placed in care of Miss R— for twelve months.

8-11-17. Minor without proper care sent to reformatory pending further hearing on September 11. 9-11-17. Continued to October 12. 10-15-17. Committed to the orphanage.

4-23-20. Larceny of \$2. Postponed to April 28, then to May 20, then to November 20, when it was dismissed.<sup>1</sup>

Additional personality traits included:

*Careless* about his person, and though he displayed a *marked taste for flashy combinations* in clothes, extremely untidy and uninterested in the garments he wore.

*Very keen in perception, crafty, and exceedingly clever* in sizing up the personalities of friend or opponent.

*Uncannily shrewd* in the selection of his tools and accomplices.

*Indolent and pleasure loving.*

*Showed no desire for affection* and was *callous* to friend and foe alike.

Animals appealed to him only when frantically trying to dislodge the various articles he had succeeded in tying to their tails.<sup>2</sup>

Those who subscribe to the notion of the born criminal, whose "savage nature" is supposed to be revealed in symptoms of anatomical anomalies, especially of the head, and in psychological traits such as apathy, violent temper, instability, keen perception, and love of ornate things, might find superficial support for their stereotyped ideas in Chinky's case—at least from his abstracted traits. However, when we learn that Chinky came from a slum family disorganized by poverty and continuous quarreling; that his mother tried to prevent his birth, had a record as a sex delinquent before marriage, claimed she married Chinky's father because of his false representations about income, and still liked to frequent dances and ice-cream parlors; that Chinky was left for the streets of an underworld part of town to claim almost as soon as he could toddle, that he was schooled in crime by the "master crook" in the neighborhood, one of whose hobbies was teaching the neighborhood children criminal techniques, and that Chinky became the leader of a gang of boys well-schooled in youthful crime—when we consider all these facts—the boy's case is explainable in sociological terms. His dispositional traits, his habits and attitudes, become understandable in view of the

<sup>1</sup> DRUCKER and HEXTER, *Children Astray*, pp. 387-388, Cambridge, 1923. Reprinted by permission of the Harvard University Press.

<sup>2</sup> *Ibid.*, p. 389.

complete lack of training and curbing at home. Instead of being a born criminal with a savage nature, he was delinquent because he grew up in the underworld tradition.

**Inheritance of Delinquency or Its Predisposition.**—Many who have seen the folly of labeling the delinquent child as a born type still cling to biological authority for the explanation of delinquency. In these circles delinquency *per se* is conceived to be an inherited biological trait. "He's just a natural born thief," is apropos. In recent years the more careful students have modified this conception. If the child cannot be said to inherit a trait of stealing as he does any physical trait, *e.g.*, blue eyes, at least he inherits the tendency to steal or the proneness to violate the codes of society. This revision is parallel to revisions which have been made in many formerly held conceptions of the inheritance of traits like alcoholism, tuberculosis, and musical ability. Instead of inheriting the trait itself, one is said to inherit the predisposition for it. While it may still be valid to state that a person inherits a tendency for certain physical and mental traits, it is not a tenable position to assume that children who get into the juvenile court have a tendency to become delinquent. The detailed study of individual cases shows that the behavior of children, which gets them into the arms of the law, can be explained more adequately by definite individual and social factors than by the assumption of an inborn tendency which leads its possessor to violation of society's code.

**Substitutes for Biological Explanations.**—One of the most significant findings of modern sociology is that many human nature and personality traits—behavior traits—which earlier authorities thought were biologically inherited turn out to be acquired in the life experience of persons. Race and class attitudes, differences in the interests and attitudes of the sexes, character and dispositional traits, wishes and desires, manners, philosophies of life, etc., have been found to be largely acquired in social experience. Most psychologists and sociologists agree today that many forms of human behavior which formerly were classified as instincts are acquired patterns. When this discovery reaches the general public, educated laymen will be less prone to explain acquired patterns of misconduct in terms of biological heredity. But as long as people believe that the traits of human nature are inborn, the notion of an inherited predisposition for delinquency remains an unchallenged truism in their minds.



**The Delinquent Conceived as a Moron.**—Perhaps the most recent of the fallacious public conceptions about the delinquent is that he is a moron. Ever since Goring announced, without the aid of standardized psychological tests, that the criminal populations showed a much higher percentage of “weak-minded” individuals than the civil population, many experts and educated persons have looked upon feeble-mindedness as the major explanation of the criminal and delinquent. This conception was given wide currency, especially by the implications of eugenic reports and more directly through the newspaper stories of “morons.”

One of the foremost authorities, who has had the opportunity to study thousands of cases of juvenile delinquents, says:

Concerning the relationship of feeble-mindedness to delinquency, the point of view has largely changed within the last decade [given in 1925]. There is now quite general acceptance of the minimized role which mental defect plays in the genesis of misconduct and of the correlated fact that the feeble-minded vary much in personality traits.<sup>1</sup>

**Humanitarian Developments and Close-range Revisions.**—Somewhat independent of the basic conceptions and explanations that the public holds and has held in reference to the juvenile delinquent, a gradual softening in attitude has come about in the last hundred years. This more humane attitude has developed along with the reform movements which have tried to ameliorate the social conditions of modern industrial life. Apart from what the delinquent is or how he is to be explained, he does not deserve capital punishment for theft and severe flogging for transgressions such as were meted out to him a little more than a century ago. Under pressure from a rising humanitarianism, the legal and penal codes were modified in theory and in practice to eliminate undue barbarisms and severities in treatment. Later, during the last third of the nineteenth century, separate reformatories for delinquents were erected, the thought being that children who had to be incarcerated could be handled more advantageously by themselves than with adult criminals in jails and penitentiaries. Perhaps the crowning step in the humanizing process was the establishment of the juvenile court in 1899.

<sup>1</sup> BRONNER, AUGUSTA F., “The Contribution of Science to a Program for Treatment of Juvenile Delinquency,” *The Child, the Clinic and the Court*, p. 80, New York, 1925.