

# JUVENILE JUSTICE

G. Larry Mays L. Thomas Winfree, Jr.



# Juvenile Justice

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To my parents, Robert  
and Dorothy Mays, for providing  
the support and spiritual  
guidance to help me choose a  
law-abiding lifestyle.  
GLM

To Elizabeth Latham Cowherd  
Winfree, a nineteenth century  
woman of culture and  
distinction, who presented me,  
at age 13, with her fraternal  
grandfather's copy of  
*McGuffey's Reader*.

To Julian Thomas Winfree,  
banker and civil servant, whose  
two older brothers were "bound  
out" as teenagers to work as  
field hands for five years,  
and later earned medical  
and law degrees.  
LTW

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# PREFACE

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## TO THE STUDENTS

This book represents a long journey for us, but the path traveled by each was a bit different. For example, in the 1970s, Larry Mays served as a police officer in Knoxville, Tennessee, working undercover and in plainclothes in drug enforcement, as well as the juvenile division. These experiences sparked his life-long interest in the juvenile justice system and the problems of youngsters processed by the system.

After completing a master's degree at East Tennessee State University, Larry received his doctorate in political science from the University of Tennessee. His major professor was Otis Stephens and his doctoral work focused on judicial politics, constitutional law, and public administration. His research focus in graduate school often turned to juvenile justice issues, and after receiving his doctoral degree, Larry researched and wrote extensively in books and academic journals on such diverse juvenile justice-related topics as juvenile transfer to adult courts and gangs and gang behavior. In the late 1980s, this interest culminated in *Juvenile Delinquency and Juvenile Justice*, a book he coauthored with Joseph Rogers. Over the next 10 years, Larry often thought about what that book tried to do—merge two substantive areas of academic study—and eagerly awaited the chance to put these thoughts into written words. This book afforded him just such an opportunity.

At about the same time that Larry Mays was a police officer, Tom Winfree served in the U.S. Army, stationed in Berlin, Germany. During this time, he served briefly as a tower guard at Spandau Prison, a maximum security facility housing the last convicted war criminal from World War II, Rudolph Hess. Upon leaving active duty in 1970, Tom decided to pursue a graduate degree in sociology with an emphasis in drugs and society, the latter interest piqued by the relatively high levels of substance abuse he had witnessed in Europe among U.S. military personnel during the late 1960s. Academic realities and personalities intervened, changing Tom's focus to juveniles and correctional institutions. The reality was the need to develop a thesis topic in a relatively short period of time; the personality was Charles W. Thomas, who became a defining force in Tom's early career. Tom began his research career studying juvenile responses to a secure correctional facility in Virginia.

After receiving a doctorate in sociology from the University of Montana in 1975, Tom held academic positions at the University of New Mexico, East Texas State University, and Louisiana State University before taking his current job at New Mexico

State University. In the course of this quarter century or more of teaching, research, and writing, problems of contemporary youth dominated his career. Returning to an earlier interest and combining it with his evolving juvenile justice research agenda, he wrote extensively on the causes and correlates of juvenile drug abuse, particularly in rural America and among native American youths. In the early 1990s, he, along with Larry Mays and a long succession of able graduate students, began a series of gang-related research studies, culminating in his participation in the National Evaluation of the Gang Resistance Education and Training program.

Throughout Tom's research and writing efforts, two themes have dominated his work. First, he grounded his studies of youthful drug use and gang activities in contemporary delinquency theory, believing that unless we attempt to provide theoretical understandings of attitudes and behavior, our explanations will fail to stand up to the test of time and changing social forces. Second, he subscribed to the belief that theory, research, and practical applications must complement each other. This latter orientation, whether the product is teaching a class, writing a research article or authoring a textbook, translates into an appreciation of how basic research—the study of phenomena for the sake of knowledge itself—and applied research—the search for workable answers to specific problems—can help us understand our world. In the present instance, that world is defined as the juvenile justice system. The textbook contains both perspectives—a concern for theory and a belief that it must make sense.

We offer these brief biographical sketches to give you a sense of our orientation toward the subject matter of this text. Like many academics, we bring much personal and intellectual “baggage” to our work. We felt that it would help you understand this book a bit better if you understood us as well.

## TO THE INSTRUCTOR

We would like to call your attention to several pieces of information about the authors and features of this book. First, we bring varied backgrounds and perspectives to the book. Larry Mays is a political scientist by training and he worked in local law enforcement (including stints in drug enforcement and the juvenile division) in the early 1970s. Tom Winfree's academic training is in sociology, and he brings a wealth of practical and research experience to the text. We both have been engaged in gang research for most of the 1990s. The net result is different, but complementary, perspectives on the issues presented in the text.

Second, we consciously have tried to develop something of a new pattern for this book. As one example, rather than ignoring theory altogether, or segregating discussions of theory in several introductory chapters, we lay a foundation in Chapter 2 and include boxed material on theory throughout the text. Some of the essential material included in this book (e.g., police work with juveniles, the juvenile court, and juvenile probation) will be present in any text on juvenile justice. However, four chapters are relatively unique.

- Chapter 6 on nondelinquent children in the juvenile justice process presents recent information on those youngsters who fit into the categories of dependency, neglect, and abuse. In some sense, these youngsters are victims with whom the juvenile justice system must deal.
- Chapter 9 on juvenile parole and aftercare proved one of the most difficult to write. The material is difficult to locate (what little seems to exist), so we searched high and low to find the information for this chapter. We have found that this material is absent from, or ignored by, many of the other juvenile justice texts on the market.
- Chapter 10 on juvenile gangs highlights a national issue of some concern and one that students find fascinating. This material shows how theory may inform research and how research may inform policy and practice in the juvenile justice system.
- Chapter 11 addresses prevention and intervention concerns from both philosophical and practical perspectives. We deal with what works and what does not work, and some of the reasons why programs work or do not work.

Third, we feel compelled to comment briefly on the references we have cited throughout the text. We have tried to incorporate those sources (some secondary in nature) that best inform us about certain issues. Therefore, we have included items from the 1990s, 1980s, 1970s, 1960s, and some even earlier. We believe that each reference speaks to the issues at hand in a vital way.

Fourth, the opening vignettes we have included in each chapter may be a new feature to many of you. Before you judge too quickly, keep these two things in mind:

1 It is important to get the students to read the book (we assume *you* will), and we have "test driven" these scenarios with students at our university and found that they pull them into the chapters.

2 Each of these is loosely based on experiences we and our former students have had, and they should bring a degree of realism and relevancy to the text.

Finally, we encourage you and the students to use the critical review questions included at the end of each chapter. A quick glance will tell you that these are not really

“test” questions, in that many of them do not ask for recall of substantive information. However, they can be used for classroom discussions, and they should give you some measure of whether the students are developing a comprehension of the material. Thus, these questions could be used as out-of-class assignments or for in-class small group discussions.

We both feel that one of the greatest disservices to our students is to bore them with something we feel passionately about. This book is designed to tell a story. We hope you and your students find it interesting and useful.

*G. Larry Mays*

*L. Thomas Winfree, Jr.*



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# ACKNOWLEDGMENTS

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A book, such as this one, that takes nearly two years to bring to closure necessarily involves many participants beyond just the authors. We would like to thank the folks at McGraw-Hill with whom we have worked in the course of preparing this text, including Nancy Blaine, Alan McClare, Miriam Beyer, Jane Lightell, Laurie Entringer, and Michael McCormick. We would also like to thank the following external reviewers who read some or all of our manuscript:

Tom Barker, Jacksonville State University  
Thomas Bernard, Pennsylvania State University  
Stephanie R. Bush-Baskette, Florida State University  
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John Holman, University of North Texas  
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Rudy Sanfilippo, College of San Mateo and Cañada College  
Clifton Joe Scott, Collin County Community College

We would also like to thank our students, who helped crystalize our thinking about juvenile justice and forced us to become better teachers. In particular, the following students provided invaluable assistance to us as we prepared this manuscript, looking up references, reading and commenting on chapters, and the like: Conan Becknell, Carolyn Casillas, Monica Deale, Rebecca Huffman, and Annette Robinson.

To all of those we have named, and to the many others who have, over the years, influenced our careers and lives: Thank you. Of course, they share all the credit; we bear all the blame for any mistakes we have made in this text.

**GLM**  
**LTW**

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