

# JUVENILE DELINQUENCY

CONCEPTS AND CONTROL  
FIFTH EDITION

**Robert C. Trojanowicz / Merry Morash**

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# Preface

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The main purpose of the fifth edition of *Juvenile Delinquency: Concepts and Control* is to provide the practitioner or the student interested in working with juveniles an overview of the juvenile delinquency phenomenon and the process involved in its causation, prevention, control, and treatment. Like the previous editions, this one emphasizes a multidisciplinary approach to the problem and updates information presented in the earlier editions, and includes as well new and important material related to the complex problem of juvenile delinquency.

The most popular and prevalent interdisciplinary issues, ideas, principles, and assumptions pertaining to the phenomenon are presented. The use of numerous examples facilitates the transition from complex theoretical principles to practical application.

Not only does the book provide an overview of the many variables related to delinquency, it points out the orientation, duties, responsibilities, and functions of the agencies in the juvenile justice system that deal with the juvenile delinquent. The orientation, programs, and procedures utilized by the various juvenile justice agencies are discussed to help the reader understand the processes the delinquent goes through from the initial contact with the police to the selection of a dispositional alternative. The description and discussion of the juvenile delinquency process will further facilitate the transition from theory to practice.

All of us, regardless of background or professional training, have our own theories about juvenile delinquency. Often practitioners amateur theorists demonstrate appropriate and sound logic, but because they are unaware of popular theoretical assumptions and current programs and practices they are unable to systematically compare their ideas with those of the "experts." This hinders the practitioner and the "amateur" from effectively replicating and refining their own most successful ideas and practices. In other words, many practitioners and aspiring practitioners "fly by the seat of their pants."

This book provides the reader with an exposure to the thinking of the experts in the field of juvenile delinquency, the process involved in the causation of this phenomenon, and examples of the most successful and most often used programs, procedures, and techniques for handling juveniles.

The strength of the book is that it points out the complexity of the juvenile delinquency phenomenon and the necessity of understanding the many variables related to its causation, prevention, treatment, and control—variables that range all the way from a knowledge of “normal” adolescent behavior to an understanding of processing procedures in handling delinquents.

The book recognizes racial, gender, and social class diversity in the adolescent population. New theories to explain girls’ lawbreaking, examples of programs for girls, and information about how they are handled by the juvenile justice system are provided throughout the book. Special attention is focused on race and class as correlates of delinquency as well as biasing influences on official reaction to illegal behavior.

The establishment of effective juvenile delinquency prevention, treatment, and control programs can be accomplished only if the many variables identified in the book are understood, assimilated, and then initiated into action.

Part 1, “Introduction to the Study of Juvenile Delinquency,” provides a framework for organizing the great amount of information we have about delinquency, and it reviews statistics on the delinquency problem. Chapter 1, “Issues in Understanding Juvenile Delinquency,” lays the groundwork for understanding the interconnections between our beliefs about delinquency, assumptions about who the delinquents are, theories of delinquency causation, and delinquency control programs. The choice of one control program over another is often based on a combination of theories, assumptions, and beliefs. Without this recognition, it is difficult to make sense out of the complex network of programs intended to control adolescents’ misbehavior.

Chapter 2, “Delinquents In and Out of the Juvenile Justice System,” summarizes numerous research findings that tell us exactly which youths are most delinquent and which ones are most likely to be involved in the juvenile justice system. Because not all youths who break the law are apprehended or arrested, we cannot assume that those in court are actually the most delinquent. A number of recent surveys of nationally representative groups of adolescents are described, for they provide particularly useful estimates of the extent of illegal activity by youths.

In Chapter 2, many myths about the nature of the delinquent are challenged. Delinquency is found in all social classes. Despite newspaper and television accounts to the contrary, we are not currently besieged by extreme increases of juvenile delinquency or by large numbers of teenage gangs. Girls have become more delinquent than they formerly were, but mainly in typically “female” crimes, such as shoplifting. They are not nearly as violent as boys.

In the second part of the book, “Theories as the Basis for Program Design,” the focus is on explanations of why adolescents break the law. Chapter 3 provides a survey of major sociological and psychological theories to explain delinquency. The chapter outlines new developments in theory, including research to explain females’ delinquency, research on structural influences, efforts to integrate theories, and challenges to the beliefs on which some theories rest.

As a complement to the survey of a broad range of theories and related research in Chapter 3, Chapter 4, "The Family and Juvenile Delinquency," focuses just on information about the influence of families on delinquency. By narrowing attention to the family, the student is directed again to consider major theories and new developments, but in more depth than with the survey approach. Additionally, the interdisciplinary approach to understanding delinquency can be emphasized.

The concluding chapter on theory, Chapter 5, "The Adolescent," also uses an interdisciplinary approach, drawing from the disciplines of anthropology, history, sociology, and psychology. People from these fields have drawn attention to the special needs of delinquents which stem from their status as adolescents, and the role of their adolescent status in promoting delinquent behavior.

People working with juveniles tend to forget that the delinquent is an adolescent first and delinquent second. They are not familiar with the wide variety of adolescent disruptive behavior that is within the normal range. Often, most is expected of the delinquent than of the normal adolescent. Unfortunately, many prevention, treatment, and control programs are predicated on the "sickness" of the delinquent and not on the "healthiness" of the adolescent. It is important to understand the normal as well as the delinquent adolescent—as much may be learned from normality as from deviancy. Chapter 5 also examines the adolescent from many perspectives, including the historical, cultural, psychological, and sociological. Practical examples are given of methods of relating to the adolescent, and major areas for societal change in attitudes toward the adolescent are identified.

Although the focus in Chapters 2 through 5 is on theory, the interrelationships between theory, beliefs, and programs, and the issue of who the delinquents are remain central. These interrelationships are pointed out in the chapter material and are emphasized in discussion questions and projects.

In Part 3 of this book, "Treatment of the Delinquent," we give less emphasis to theories of juvenile delinquency and more to the programs and treatment methods which are commonly used. Chapter 6 reviews the organization and operation of the entire juvenile justice system—the police, court, and correctional agencies—as well as the laws which influence the system.

For youths who are involved with the juvenile justice system, and for some who are not, a multitude of programs have been developed over the years. A historical perspective of the most important of these programs is provided in Chapter 7 to give a sense of what has been tried and what has been successful. Additionally, many examples of frequently used contemporary programs are presented. Chapter 8 gives a more detailed understanding of the programs, whether old or new, by introducing the specific treatment methods which can be used in the various program settings.

The last two chapters of this section, Chapters 9 and 10, balance the overview of justice system operations, delinquency programs, and treatment methods. They are in-depth explanations of new and promising approaches to delinquency control. Like the overview, these two chapters stress the interplay between theory, beliefs, the treatment method, and the target population, and they present relevant research findings. They also give the student a detailed explanation of the steps involved in successful implementation of delinquency control efforts. Such organizational abilities are essential in effective



tively applying our theoretical understanding of delinquency and its control in real world settings.

"An Example: A Community-Based Treatment Program," Chapter 9, describes a halfway house program and discusses the input necessary for the establishment and operation of such a facility. The chapter uses many of the concepts relevant to prevention programs and methods which were stressed in Chapters 7 and 8.

Halfway houses are discussed more extensively than other juvenile facilities because (1) they are a prevalent type of community-based treatment facility for juveniles, often replacing institutions; (2) a discussion of the halfway house program lends itself to the incorporation of the theories, concepts, programs, and techniques that were discussed in the preceding chapters; and (3) the example of a halfway house program illustrates the numerous elements that have to be considered in successfully implementing a program to achieve its intended goals.

Chapter 10, "Delinquency Prevention through Citizen Involvement," emphasizes including the residents of the community in any decisions that relate to delinquency prevention, control, and treatment. Without community involvement, input and commitment to programs that are established to work with youngsters will be difficult to effect.

Part 4, "Juveniles with Multiple Problems," focuses on substance abuse and child abuse and neglect. In Chapter 11, "Alcohol and Drug Abuse," theories to explain abuse and special programs for its control are described. Many of the youths who are involved in the juvenile justice system abuse drugs and alcohol. Programs must take this into account in order to fully serve the delinquent.

"Child Abuse and Neglect," the topic of Chapter 12, is of great concern today for professionals in all phases of the juvenile justice system. The problem can no longer be viewed as "someone else's concern." Everyone, all the way from the investigating police officer to the judge who makes the final decision, must be aware of the seriousness of the problem and what can be done to remedy this unfortunate situation.

This book will give you the skills to recognize and analyze both historical and contemporary trends in juvenile delinquency theory and control. In the last chapter we apply these skills to pressing problems in coordinating various parts of the juvenile justice system and in implementing key policies. We also discuss the tremendous value of empirical research, which we have stressed throughout the book. As beliefs and theories about juvenile delinquency change, you will find that your own ability to understand juvenile delinquency insures a current and sophisticated appreciation of the field.

Finally, a complete bibliography with summaries and library call numbers is presented at the end of the book to provide an easy reference for both the student and the practitioner. An Instructor's Manual has been developed for the text to assist the teacher. It includes numerous case examples and related questions for discussion or essays, as well as test questions.

As with any endeavor, many people have contributed to the achievement of our goal. We would like to acknowledge some of the people who helped in completing this edition as well as earlier editions: Ray Valley, Suzanne (Pyzik) Jude, Thomas Schooley, Kathleen Williams, Bonnie Pollard, Jody Allen, Kathleen Adams, Victoria Schneider,

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# Issues in Understanding Juvenile Delinquency

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- DEFINITION OF DELINQUENT BEHAVIOR
- FOUR KEY ISSUES IN UNDERSTANDING DELINQUENCY
- THE USE OF RESEARCH
- AN EXAMPLE—DELINQUENTS, THEORY, PROGRAMS, AND BELIEFS
- SUMMARY

## LEARNING OBJECTIVES

1. To define juvenile delinquency, and the related concepts of deviance and crime.
2. To know how an informed citizen, a parent, or a staff member in a juvenile justice agency can make a decision about the worth of various delinquency theories and programs.
3. To be aware that there are sociological, psychological, and other types of delinquency theory, and that programs are based on each type.
4. To understand that common beliefs about delinquency and its control affect everyone's reactions to adolescents who break the law.

In 1970, an innovative and ambitious administrator took charge of a county agency to handle delinquent adolescents who had been arrested. This agency, the Department of Juvenile Services, screened youths to decide which ones should go to court, prepared treatment recommendations for judges, and provided probation and parole programs. Because the agency was quite small, the administrator could personally supervise all staff members and develop new programs in the community. She was strongly committed to the state law's man-

date to the department: to provide treatment, training, and rehabilitation for each offender. Therefore, she encouraged staff members to diagnose each offender's misbehavior, and to provide specialized treatment. Psychiatrists, psychologists, and social workers provided expert services in many cases. Nearly all offenders were "treated" in the community, and the administrator was very proud when an independent researcher found that the community-based services had not resulted in more recidivism than would have occurred if more offenders had been sent to locked institutions.

Today, the current administrator and staff show the effects of recent disillusionment with the effectiveness of delinquency programs, and public fear that juvenile delinquency is increasing and out of control. They advocate a "get tough" policy, which includes sending more offenders out of the community to secure institutional programs. One probation officer who had been at the department before the policy shift summed up the feelings of many staff: "We found out that the old treatment methods didn't work, so now we are trying something else." However, offenders and others from outside the department find it perplexing that treatment-oriented staff routinely diagnose and counsel delinquents alongside staff who, like the probation officer quoted above, have completely abandoned the treatment approach.

The above example illustrates the importance of understanding prior theories, practices, and beliefs in order to make sense of current efforts to control juvenile delinquency. The example also makes it very clear that there is a tendency to follow fads in juvenile delinquency programs. There is a need to carefully weigh research evidence against common sense beliefs, as well as against previously and currently favored methods of controlling delinquency.

The example further illustrates the rapid but incomplete change that has taken place in views of delinquency. Lamar Empey, a noted criminologist, sums up his observation of the change on a national scale:

Remarkable changes in the American concepts of delinquency and juvenile justice occurred in the 1960s and 1970s. The reputation of the juvenile court has been badly tarnished; the rules that define delinquency have been altered; and faith in the concept of rehabilitation has been seriously eroded. In short, we are witnessing changes in our treatment of the young that are every bit as revolutionary as was the intention of the juvenile court in 1899, or the construction of prisons and reformatories almost a century before that.<sup>1</sup>

The degree to which the shift away from rehabilitation is incomplete, or in some cases has been reversed, is highlighted by the fact that several states (including Pennsylvania, Oklahoma, Louisiana, Colorado, and Oregon) are engaged in a new reform effort involving: (1) development of very small, treatment-oriented secure programs for violent offenders and (2) the replacement of large training schools with structured, community-based programs for non-

<sup>1</sup>Lamar T. Empey, "Revolution and Counterrevolution: Current Trends in Juvenile Justice," in *Critical Issues in Juvenile Delinquency*, eds. David Shichor and Delos H. Kelly (Lexington, Massachusetts: Lexington Books, D. C. Heath and Company, © 1980), p. 157.

violent offenders.<sup>2</sup> This shift back towards individualized treatment was pioneered by the states of Massachusetts and Utah, and it is given impetus by several court challenges of the constitutionality of the conditions in which many juveniles are confined.<sup>3</sup>

This chapter identifies four issues that must be resolved in order to make sense of today's juvenile delinquency theories, policies, and programs. A full understanding of these issues is essential to making judgments about the extent to which recent changes represent well-conceived programs, and as such, this understanding is a basis on which students can organize their own thoughts about delinquency. Before presenting these issues, it is necessary to provide a definition of delinquent behavior.

## DEFINITION OF DELINQUENT BEHAVIOR

Delinquent behavior is prohibited by law and is carried out by youths approximately up to the age of eighteen. The exact lower and upper age limits differ from state to state, but age ten has been recommended by experts as the most logical cutoff point for children who are old enough to understand that their behavior is wrong.<sup>4</sup> The upper age limit varies between states, with some using 16 or 17, but most using 18.<sup>5</sup>

State laws legally prohibit two types of behavior for juveniles. The first includes behavior which is criminal for adults, such as the serious offenses of murder, rape, fraud, burglary, and robbery. Offenses which are criminal for adults but do not involve serious harm to other people, such as the offenses of trespassing and possession of drugs, are also included in this category. Status offenses are the second type of delinquent behavior, and they are not legally prohibited for adults. Running away from home, being out of the control of your parents ("unruly" or "ungovernable"), and being truant from school are the common status offenses.

The concept of juvenile delinquency has not always referred to the same type of behavior, and it has not even always existed. In a sense, the idea was invented in 1899 when the first juvenile court began to treat young offenders differently from those who were older.<sup>6</sup> Notions about what behavior should be defined as delinquency are not set and unchanging and, in fact, are frequently

<sup>2</sup>John Blackmore, Marci Brown, and Barry Krisberg, *Juvenile Justice Reform: The Bellwether States* (University of Michigan, School of Social Work: Ann Arbor, Michigan, 1988), p. vii.

<sup>3</sup>*Ibid.*

<sup>4</sup>Task Force on Juvenile Justice and Delinquency Prevention, *Juvenile Justice and Delinquency Prevention* (Washington, D.C.: U.S. Government Printing Office, 1976), p. 297.

<sup>5</sup>Charles P. Smith and Paul S. Alexander, *A National Assessment of Serious Juvenile Crime and the Juvenile Justice System: The Need for a Rational Response* (Washington, D.C.: U.S. Government Printing Office, 1980), p. xix.

<sup>6</sup>Don C. Gibbons, "Explaining Juvenile Delinquency: Changing Theoretical Perspectives," in *Critical Issues in Juvenile Delinquency*, eds. Shichor and Kelly, p. 9; and Lamar T. Empey, *American Delinquency: Its Meaning and Construction* (Homewood, Illinois: The Dorsey Press, 1978), p. 3.



questioned. In this vein, questions are now being raised as to the appropriateness of various delinquency definitions and the propriety of applying formal sanctions to such a wide range of juvenile behaviors, many of which are no more serious than general nuisances.<sup>7</sup> On the other side of the coin, many states have provisions to reclassify delinquent behavior as adult criminal behavior in cases where the offender is nearly old enough to be considered an adult and has committed a particularly serious offense.

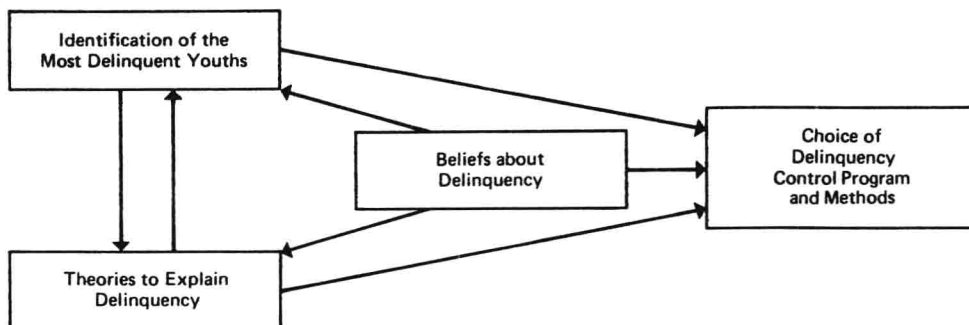
#### FOUR KEY ISSUES IN UNDERSTANDING DELINQUENCY

In order to fully understand delinquency, four key issues must be considered. First, who are the adolescents with the most delinquent behavior? Second, which theories offer the best explanation of the causes of delinquency? These theories would provide the best basis for delinquency programs. Third, what programs and methods are effective in controlling delinquency? Fourth, what do different groups in our society believe about delinquency? That is, which adolescents do they see as delinquent, and which theories and programs do they think are best? These groups include professionals involved with delinquents, as well as various sectors of the general public.

As shown in the model of the interrelationships of four key issues (Fig. 1-1), each issue is related to the others. Our identification of certain youths as highly delinquent and our theories to explain their delinquency affect each other. Specifically, we often assume that we know which adolescents are the most delinquent, and we develop theories to explain why these youths differ from others. Alternatively it is possible to begin with a theory, and rely on it to make predictions about which youths are the most delinquent. Regardless of whether assumptions about who the delinquents are come before or after a theory is developed, the delinquency programs which we design are aimed at a "target population" of these youths.

Theories also suggest the problems that must be eliminated in order to stop delinquency, and thus have a direct bearing on the design of programs. However, it would be misleading to say that all, or even the majority of delinquency programs, are firmly grounded in theory. Beliefs also are a major influence on the interactions between predictions that certain youths are most delinquent, and theories, and programs. Very often, beliefs are the most important influence on our perceptions of which youths are the most delinquent, and on the choice of programs to use. Beliefs even influence our choice of one theory over another. This can occur regardless of research evidence showing the theory to be quite weak. Because the four key issues are so closely related, even chapters

<sup>7</sup>Ruth Shoule Cavan, ed., *Readings in Juvenile Delinquency*, 2nd ed. (Philadelphia: J. B. Lippincott Co., 1969); Margaret K. Rosenheim, "Notes on Helping Juvenile Nuisances," in *Pursuing Justice for the Child*, ed. Margaret K. Rosenheim (Chicago: University of Chicago Press, 1976), pp. 43-66.



**Figure 1-1** A model of the interrelationships of four key issues in understanding delinquency

in this book which focus on one issue will touch on the others. For this reason, a brief overview of each issue is provided in this introductory chapter.

### Who Are the Delinquents?

D.C. Superior Court Judge Reggie B. Walton told a House panel on families yesterday that juveniles appearing before him now are younger, more violent and more immoral than ever. . . . "I have also seen a deterioration of remorse," said Walton, who is known for handing down harsh sentences and stern lectures from his Superior Court bench. "There just seems to be a lack of feeling about the violent acts that have been perpetrated."

*The Washington Post*, May 17, 1989, p. C3

One out of every eight people arrested for murder last year in Chicago was a kid. Four of every ten charged with robbery were kids. . . . "They have no rules. Everyone around them is using drugs," said Assistant State's Attorney Norma Reyes, a prosecuting supervisor in Cook County's Juvenile Court.

"They live in a very violent environment and think nothing of stealing things that they want. Then they end up being violent themselves."

*The Chicago Tribune*, September 10, 1989, p. 1

There has been an alarming increase in delinquency in European Cities, and there is a danger of a similar increase in the city of New York.

*The New York Times*, August 2, 1918, p. 11\*

Youth and intoxication are not legal palliations of a wanton murder. Law and common sense are both strained enough in these days to shield culprits, but if these excuses had been allowed to have weight, the whole community would literally have been at the mercy of the worst class of the population; for nearly all of our criminals are young men—in any other country they would be called boys—and nearly all are in the habit of drinking more or less every evening.

*The New York Times*, October 4, 1858, p. 4\*\*

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