

# DELINQUENCY



# AND YOUTH CRIME

Gary F. Jensen • Dean G. Rojek

**2nd  
Edition**

# **Delinquency and Youth Crime**

**Second Edition**

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Prospect Heights, Illinois

*To Tony and Kris,*  
Dean

*To Lois and Jense,*  
Gary

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# Preface

It was only a few years ago that a delinquency text could be justified by pointing to skyrocketing crime rates for offenses involving the young, ever-growing arrest rates for juveniles, and the burgeoning number of youth being processed by the juvenile court. Juveniles are still responsible for a disproportionate share of arrests for property crimes and it is still the case that about one in four will acquire a juvenile court record. However, most of the last ten or fifteen years has been characterized by declining or stable rates of juvenile crime. Hence, the topic need not be approached with any sense of alarm but as *one* dimension of the crime problem — not necessarily the worst or most pressing and, yet, not a trivial dimension of the problem either.

Juvenile delinquency has been the subject of “scientific” research for more than half a century and this text attempts to capture and summarize the best of that research and to organize it in a manner that gives students a comprehensive understanding of delinquency and juvenile justice. We deal with delinquency as 1) a socio-legal category invented in conjunction with the juvenile court, 2) a label applied to youth at the end of a chain of decisions involving the public, police, and officials of the juvenile court, and 3) behavior which violates legal codes, regardless of its detection or processing. Whether conceived of as a legal category, a label, or a behavior delinquency cannot be understood without considering the social context shaping it.

The first four chapters of this text introduce delinquency in these several different senses. In Chapters 1 and 2 delinquency is discussed in the context of other dimensions of the crime problem, as part of the development of criminology in general, and as a social-cultural invention. Chapter 3 focuses on the production of official data on delinquency and youth crime and the “images” conveyed by such statistics as well as research on determinants of official processing. In Chapter 4 we examine other ways of measuring delinquency and the images they suggest, concentrating on consistencies as well as inconsistencies in the different types of information.

While Chapters 1 through 4 deal with the “construction” of delinquency as a social problem, Chapters 5 through 8 deal with issues involving the

“causes” of delinquency. In Chapter 5 we try to provide an honest and, we hope, objective assessment of theory and research on biological, genetic, and psychological correlates of crime and delinquency. Though such research is often glibly dismissed by members of our particular discipline (sociology), too many of our students are majoring in other disciplines to dismiss entire traditions without discussing them. Chapter 6 summarizes sociological theories as “schools of thought” and focuses on crucial contrasts among them and on research relevant to their central claims.

Because scholars are typically interested in “theories,” research that focuses on specific social institutions is often slighted both in textbooks and in class. Chapters 7 and 8 deal with specific social institutions and address enduring questions about the relevance of specific circumstances and forces for explaining delinquency. Chapter 7 discusses the influence of family, school, and peer groups. Chapter 8 deals with religious, media, and community influences. Religion and media are often ignored in textbooks written by sociologists, despite their centrality to common folklore about crime and their possible relevance to traditional sociological perspectives. Community influences were important in the earliest versions of many criminological theories and interest in this aspect has revived in the last several years.

Criminology has been defined as the scientific study of law-making, law-breaking, and reactions to law-breaking and the last four chapters deal with such “reactions.” They are organized around major issues involving deterrence, labeling, imprisonment, correctional experiments, diversion, restitution, and prevention. We deal with general issues as well as the evaluation of specific programs and attempt to discern what appears promising as well as approaches that have failed.

The text is designed to be used with juniors and seniors and is written to enhance their familiarity with juvenile justice terminology, their ability to think critically, and their understanding of the delinquency problem. While we have attempted to keep jargon at a minimum, they will encounter complicated ideas, scientific and theoretical terms, and concepts that are crucial to debates and controversies in the field.

We would like to express our appreciation to those students who have taken our classes, asked us questions, and challenged us to think about our preconceptions and blind spots in the study of delinquency. We would also like to thank the staff who contributed to the many drafts of the text—Linda Kundell and Sandy Gary at the University of Georgia and Mary Clissold, Joyce Ogburn, and Linda Willingham at Vanderbilt University. We would also acknowledge the support provided by three great universities over the years it took to revise this text—the University of Arizona, the University of Georgia, and Vanderbilt University.

We are indebted to the many teachers and colleagues who had an impact on the text either directly through their comments or indirectly through

their own work. Travis Hirschi, Ronald Akers, Herbert Costner, Jack Gibbs, and Malcolm Klein have had a particularly significant impact on our careers. We would like to give special tribute to Maynard Erickson, who died in 1986, and Donald Cressey, who died in 1987. We miss both of them and hope to carry on their commitment to careful thinking and critical research.

We had a great experience working with Waveland Press and its publisher, Neil Rowe, and appreciated the careful review by Jack Spencer of Purdue University. After dealing with large companies over the years it was refreshing to work with the same personnel from beginning to end. Laurie Prossnitz was outstanding as a copy editor and spotted problems that would have evaded us without her careful eye for detail.

Obviously our families deserve recognition. We would like to thank Sheila Carroll Jensen and Kathy Rojek for tolerating and helping us in the midst of their busy careers. We would also like to acknowledge our children who challenged us to revise our theories about human behavior on a daily basis—Jennifer Jensen, Jason Forni, Brian Forni, Wendy Jensen, Kevin Forni, Joel Rojek, and Eric Rojek.

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chapter **1**

# Delinquency in Context



*Let any man that hath occasion either to walk or ride through the Out-parts of this City (where mostly our poor people inhabit) tell but what he hath seen of the Rudeness of young Children, who for want of better Education and Employment, shall sometimes be found by whole Companies at play, where they shall wrangle and cheat one another, and upon the least Provocation, swear and fight for a Farthing, or else they shall be found whipping of Horses, by reasons of which, they sometimes cast their Riders, to the hazard or loss of their Lives or Limbs; or else they shall be throwing of Dirt or Stones into Coaches, or at the Glasses, insomuch that I have been a hundred times greatly troubled, to see the Rudeness and Misbehavior of the poorer sort of Children (especially of late year), they having been generally so much neglected, that they have neither been taught their Duties either towards God or Man.*

—A 17th Century English Philanthropist

## Introduction

John Jones, 17, stands before the juvenile court for disposition, having been adjudicated a delinquent minor child. In his intake interview John admitted that he and Roger Smith decided to break into the Ace Bike Shop to steal money. John said that he attempted to enter through an air conditioning vent but became scared and decided to back out. He was immediately apprehended outside the store together with Roger Smith. The burglar alarm system was torn off the wall, necessitating repairs costing approximately \$200.

Since Roger Smith was an adult, he was taken to criminal court but the charges were dropped. John Jones was referred to the juvenile court where a petition for attempted burglary was filed. The petition was amended to trespass in the third degree. This is John's second referral to the juvenile court. His first was for taking a motorcycle. That referral was adjusted after the minor made restitution of \$135 to the store owner for damages incurred.

The probation worker recommends supervised probation until his 18th birthday with the provisions that he 1) obey all laws; 2) attend school; 3) follow the reasonable demands of his parents and probation officer; 4) donate 50 hours of volunteer work to a nonprofit community organization; 5) discontinue all association with Roger Smith; and 6) make a formal apology to the owner of the bike shop. A review hearing on this matter should be held in approximately six months. The Court accepts this recommendation and sentences John Jones to probation as stipulated. (Pima County Juvenile Court Center, 1982)

Newspaper, magazine, and textbook introductions to the problem of delinquency often begin with dramatic examples of murder, rape, armed robbery, or other instances of young people preying on weak and defenseless victims or attacking people at random. No doubt such examples would grab your attention and hold it much better than the case of John Jones. Juveniles do commit such offenses and violent offenses are an important dimension of the problem of delinquency and youth crime.

The case of John Jones, however, is more typical of the problem of juvenile delinquency and more useful for beginning our study for several reasons. First, juvenile delinquency is a legal category which includes a wide range of criminal offenses committed by minors (nonadults) as well as activities that are only illegal for people under the age of 18. Most of the illegal activities dealt with as delinquency are neither dramatic nor extraordinary. John intended to steal money by illegally entering the bicycle shop—a form of property crime. It is such property crime which is most overrepresented among juveniles in arrest statistics when juveniles are compared to adults. Second, John was with his friend, Roger, which is consistent with the general finding that most delinquent offenses are committed while in the company of friends. Most delinquent activity is social activity. Third, because he was 17, John was processed not by the adult criminal justice system, but by a specialized justice system with its own unique terminology (“referral,” “intake,” “adjudicated,” “petition”). Fourth, because he was 18, Roger was treated as an adult and actually suffered fewer consequences for his actions than John. This difference runs counter to the perception of the juvenile court as a “kiddies’ court” meting out lesser consequences than would have been the case if the adult criminal justice system were involved. A comparative analysis of the adult and juvenile justice systems (see Chapter 2) shows John’s experience to be more common than critics realize.

This text will address most of the questions (offender characteristics, police and court processing, and future criminal involvement) that come to mind when thinking about John’s predicament. We will begin our study by focusing on delinquency as *one* dimension of the crime problem. We stress the word “one” because a comprehensive understanding of delinquency requires that we consider it in the context of adult crime. The picture at the beginning of this chapter of a small boy inside an old television set brandishing his toy gun was chosen as a reflection of a major theme to be elaborated in the following pages. Whether we are trying to understand John’s predicament or why a boy wanders through a junkyard in search of adventure we have to consider them in the context of a larger world—one which is largely handed to them by adults.



## An Enduring Concern

In a sense, juvenile delinquency is a relatively new dimension of the crime problem since juvenile courts and legislation dealing exclusively with the offenses of children are products of modern times. In the United States, Illinois was the first state to pass a juvenile court act (1899) and Wyoming the last to enact such legislation (1945). Toronto (1912) was among the first Canadian cities to establish a court for juveniles (Hagan and Leon, 1977). India passed its first juvenile statutes in 1920 (Priyadarsini and Hartjen, 1981). In England, where the court system has a long history, the youthful offender was not recognized until 1854 (Terrill, 1984). Thus, in view of the long legal tradition that accompanies much of the civil and criminal law throughout the world, juvenile statutes are relatively recent additions.

On the other hand, despite the infancy of "juvenile delinquency" as a legal concept there has been a persistent concern with youthful misbehavior and the offenses of youth throughout history, along with a tendency to view the situation as progressively worse than in preceding generations. Consider, for example, the following anguished statement: "Youth is disintegrating. The youngsters of the land have a disrespect for their elders, and a contempt for authority in every form. Vandalism is rife, and crime of all kinds is rampant among our young people. The nation is in peril" (Aries, 1962). Although this lament appears to be a contemporary critique of youth in modern industrial society, it actually dates back some four thousand years to a despondent Egyptian priest.

During the "Golden Age" of Greece (500-300 B.C.), Socrates was quite disgruntled with the youth of his day, as evidenced by his claim that "children today love luxury. They have bad manners, a contempt for authority, a disrespect for their elders, and they like to talk instead of work. They contradict their parents, chatter before company, gobble up the best at the table, and tyrannize over their teachers." As the cartoon on the following page suggests, "The world is always in the biggest mess it's ever been in" and young people have been suspected of contributing unduly to that mess for most of history.

The image of the young as recalcitrant or incorrigible persists in contemporary American society, where crime is typically depicted as a problem of youth. For example, in the late 1960s the President's Commission on Law Enforcement and Administration of Justice in the United States (1967:169-170) concluded that (1) "enormous numbers of young people appear to be involved in delinquent acts," (2) "youth is responsible for a substantial and disproportionate part of the national crime problem," and (3) "America's best hope for reducing crime is to reduce juvenile delinquency and youth crime." The crimes and delinquencies of the young are viewed as an enormous social problem and as a major, if



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not *the* major dimension of crime in the United States. The popular press often depicts the problem even more dramatically, referring to the situation as the “youth crime plague” (*Time*, July 11, 1977:18). Alfred Regnery, a recent administrator of the Office of Juvenile Justice and Delinquency Prevention, viewed juvenile crimes as a “grave problem on a national scale” with a “staggering” range and intensity (1985: 65).

### ***Juveniles in Conflict with the Law***

It is a fact that a substantial proportion of young people have conflicts with the law before they reach adulthood. Based on several studies where youths' histories were compiled and analyzed, the National Center for Juvenile Justice estimates that about one-third of juveniles acquire a police record by the time they reach eighteen. For example, by the time a “cohort” of boys born in Philadelphia in 1945 reached their 18th birthdays, 35 percent of them had acquired a record with the police (Wolfgang et al,