

Revised Sixth Printing

JUVENILE OFFENDERS

CLYDE B. VEDDER, Ph.D.

*Professor of Sociology and Criminal Justice
University of Texas of the Permian Basin
Odessa, Texas*

With a Foreword by

DONAL E. J. MACNAMARA

*Professor of Criminal Justice
John Jay College
City University of New York
New York, New York*

While it has been extensively revised, expanded and updated for this printing, JUVENILE OFFENDERS is unchanged in one respect. It remains an unparalleled overview of practical and theoretical aspects of the juvenile delinquency problem. Students and practitioners of sociology, social work, criminal justice, corrections, psychology, law and psychiatry will continue to find information and ideas that are relevant to their professional needs.

CHARLES C THOMAS • PUBLISHER • SPRINGFIELD • ILLINOIS

Revised Sixth Printing

JUVENILE OFFENDERS

By

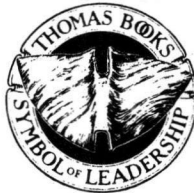
CLYDE B. VEDDER, Ph.D.

*Professor of Sociology and Criminal Justice
University of Texas of the Permian Basin
Odessa, Texas*

With Forewords by

Donal E. J. MacNamara

*Professor of Criminal Justice
John Jay College
City University of New York
New York, New York*



CHARLES C THOMAS • PUBLISHER
Springfield • Illinois • U.S.A.

Published and Distributed Throughout the World by
CHARLES C THOMAS • PUBLISHER
Bannerstone House
301-327 East Lawrence Avenue, Springfield, Illinois, U.S.A.

This book is protected by copyright. No part of it
may be reproduced in any manner without
written permission from the publisher.

© 1963 and 1979, by CHARLES C THOMAS • PUBLISHER

ISBN 0-398-03844-9

Library of Congress Catalog Card Number: 78-13189

First Printing, 1963
Second Printing, 1967
Third Printing, 1969
Fourth Printing, 1971
Fifth Printing, 1974
Revised Sixth Printing, 1979

*With THOMAS BOOKS careful attention is given to all details of
manufacturing and design. It is the Publisher's desire to present books that
are satisfactory as to their physical qualities and artistic possibilities and
appropriate for their particular use. THOMAS BOOKS will be true to those
laws of quality that assure a good name and good will.*

Printed in the United States of America
V-R-2

Library of Congress Cataloging in Publication Data

Vedder, Clyde Bennett, 1903-
Juvenile offenders.

Includes indexes.

1. Juvenile delinquency--United States.
 2. Juvenile justice, Administration of--United States.
- I. Title.

HV9104.V4 1978 364.36'0973 78-13189
ISBN 0-398-03844-9

JUVENILE OFFENDERS

To the many dedicated colleagues in Penology, Criminology and Police Administration, who have contributed so much to our fund of knowledge.

FOREWORD TO THE REVISED SIXTH PRINTING

REREADING the foreword to the 1963 edition of *Juvenile Offenders* again confirms the wisdom of the French adage: "The more things change, the more they stay the same." The ten premises concerning juvenile delinquency set forth fifteen years ago are as appropriate now in the late seventies as they were in the early sixties.

Has anything changed? Yes . . . some trends then identified in their incipient stages have now matured, e.g. a more punitive societal response to the errant juvenile. Other premises are now more fully documented by empirical evidence, e.g. the extent of physical and sexual abuse of juveniles by adults. There has also been lateral change, e.g. the movement away from narcotics and the great increase in alcohol abuse particularly among the early teens. Recognizable too is a greater awareness of the counterproductive impacts of some societal response mechanisms as evidenced by the skyrocketing venereal disease rates among adolescents, the higher rates of unwanted pregnancies and teen-age abortions, and the accelerating truancy and runaway statistics.

How has society responded? New York, once a showplace for humane, progressive approaches to the juvenile delinquent, now authorizes trial and imprisonment as adults for children as young as thirteen; the National Statistical Survey of Runaway Youth reports that, in 1975, 70,000 children were "thrown away," rejected by their families and told to "get out," often with no money and only the clothes they were wearing, to join the quarter-million runaways as victims of rape, prostitution, and exploitation. The National Institute of Mental Health estimates that between three and four million children annually

are killed, kicked, beaten, raped, or otherwise seriously abused by their parents or guardians and that one out of sixteen parents has attacked or threatened his children with guns or knives. In Winona County, Minnesota, a seven-year-old boy is subjected to a formal trial for shoplifting a twenty-nine-cent toy and the United States Supreme Court rules (1977) that the Eighth Amendment's cruel and unusual punishment clause does not apply to the imposition of corporal punishment on school children under any circumstances, even when that punishment is abusive, excessive, and undeserved. "Get him off the streets" and "put Johnny in jail" are the shibboleths of the "law and order" demagogues (indeed, some will not even exempt those of tender years from the gas chamber and electric chair). We are institutionalizing children in juvenile prisons and in adult jails in an appalling number of cases. This will guarantee, if experience is our guide, new generations of hardened, hostile adult offenders.

Certainly there is youth crime and delinquency: vandalism and teacher assaults in the schools; juvenile violence in the streets; baby-faced killers and feral youth gangs attacking the elderly, the handicapped, the weak, and the helpless. However, Marvin Wolfgang and the Twentieth Century Fund's Task Force on Sentencing Policy Toward Young Offenders have made it abundantly clear that "only a relatively small number of juveniles (fewer than 5% of those labelled delinquent) commit violent acts"; and famed New York City Family Court Judge Justine Wise Polier tells us in the *New York Times* (August 1, 1978);

Today, demands for punishment, even life imprisonment for children, are in the ascendancy . . . Unhappily, this has become an open season for politicians in pursuit of personal success to raise arms against children and youths . . . The guardianship of youth and the community is too important to be left in such hands. //

Clyde Vedder balances the equities and restores perspective. He is neither maudlin nor impractically idealistic. From a sound base of behavioral science research he has a mature experience and common sense. He addresses those upon whom

society has placed the burden of social control and social protection, i.e. the police, the courts, the probation, and the parole and institutional officers, with moderate words and progressive recommendations, imbued throughout with his strong sense of ethics, humanity, and justice. Thomas Hobbes may have judged human life to be "nasty, brutish and mercifully short"; but from Clyde Vedder we get a more optimistic and, to my mind, a more realistic assessment.

Donal E. J. MacNamara

FOREWORD TO THE FIRST PRINTING

IT IS not the function of an introductory comment such as this to discuss exhaustively either the general problem of juvenile delinquency or any one or a number of its constituent elements — nor yet to summarize, synopsise or evaluate the author's approach. Rather I think it is appropriate in an introduction to raise questions, stimulate thought, posit controversial opinions, and so direct the reader-student to seek answers, explanations and enlightenment both in the text and in independent study. I shall therefore, although I recognize all too clearly the importance and seriousness of the problem of juvenile sociopathy in our twentieth century America, play "devil's advocate" for our modern youth, including the delinquents, and introduce ten interesting premises which all who deal with this inordinately complex and difficult area of social pathology might do well to keep in mind, even though they may not accept as factual some or all of the premises or the reasoning which supports them.

Premise 1 — Neither human nature nor the characteristics, drives and conduct of boys and girls have changed significantly through the centuries . . . modern youth is no worse and no better than the youngsters of any preceding generation. As one who has approached behavioral phenomena in their historical framework, I have learned that each generation has suspected (or alleged) that the succeeding generations somehow had lost, the sterling virtues of their ancestors and were proceeding toward perdition at an accelerated rate. I have a thick folder of quotations, some hundreds and others thousands of years old, which with no change whatsoever could be inserted into one of the "I view with alarm . . ." diatribes about the juveniles of today. Castigating the young is usually a product perhaps of the envy or misunderstanding of those who resent the loss of

their youthful zest — or of those who unfortunately suffered an unhappy adolescence.

Premise 2 — While crime statistics in general are inadequate, delinquency statistics are frequently so distorted, manipulated and misinterpreted as to be almost useless. Statistical tables which lump together murder and truancy; swipe apples with armed robbery; rape with adolescent sex experimentation; and malicious assaults and property destruction with normal juvenile horseplay are suspect at best. When one then confuses the number or percentage of juveniles arrested with the number or percentage of persons who may have committed the specific offense studied (and forgets that the juvenile offender is far more susceptible to arrest than is the more experienced adult criminal in the same category); or when one ignores, as some statistics compilers do, the many differences in the age limitations and the prohibited acts which might lead to categorization as a delinquent in the various jurisdictions; or when one fails to take into account Parkinsons's principle that the workload expands to fill the time of the staff available and so study the ratio between statistical increases in delinquency and increases in staff of juvenile courts and police juvenile bureaus; then indeed does the problem of juvenile delinquency assume mammoth proportions.

Premise 3 — Adjudications of delinquency in juvenile courts are quite frequently made on "evidence" which would be either inadmissible or insufficient to support a finding of guilt in the trial of an adult charged with the same offense. The juvenile, neither entitled to nor supplied with a defense attorney, is thus often labelled a delinquent (and despite the fiction that such adjudication is not a conviction and that the record is confidential, the finding very often rebounds to his future disadvantage) when there is neither a "preponderance of evidence" nor absence of "reasonable doubt" — and not infrequently for a "crime" that would be no offense whatsoever if committed by one a few days or a few months older than this victim of society's solicitude for the welfare of the young.

Premise 4 — Much so-called juvenile delinquency is in reality a healthy, normal response on the part of the juvenile to

the negative circumstances which impinge upon him. Thus more frequently than not the runaway is escaping from intolerable home conditions that society is either unable or unwilling to correct; the truant is reacting either to the boring, brutal or incompetent teacher, or to enforced attendance in a curriculum unsuited to his needs; the young Negro, Puerto Rican, or Mexican, joining his peers in an antisocial gang, is reacting defensively to the ill-concealed hostility, as well as the socio-economic discrimination of the dominant majority; and the girl or boy exploring extramaritally the mysteries of sex is rejecting consciously or unconsciously the prurientpuritanical shibboleth, unique to our antisexual America, that an interest in the human body, made in the image and likeness of God, and in its physiological functioning is somehow dirty and delinquent.

Premise 5 — Much juvenile delinquency is merely conduct imitative of adult behavior patterns, accepted as normal in our society but prohibited to those who have not as yet attained an age which differs from jurisdiction to jurisdiction. How one who has studied our divorce rate or the well-publicized adulteries of many Hollywood celebrities favorably regarded by large masses of our adult population — or who has assessed the billions expended annually on alcoholic beverages and gambling, legal and illegal — or who has evaluated the level of public and business morality (tax evasions, bribery, padded expense accounts, violations of the antitrust laws, unkept campaign promises, etc.) — and who admits honestly that such conduct is not only seldom condemned or punished but is actually very often rewarded — can categorize youthful imitation of such accepted conduct patterns as delinquent and punishable — and seek the rehabilitation of the juvenile rather than of society — is to me one of criminology's minor mysteries.

Premise 6 — Adults frequently label delinquent juvenile conduct which is qualitatively undifferentiated from the accepted conduct patterns of the older generation at a similar age level. We who danced the Charleston, Black Bottom, and Bunny Hug should not fulminate with ill grace against the Twist, Madison and Rock'n'Roll; we who wore yellow oil-skins (inscribed with

risqué mottoes) and patent leather hair-styles (cemented to the scalp with vaseline) should find little fault with blue jeans and the duck-tail coiffure; and those of us who yodelled "Ta-Ra-Ra-Boom-De-Ay," "Blue Bananas," and other classics have little cause to look askance at the "meaningless" lyrics of the modern adolescent's hit parade. To translate our lack of appreciation for and disapproval of these peculiarities of the young into a charge that these differential preferences are symptoms of delinquency and degeneracy (and to demand that school and police officials enforce our "dated" tastes) requires both a degree of self-righteousness and a lack of self-knowledge wholly inappropriate to objective observers of social phenomena.

Premise 7 — Youngsters from minority groups and from the socially and economically underprivileged classes are disproportionately represented in our delinquency statistics. The invisible or hidden delinquencies of the more favored juveniles in suburbia, our colleges and prep schools seldom result in formal police or court records. The differential tolerance patterns which permit riots and property destruction, for example, by college boy mobs, while condemning similar aggressive outbursts by the less-advantaged, serve to reinforce the already paranoid hostility of the latter toward a society which accepts so negative a differential.

Premise 8 — Neither our juvenile institutions, our extra-institutional preventive and/or rehabilitative programs, or the more punitive and repressive campaigns favored by the neanderthal substratum in some of our communities can claim much success in coping with the juvenile problem. With few exceptions our reform schools prepare their alumni for successful postgraduate careers in our penitentiaries while our outpatient facilities succeed only rarely in adjusting or conforming their clientele to what is in so many cases an abnormal environment. Few institutions, police or probation services are provided with sufficient funds, professional staff, and public understanding and support to carry on other than a holding operation — while astronomical sums are appropriated for programs of questionable importance and necessity, the agencies concerned with the juvenile problem must usually make do with wholly

inadequate budgetary allotments. Compounding this problem is the rejection by many agencies and workers in the field of approaches that gives promise of somewhat greater success than our present abortive efforts. Medical research has abundantly demonstrated that early diagnosis is basic to a favorable prognosis, yet behavioral research of the Gluecks, of Wilkins, Kvaraceus and others indicating that by the use of intelligently interpreted experience tables, predictive devices can be constructed which will differentiate at an early age the potential true delinquent and permit social interposition to interrupt his well-outlined progress toward a criminal career, has been rejected without adequate study. The energies expended in decrying and resisting the utilization of these early diagnostic-predictive techniques might better be employed in applying, testing, evaluating and improving the suggested scales or in developing new early diagnostic devices.

Premise 9 — We have imposed consistently more restrictive limitations on our youngsters, while at the same time exposing them to increasingly more attractive temptations inconsistent with the imposed restrictions. We have subjected youngsters to a longer and more terrifying experience of threatened mass annihilation than has been the lot of any previous generation. No longer can the youngster unhappy at home, unsuccessful in school, or bursting with a lust for adventure and independence escape the bonds by running away, getting a job, going to sea, joining the army. He can only find substitute escapes in alcohol and narcotics. Compulsory education, child-labor, and similar eleemosynary legislation protects the young from abuse and exploitation, but too rigid an application of such laws has contributed in no small part to the magnification of delinquency.

Premise 10 — Sparing the rod does not spoil the child. If there is one thing I have learned in dealing with the more serious delinquents it is that they have been subjected either by their parents or those in authority to far more than their fair share of physical abuse. They have almost to a man been denied their needed allotment of affection, sympathy and understanding. A return to corporal punishment in our homes,

schools and institutions as has been advocated by many "arm-chair" criminologists will not only fail to stem the tide of delinquency but will insure an even more hostile and maladjusted generation. We might as reasonably campaign for a regression to the days of the pitch-cap, the rack, and the ingenious, but nonrehabilitative, medieval tortures.

There are few students of juvenile sociopathy so well-equipped as Dr. Vedder to discuss these controversial premises and to introduce both the student and the practitioner to the many complexities of this seemingly insoluble social problem. Vedder, a thoroughly sound academic criminologist, who is humane, sympathetic and understanding, is at the same time practical and realistic. With a scientific objectivity that admits of neither cynicism nor sentimentality, he balances a paternal concern for the maladjusted and misunderstood juvenile, at war with "a world he never made," with a mature recognition of the right to security of the law-abiding members of our society. He recognizes full well the need for an individualized approach to the potential or overt delinquent but does not ignore the more generalized responsibility of the police and the courts to enforce the penal laws, maintain public order, and protect life and property. And finally he is all too aware of the extensive gap which yawns between what we have been saying we would like to do (or in some cases claiming we are doing) and what is actually being done in preventing delinquency and in rehabilitating delinquents.

Donal E. J. MacNamara

Dean, New York Institute of Criminology

PREFACE TO THE REVISED SIXTH PRINTING

MUCH has transpired since *Juvenile Offenders* first appeared in 1963. President John Kennedy was assassinated November, 1963 in Dallas, five years later, his brother Robert was assassinated while campaigning for the Democratic nomination for President. Lyndon B. Johnson succeeded John Kennedy and was then elected by a large margin in 1964 over Barry Goldwater, and Hubert H. Humphrey became Vice-President. The Viet Nam conflict was escalated and there were riots in the streets and on the campuses. Martin Luther King was assassinated in May, 1968 and there were more riots. Johnson did not run in 1968 and Humphrey was nominated. The Republicans nominated Richard Nixon who won the election. The Viet Nam conflict was escalated even further and there were more riots. A man was put on the moon; Nixon and Agnew won by a large margin in 1972. Then, Agnew was indicted for some tax improprieties and resigned. The so-called Watergate scandal was uncovered. Nixon became the first President in history to resign. Ford became the first unelected President, and appointed Nelson Rockefeller as Vice President. Since 1963 Mao, de Gaulle, LBJ, Adlai Stevenson, Krushchev, Eisenhower and Truman have died. There have been wars in the Middle East, a serious energy crisis in the United States and inflation has raged simultaneously with high unemployment. Juvenile delinquency continues unabated.

One-third of all teenagers who reached the age of eighteen in 1976 were grappling unsuccessfully with problems of family discord, drug abuse, alcoholism, sexuality orientation, hard-core unemployment and law-breaking.

Of the 4.32 million eighteen-year-olds in America in 1976, over 1.4 million had already broken the law. As Steve Glenn,

director of the National Drug Abuse Center in Arlington, Va. states: All people are dependent on something or someone all their lives. Dependent youths often have little ability to identify with acceptable role models; they have little feeling for family or God or anything larger than themselves; they prefer to believe in last-minute miracle solutions to problems; they have little self-discipline or self-control, cannot make intelligent judgments on their own, and are in chronic need of help.

According to HEW statistics, out of our total population of 215 million, about 35 percent are under twenty and 25 percent are under fifteen. Of the 110 million Americans in the wage-earning bracket of twenty to sixty-five, about 20 million are *dependent* upon criminal justice and social service systems and an additional 10 million juveniles between twelve to eighteen are also *dependent* upon taxpayer support services. The profile of the high-risk adolescent is one of underdevelopment in the area of primary attitudes and skill clusters. This is the gap which must be filled if the adolescent is to survive.

The case of *Miranda v. Arizona* (1966) produced an upheaval in the criminal justice system. In *Gault v. Arizona* (1967) the direction of the juvenile justice system was reshaped and replaced the concept of *parens patriae* with that of due process.

One trend should be noted, however. The steady aging of America's population, the "graying of America," may signal the end of youth culture. Big adjustments may eventuate, which could include *less* crime, higher Social Security taxes, and changes in jobs, foods and life-styles. Sharp declines in the birth rate have already occurred. Fewer teenagers could result in a significant decline in juvenile offenders.

C.B.V.

PREFACE TO THE FIRST PRINTING

THE chief aim of this book was to produce a shortened, yet an up-to-date version of the author's *The Juvenile Offender*. Present-day trends seem to indicate a preference for brevity and compactness in texts concerned with the field of Criminology and Juvenile Delinquency.

Because the author is so indebted to the writers and their publishers who permitted the inclusion of articles in *The Juvenile Offender*, an attempt was made to preserve the more pertinent contributions in this text by *summarizing* their thoughts as succinctly as possible. Many of these former contributors were so-called "practical men" as distinguished from academicians, and their insightful observations that characteristically are not exploited in the classroom are again made available to the student of today. Mere passage of time has not necessarily dimmed the validity of their observations.

The author is particularly indebted to Random House, Inc., who so graciously relinquished copyright privileges, that this abbreviated version of *The Juvenile Offender* might once again appear in print. In addition, large segments of the author's remarks in *The Juvenile Offender* appear almost verbatim in this new effort. This cooperation from Random House, Inc., is deeply appreciated.

Since *The Juvenile Offender* first appeared in 1954, there seems to be no discernible slackening in the incidence of juvenile delinquency and criminality. In the 1960 report from the Federal Bureau of Investigation, over half of the major crimes — burglary, automobile theft, larceny — were committed by those under twenty-one years of age.

As a result of the absolute and relative increase of youthful criminality, public interest and concern is noted in all levels of government — local, state and federal. The need for a Federal