

STATEMENT OF

THE NATIONAL COUNCIL ON CRIME AND DELINQUENCY

TO THE

U.S. SENATE JUDICIARY COMMITTEE

SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY

**NCJR**

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**ACQUISITIONS**

BY:

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PRESIDENT

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The National Council on Crime and Delinquency has always been deeply concerned about the violent behavior of some young law violators. We welcome the hearings of the Senate Subcommittee on Juvenile Delinquency and hope that a thorough review of the problem of violent youth will also place the problem in proper perspective and aid rather than impede the search for solutions.

The recent perceived upsurge in youthful violence in the United States appears to be related to mass media interest rather than any real increase. Of 338,849 arrests made nationally for serious violent crime in 1976, only 20,813 (or 6.1 percent) were of juveniles under 15 and only 74,715 (or 22.0 percent) were of juveniles under 18.<sup>1</sup> Furthermore, the more serious the crime the less was the involvement of juveniles; for instance, only 1.3 percent of all arrests for murder were of juveniles under 15, and only 9.2 percent were of juveniles under 18.<sup>2</sup> In total numbers, 190 juveniles under 15 and 1,302 juveniles under 18 were arrested for murder throughout the United States in 1976; 10,156 juveniles under 15 and 36,990 under 18 were arrested for robbery; and 9,552 under 15 and 32,678 under 18 were arrested for aggravated assault.

With regard to trends, there has been a recent decrease, not an increase, in the number of juveniles arrested for serious violence. Arrests for serious violence of juveniles under 15 declined by 11.6 percent and of those under 18 by 12.1 percent from 1975 to 1976.<sup>3</sup>

The actual incidence of juvenile violence in the U.S. is not known since most crimes are not reported to the authorities and a majority of those reported are not cleared by arrest. We do know, however, that the total incidence of violent crimes, both juvenile and adult, has remained constant over the years as revealed by national victimization surveys conducted by the U.S. Census Bureau and as published by LEAA. We now have data for the years 1973, 1974, 1975, and 1976.

During those years, the rate of victimization per 1,000 Americans aged 12 and over has remained unchanged at 32. Even the fluctuations of the various sub-categories of violence (as well as of property crimes) have been minor. The

rates for personal robbery, for instance, have been 6.7, 7.1, 6.8, and 6.5; the rates for assault have been 24.7, 24.7, 25.2, and 25.3. When the rates for injury from serious violence (robbery and aggravated assault) are totaled they show the greatest constancy of all: 5.4, 5.6, 5.4, 5.5. The surveys support the findings of numerous previous studies that violent behavior remains roughly constant over the years.<sup>4</sup>

#### Self-report studies

National self-report studies of delinquent behavior, including violent behavior, parallel the Census Bureau findings of a constancy in such violence. The Institute of Social Research of the University of Michigan found no evidence of an increasing incidence of delinquent behavior. If anything, the incidence of violence was found to have declined somewhat in 1972 over the previous survey year, 1967.<sup>5</sup>

#### Repeated serious juvenile violence

While studies of known delinquents have found that a substantial portion of arrested delinquents have committed an injury offense at least once, the incidence of serious and repeated violence is relatively rare. Thirty-one percent of a Philadelphia cohort and 44 percent in a Vera Foundation study in New York City were charged with a violent crime at least once, only 29 percent of it serious.<sup>6</sup>

Repeated violence is much less common. Only 7 percent of the Philadelphia cohort and 6 percent of the Vera sample were charged twice or more with injury offenses. A composite of 3 jurisdictions estimated that between 3 and 5 percent of arrested juveniles had shown a pattern of 2 or more violent offenses.<sup>7</sup>

#### Selection of violent juveniles for juvenile justice processing

Research consistently supports the view that communities are willing and able to tolerate and absorb a far greater proportion of violent behavior committed

by its middle- and upper-class youngsters than by its lower-class youngsters.

A study and observation of the activities and behaviors of two different boy gangs suggested that while the two groups engaged in similar levels of delinquency, both in frequency and in seriousness, the lower-class gang boys were perceived by police and community residents as more of a delinquency problem. Because of differences in visibility, demeanor, and social class, the community, the school, and the police reacted to the middle-class gang boys as though they were good, upstanding, nondelinquent youths with bright futures and to the lower-class gang boys as though they were tough, young criminals headed for trouble. The noticeable deviance of the "tough" boys was found to have been reinforced by the police and the community while the middle-class boys were perceived to be "sowing their wild oats" although their deviance was perhaps greater than that of their lower class counterparts.<sup>8</sup>

A study of recidivism and self-report data of 1,681 adjudicated delinquents at the Preston School of Industry near Sacramento, California, examined the relationship between offenses committed with a weapon and socioeconomic status (SES): 25.1 percent of low SES's, 19.3 percent of middle SES's, and 42.9 percent of high SES's admitted to a crime with a weapon. Lower-class boys were 1.15 times more likely than middle-class boys to receive a record if the crime was committed with a weapon while upper-class boys were least likely to have acknowledged crimes with weapons officially recorded.<sup>9</sup>

In another study of the profiles of violent youths who were apprehended and youths who escaped detection it was found that those who were apprehended perceived themselves as more alienated from their families and as more disruptive, provocative, and troublesome. They had extremely unrealistic aspirations for success, and, significantly, had poorer abstract reasoning ability and planning skills. They came disproportionately from families where the mother played a dominant role.

Those youths who escaped detection were generally more delinquent than those

who did not. They were younger when they began antisocial and delinquent behavior, younger when dropping out of school, involved in more gang delinquency, more optimistic about opportunities for future employment, and less conflicted about family and sex roles.

An important distinguishing characteristic of youths who were arrested for violent crimes was their relatively poorer abstract reasoning ability and planning skill. In effect, the youths who were less intelligent were detected and apprehended; those who were more intelligent were not.<sup>10</sup>

#### Psychiatric profiles of violent juveniles

One hundred juveniles who were referred to the juvenile court for assaultive acts were subject to thorough psychological diagnosis at the Judge Baker Guidance Center in Boston. The subjects were mostly older adolescents, 81 percent being over 15½ years of age. Fifty-five percent of the boys were white, 42 percent black, and 3 percent Puerto Rican.

Most of the subjects (58 percent) were diagnosed as being in a "neurotic character" category. Only 17 were diagnosed as normal, but the majority were not regarded as frightening or threatening, "dangerous" types. Their offenses were generally not the work of a chronically assaultive malcontent, but more likely an offense common in their milieu or a result of momentary panic.<sup>11</sup>

#### The number of violent juveniles needing closed institutional placement because of their dangerousness

The Massachusetts Task Force on Secure Facilities was established in 1977 in response to a concern by the state focusing on the issue of public security from the violence of juveniles. Its investigation focused on the issue of whether a community-based system can effectively accommodate the public's right to protection

from demonstrably serious and dangerous juvenile offenders and at the same time provide humane treatment geared to the individualized needs of youths. The Task Force concluded that the commitment of Massachusetts to the deinstitutionalized, community-based approach to juvenile correction should be preserved and strengthened. The Task Force determined that the Massachusetts Department of Youth Services needs to provide only 100 to 130 secure treatment placements, of which 40 percent need to be at only a light level of security, and that youths in that level of security can be placed, without detriment to public protection, in structured residential programs.

Only 54 to 70 youths, the Task Force concluded, needed a moderate or heavy level of security. The Task Force noted that the Department already had 114 secure placements and that this was clearly adequate and should not be increased.<sup>12</sup>

Assuming the larger figure of 70 secure placements for violent juveniles in a state population of 6 million, and assuming that the U.S. as a whole needs the same ratio of secure placements as the state of Massachusetts, would mean that 2,531 secure placements for violent juveniles are needed in the entire country. At latest count (June 1974) there were 77,000 juveniles in closed public and private institutions.

#### Treatment of the violent juvenile

Massachusetts has been an innovator in handling juvenile offenders. Massachusetts abolished training schools for the treatment of all youthful offenders except those who are dangerous to themselves or others. These dangerous youths are treated by the Intensive Care unit of the Department of Youth Services. Youths in need of intensive care are highly disturbed youths whose actions may include self-destructive behavior, or environmentally damaged, severely acting out youths who in many cases have no rational basis for their aggressive behavior. Common to all of them are the following characteristics: prior institutionalization before

age 10, highly manipulative behavior, frequent running away from placement, and extremely unstable home situations. The youths are dissimilar in other ways: Severity of offense is not the most important factor in determining need for intensive care; racial background is varied, with a slight majority being black; and intelligence levels vary from bright to retarded.<sup>13</sup>

In 1975, five intensive care programs were serving Massachusetts, with maximum program capacity ranging from 12 to 36. Program content varies according to the type of youths each program is designed to serve. Typical program components include educational programming, group and individual therapy, and specialized services.

The programs are not uncontroversial and there has been dissatisfaction with both the treatment programs and the buildings in which the programs are located. It is felt that although Massachusetts has achieved "humane jails and some responsible programs," the kind of intensive care programs envisioned have not been established. The intensive care program has been beset by problems such as poorly qualified staff, lack of security, and ineffective treatment. The Department of Youth Services responds to its critics by admitting its difficulties with intensive care but emphasizing that no one in the juvenile justice field has come closer to finding an answer to a proper combination of treatment and security.<sup>14</sup>

Another group of programs for serious juveniles include "concept" programs that use a therapeutic community approach such as the Elan program in rural Maine. The Massachusetts DYS utilized the program as the best alternative to intensive care for "heavy" delinquents. Elan accepts hard-core delinquents with records of violence, excluding only psychotics and the most extreme psychopaths who present an immediate danger to others in the program. It takes many violent, disturbed children, including drug addicts, homicides, rapists, potential suicides, arsonists, and children with long assault and robbery records. Most have had

multiple experiences with treatment centers, correctional institutions, psychiatric hospitals, and so on before admission to Elan. The failure of traditional treatment methods is the reason for their referral to the program.

The staff is composed primarily of paraprofessionals, mostly graduates of the program, backed up by a professional group including a psychiatrist, psychologist, physician, registered nurse, and 23 certified teachers.

The program consists essentially of work, therapy, and education. The residents are almost completely responsible for the management and maintenance of the program and are expected to face the consequences of their own behavior. The highly stratified organizational structure is military in nature, with residents starting at the bottom with the more menial maintenance tasks. Motivation and control are managed by an extensive system of rewards (promotions, recreation time) and "consequences" (demotions, loss of privileges). Three cardinal rules ban sex, physical violence, and drugs. Therapy efforts at Elan cover the range of "talking cures" and include one-to-one sessions for information, guidance, counseling, and psychotherapy as well as group work. The types of groups include static groups (traditional psychotherapy) and encounter, sensitivity, and primal scream groups.

The approximately 200 residents share one common characteristic---their failure in other treatment or correctional programs. Approximately 60 percent come from middle-class families who pay "tuition" costs; the other 40 percent are wards of the state, usually for delinquent behavior. Residents range in age from about 14 to about 28. The program has been endorsed by Maine, Massachusetts, Connecticut, and Rhode Island. The Elan staff feel that total control is crucial to effective therapy for this group of juveniles to screen out reinforcement of negative behavior. The staff claim a retention rate of 90 percent and a recidivism rate of 20 percent.<sup>15</sup>

Another approach to dealing with aggressive youths outside of the juvenile



justice system has been undertaken at the Woodward Day School, which opened in Worcester, Massachusetts, in 1970. Woodward Day School, an alternative school for aggressive adolescents aged 13 to 19, is a cooperative effort of the Worcester public schools, the Worcester Youth Guidance Center, and the Worcester State Hospital. It has evolved into a therapeutic day care program with three components: therapy, traditional education, and vocational training. Current enrollment is 30. The school has classes in traditional academic areas as well as vocational workshops. Assignment to classes is based on student needs and long-range goals. If the aim is to reintegrate a student into the public school system, emphasis is placed on academic classes. If reintegration does not appear feasible, as for most 18- and 19-year-olds, emphasis is on vocational aspects. Individual and group psychotherapy are provided to students as needed. The staff includes a professional social worker, a psychiatric nurse, a rehabilitation counselor, teachers, and consulting psychiatrists and psychologists. The student body now combines aggressive adolescents with those having behavior problems such as severe withdrawal or school phobia.

Day schools allow children to receive specialized treatment while living in a familiar community environment, and avoid institutional confinement which might deprive the children of the opportunity to develop coping skills. Alternative schools of this type may be able to interrupt the cycle of intermittent institutionalization by delivering services within a noninstitutional setting and emphasizing skills that will enhance community adjustment.<sup>16</sup>

A comprehensive effort conducted for the National Institute of Juvenile Justice and Delinquency Prevention searched the research and practice literature and then examined four intervention types aimed at behavioral change in juvenile offenders to determine what interventions work successfully with the serious juvenile offender. The four interventions were those based on clinical psychology and psychiatry, those based on sociology and social work, those based on schooling,

and those based on vocational education. No data were found to support finely-grained judgments about the relative efficacy of the various treatment modalities. No programs were found that were concentrated solely on behavior changing efforts with serious juvenile offenders, and no single treatment program was found that was useful to all serious juveniles. Limited success was found with each of the four treatment modalities. In looking more closely at "what works," some similarities were discovered in programs across the four types of treatment. (1) Successful programs involved maximum discretion on the part of the client concerning whether to enter the program and how long to stay. (2) As program involvement increased, so did the prospects for more thorough, lasting, and functional changes. (3) Several standard components of learning theory were associated with success--clear tasks, behavior models, early and frequent successes, and a reward structure.<sup>17</sup>

#### Summary and Conclusion

The media-fostered view of the United States as a country in the grip of a wave of youthful violence is not borne out by the facts. The view is contradicted by reported crime, by victimization surveys, and by self-report surveys.

The FBI's Uniform Crime Reports have registered a recent decline in the incidence of violence, as well as a decline, not an increase, in the numbers of arrests of juveniles for violent crimes. The actual number of juveniles who are arrested for serious crimes of violence is small and repeated serious violence is rarer still. The U.S. Census Bureau's national victimization surveys show that the victimization which Americans experience each year is constant and that victimization from violence shows the greatest constancy of all types of crimes. National self-report studies of delinquency also show a constancy, not an increase, in the violent behavior of American youth.

Communities have shown a propensity toward tolerating and absorbing violent

behavior of their middle- and upper-class youngsters while not displaying such tolerance toward their lower-class counterparts. If means could be found to increase the level of public tolerance toward such youthful offenders, and of dealing with them within their own communities, the problem of youthful violence would greatly diminish.

The vast majority of youths who commit assaultive crimes are not dangerous and the actual number needing secure settings is minute. The state of Massachusetts calculated that it needs 54 to 70 such secure placements; assuming the same ratio for the U.S. as a whole, the country would need no more than 2,500 secure placements for dangerous juveniles.

No one has found the magic pill to cure youthful violence but several communities and institutions are searching for better ways and some have found ways to deal with some violent youth in open settings. The results are mixed. Although treatment of the violent is difficult, the search for better ways must continue because any other alternative is totally unacceptable.

If the goal is to reduce youth violence we must look to other than the juvenile and criminal justice systems. For the past generation in which the number of young people in our population has rapidly increased, we as a nation largely have ignored the social and economic forces which have contributed directly to the problem of youth violence. To counter with forces for prevention would take too long we have argued, so we have reacted with more police, courts, and institutions.

Now we have grandchildren as members of their grandparents' former youth gangs. Youth unemployment, educational failure, poverty and rates of family disintegration remain unacceptably high. We cannot afford to wait another generation to face these issues for which criminal justice has no answers.

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## Footnotes

1. U.S. Federal Bureau of Investigation. Crime in the United States, 1976. p. 181. Note: 10,119 police agencies reporting, representing a population of about 176 million.
2. Ibid, p. 183.
3. Ibid, p. 179.
4. U.S. National Criminal Justice Information and Statistics Service. Criminal victimization in the United States 1973, 1974, 1975, 1976. Washington, D.C., U.S. Government Printing Office.
5. Martin Gold and David J. Reimer. "Changing patterns of delinquent behavior among Americans 13 through 16 years old: 1967-72." Crime and Delinquency Literature, 7(4):483-517, 1975.
6. Vera Institute of Justice. Violent delinquents. A report to the Ford Foundation by Paul A. Strasburg. New York, 1977. 375 p.
7. Ibid.
8. William J. Chambliss. "The Saints and the Roughnecks." Society, 11(1):24-31, 1973.
9. Roy L. Austin. "Offense history and recidivism." Offender Rehabilitation, 1(2):209-226, 1976-77.
10. Frederica Mann, C. Jack Friedman, and Alfred S. Friedman. "Characteristics of self-reported violent offenders versus court identified violent offenders." International Journal of Criminology and Penology, 4(1):69-87, 1976.
11. D.H. Russel; and G.P. Harper. "Who are our assaultive juveniles? A study of 100 cases." Journal of Forensic Sciences, pp. 385-397, n.d.
12. Massachusetts. Youth Services Department. The issue of security in a community-based system of juvenile corrections: the final report of the Task Force on Secure Facilities to Commissioner John A. Calhoun. Boston, 1977. 108 p.

13. Massachusetts. Youth Services Department. Intensive care, by Linda Familant. Boston, 1974. 21 p.

14. "Juvenile corrections in Massachusetts." Corrections Magazine, 2(2):3-12, 17-20, 1975.

15. Pieter DeVryer. Evaluation of Elan: November 23 to November 26, 1975. Wilmette, Ill., n.d. 3 p.; Vermont. Social and Rehabilitative Services Department. Informational report of visit to facilities of Elan Corporation at Poland Spring and Waterford, Maine, October 17-19, 1974, by Steve Rising. Burlington, n.d. 17 p.

16. James Kennedy, and others. "A day school approach to aggressive adolescents." Child Welfare, 55(10):712-724, 1976.

17. Dale Mann. Intervening with convicted serious juvenile offenders. Santa Monica, Calif., Rand Corporation, 1976. 116 p.

## APPENDIX

An examination of data on the volume of arrests for criminal offenses of 11- to 17-year-olds (Uniform Crime Reports, 1964-1975) and of the Juvenile Court Statistics (National Institute for Juvenile Justice and Delinquency Prevention, 1964-1974) provides a view of the relation of serious delinquency arrests to all delinquency arrests and allows projections of similar volumes through 1986 (graph 1, attached).

The volume of arrests\* of juveniles aged 11 to 17 for serious violent crimes is a small proportion of the total volume of arrests of all juveniles. In addition, the volume of arrests for serious violent crimes (which actually decreased from 1975 to 1976) appears to be more stable and to be increasing more slowly than the total volume of arrests. This lends added support to the U.S. Census Bureau's victimization surveys which show that victimization from violence shows the greatest constancy of all crimes and to national self-report studies of delinquency which show a constancy in the violent behavior of American youth.

It can be projected that the volume of arrests for 11- to 17-year-olds will increase from 2,071,532 in 1976 to 2,233,000 in 1986, an increase of 11 percent. The volume of juvenile court cases disposed of will increase from 1,369,532 in 1976 to 1,960,696 in 1986, an increase of 43 percent. These projections indicate that the volume of juvenile court cases is increasing faster than the volume of arrests for delinquency. Since the juvenile court data incorporate status offenses while the arrest data do not, it may be possible to assume that the number of status offenses disposed of by the courts can account for the difference. By processing an increasingly large number of

\*Volume-of-arrest figures on this graph are weighted to account for the fact that the Uniform Crime Reporting program actually represents only a portion of the national population.

cases, while criminal offenses are increasing at a slower rate, the court system may be over-reaching itself and disposing of an increasing number of status offense cases and fewer delinquency cases.

Graph 2 portrays urban (cities over 50,000 population) arrest rates per 1,000 youths aged 11 to 17 broken down by race (status offenses are excluded). Again, the graph illustrates the proportion of arrests for serious violence compared with all arrests. The graph further shows the stability of arrest rates for serious violent crime. A comparison of arrest rates for black and white youths shows the disproportionate rate of arrests of black youths for both serious violence and for all crimes on the basis of their representation in the nation's population; however, as can be seen on graph 3, the volume of arrests of black youths appears to be fairly stable although their proportion in the population is increasing.

U.S. VOLUME OF ARRESTS OF 11-17 YEAR OLDS (STATUS OFFENSES REMOVED) 1964-1986

Volume  
in  
1,000's

VOLUME OF  
ARRESTS

JUVENILE COURT STATISTICS -  
VOLUME OF DELINQUENCY CASES

VOLUME OF ARRESTS FOR SERIOUS VIOLENT CRIME

64 65 66 67 68 69 70 71 72 73 75 76 77 78 79 80 81 82 83 84 85 86

(89,480)

(110,261)

(128,480)

(1,369,532)

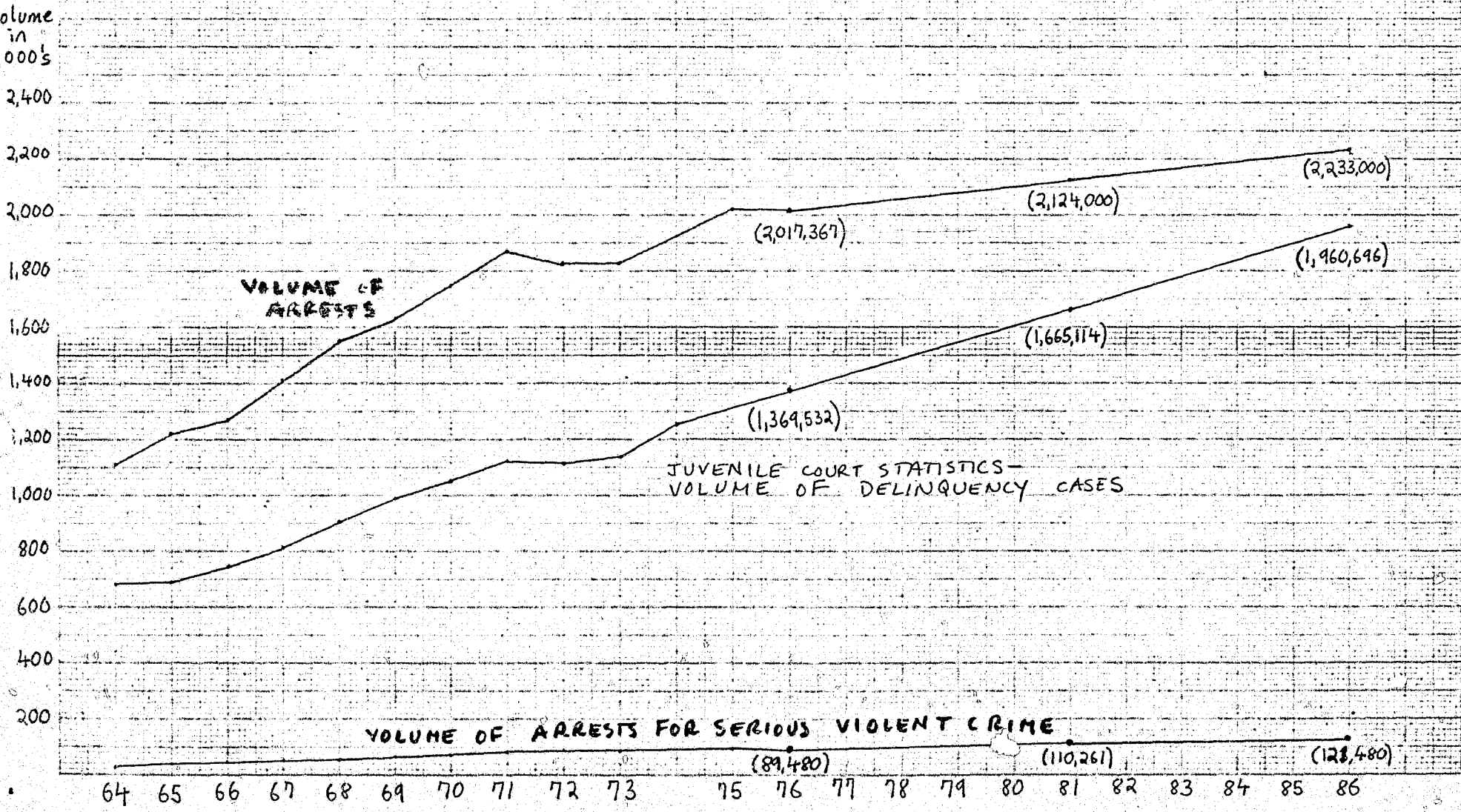
(1,665,114)

(2,017,367)

(2,124,000)

(2,233,000)

(1,960,696)





#2  
 URBAN ARREST RATES (cities of 50,000 plus population) PER  
 1,000 YOUTHS 11-17 (status offenses removed) 1964-1976

RATE PER  
 1,000  
 POPULATION  
 11-17

160  
 150  
 140  
 130  
 120  
 110  
 100  
 90  
 80  
 70  
 60  
 50  
 40  
 30  
 20  
 10

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ALL ARRESTS

TOTAL

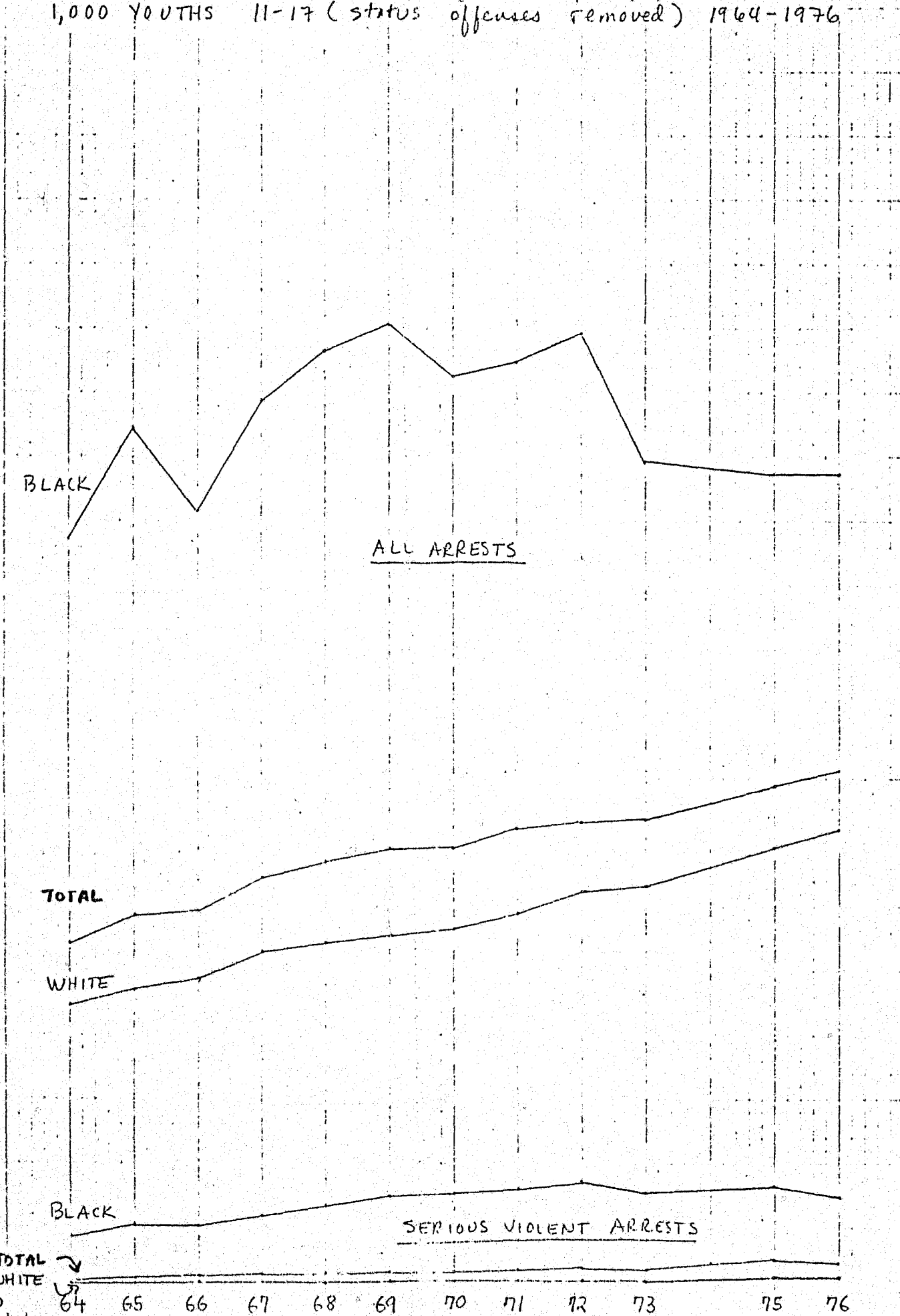
WHITE

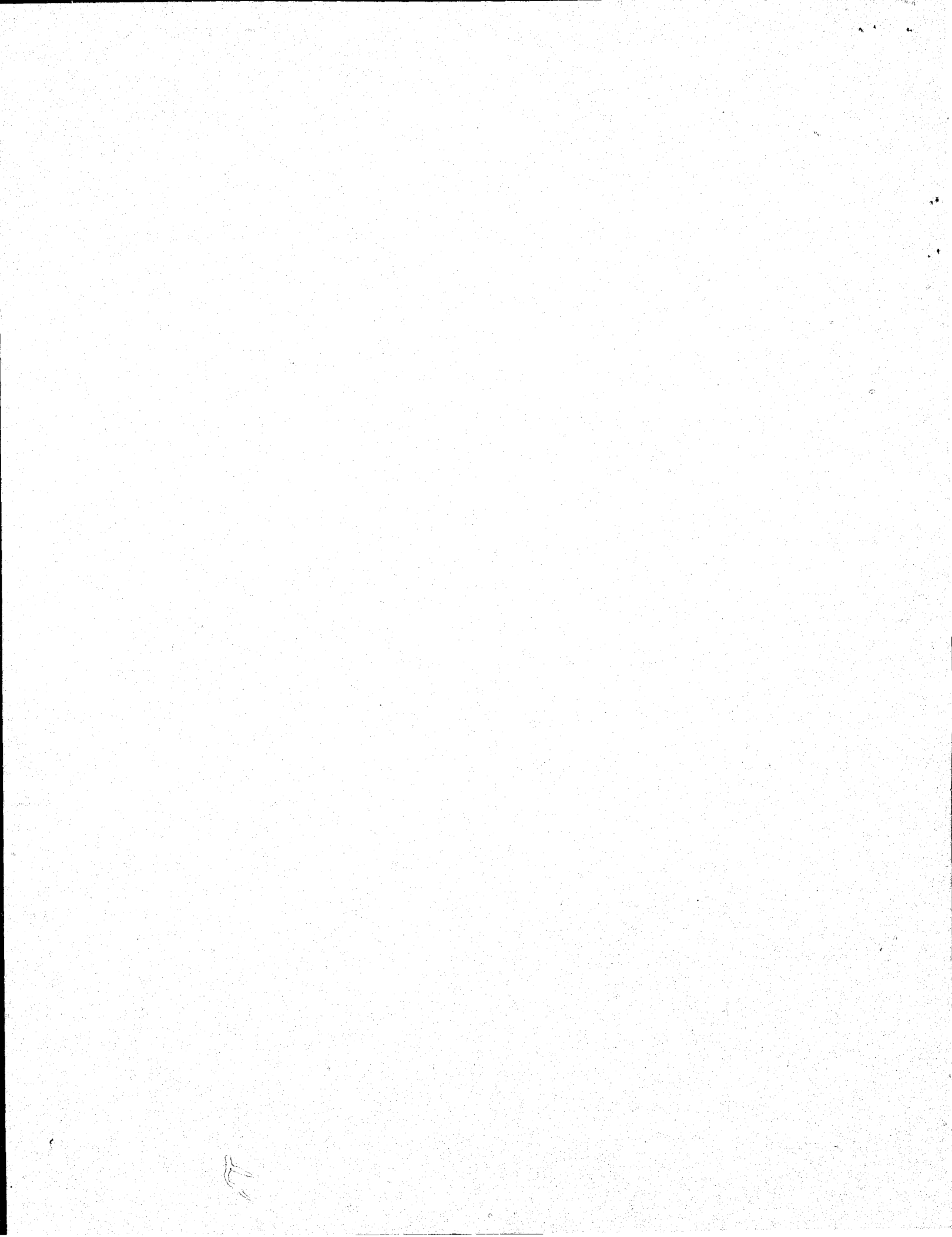
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SERIOUS VIOLENT ARRESTS

TOTAL  
 WHITE

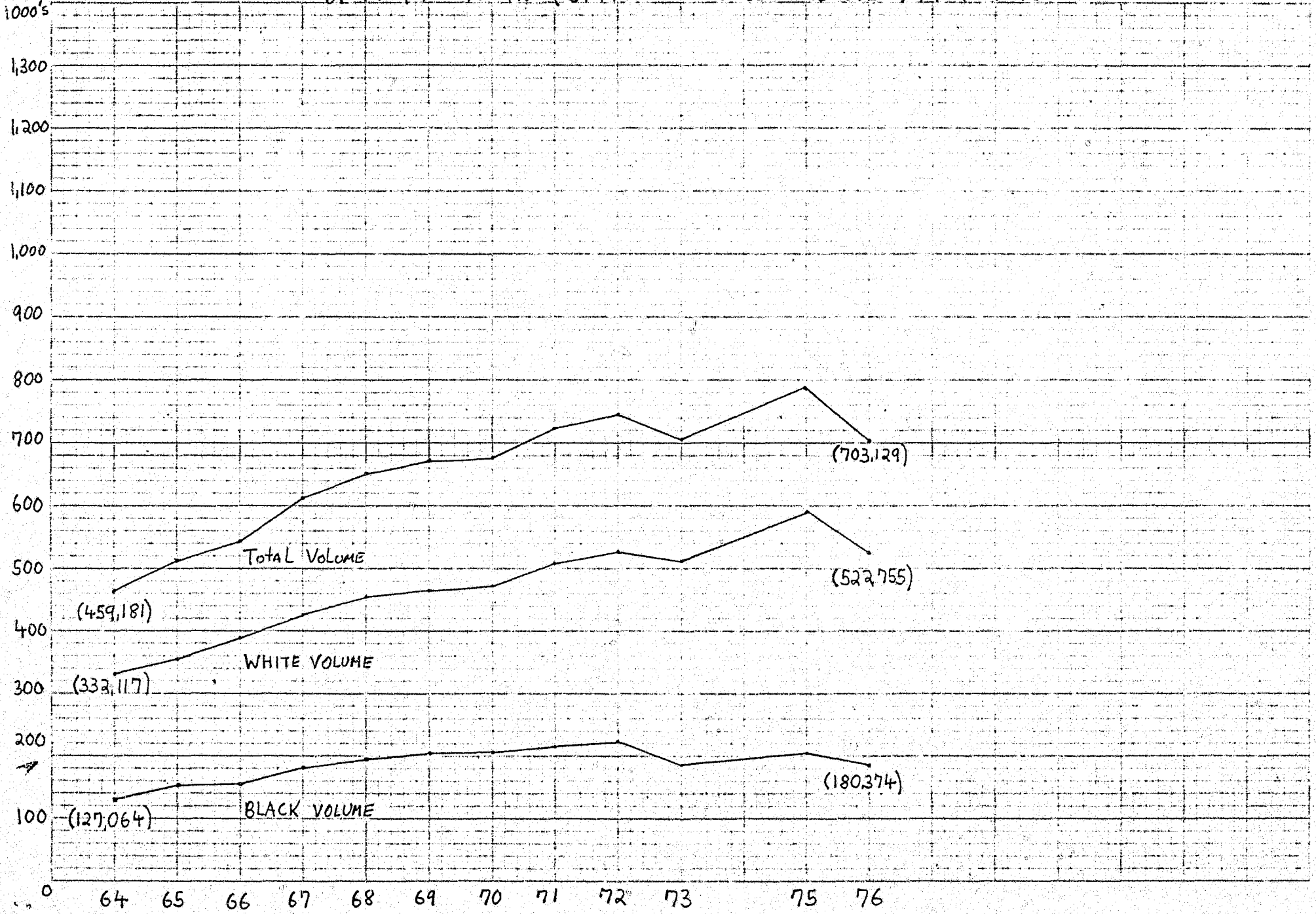
64 65 66 67 68 69 70 71 72 73 75 76





VOLUME IN 1000'S #2

URBAN (CITIES OF 50,000 PLUS Pop.) TOTAL VOLUME OF ARRESTS OF 11-17 Youth (STATUS OFFENSES REMOVED) 1964-1976



1976  
12 280



**END**