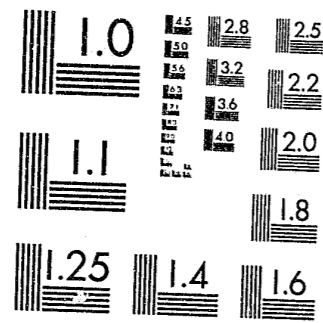


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Summary Report

VIOLENT DELINQUENTS: A WISCONSIN STUDY

YOUTH POLICY AND LAW CENTER

with support from

WISCONSIN COUNCIL ON CRIMINAL JUSTICE

U.S. Department of Justice
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Summary Report

VIOLENT DELINQUENTS:

A WISCONSIN STUDY

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ACQUISITIONS

CHAPTER ONE: INTRODUCTION

Everyone who reads the daily papers and views the televised news is regularly reminded of the prevalence and seriousness of modern crime. Rarely does a day go by without a politician or commentator proclaiming that we must get tough on crime. Most Americans now believe that there is an epidemic of crime occurring in the nation, and that past efforts to deal with it have not afforded any realistic solutions. Sensationalized information and simplistically proposed solutions have contributed to a sense of urgency about the crime problems and have led to governmental actions aimed at "getting tough" (Lowell, et al., 1981:1).

There is need to study violent offenses and offenders, especially violent juvenile offenders, because public disposition has created a challenge to public officials for action (Schuster, 1981:110). The "perceived" increase in youthful violence in the United States is having an affect on the juvenile justice system. There is a "pervasive sense that the present system has failed to provide either protective care or effective treatment to juveniles within its jurisdiction, and an increasing demand that the community be afforded adequate security from the threat of adolescent criminality" (Hellun, 1979:310).

This study describes the social and criminal characteristics of juveniles who are arrested for violent crimes. It is a cross-sectional study of officially recorded violent delinquency in three counties in the state of Wisconsin. It is hoped that it will be useful to lawmakers, policymakers, and the general public in Wisconsin and elsewhere.

The sample is composed of youth from Milwaukee, Outagamie, and Rock Counties who were arrested for violent crimes in 1980. Use of official data excludes from analysis an adolescent who committed a violent crime but was not apprehended by law enforcement officials. Although arrests vary with the ability of law enforcement officers, discretion of individual officers and citizen cooperation in reporting offenses, financial limitations and time constraints made alternatives, such as a self-report survey, unfeasible for this study.

This cross-sectional study collected data at one point in time (1983) from court files. For juveniles in the sample, who had not reached the age of 18 by this time, information on offense histories was not complete. There were, however, certain advantages to the use of 1980 data.

The recency of these data and the fact that 1980 coincides with the federal government's collection of data for the national census. Updated census data provide descriptive information on socioeconomic status on the populations in the census tracts included in the study.

Finally, this study is a secondary analysis of data originally collected by court personnel for other purposes. Although using available data was more efficient and cost-effective than attempting to collect original data would have been, it also had limitations -- primarily the incomplete nature of files. In many instances, demographic, educational, family, psychological, or arrest information was missing from the files.

DEFINITIONS

The focal point of this study is violent juvenile offenders. All of the subjects were arrested for a violent crime in 1980. Clearly, there are varied definitions which could appropriately have been used. This study concentrates on acts of physical force directed against people. Property offenders are not included. The major terms of this study can be defined as follows:

Violence (or violent crime): Any act of homicide, forcible rape, assault, or robbery, or any attempt to commit such an act.

Juvenile: A person up to the age of 18 under the jurisdiction of juvenile court.

Violent delinquent: A juvenile charged with any violent crime.

Serious crime: Any act of arson, larceny-theft, burglary, or auto theft.

Recidivist: A juvenile arrested on two or more occasions and charged with a delinquent offense.

Chronic offender: A juvenile arrested five or more times and charged with a delinquent offense.

Murder: Murder and non-negligent manslaughter, as defined in the Uniform Crime Reporting (UCR) Program, is the willful (non-negligent) killing of one human being by another (Evans, 1981:12).

Forcible rape: As defined in the UCR program is the carnal knowledge of a female forcibly and against her will. Assaults or attempts to commit rape by force or threat of force are also included (Evans, 1981:16).

Robbery: Is the taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear (Evans, 1981:20).

Aggravated assault: Is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury (Evans, 1981:24).

SUMMARY

Data on the violent juvenile delinquent is limited on a national basis and virtually non-existent in the State of Wisconsin. Public perception about such offenders is framed by anecdotal information and isolated incidents of senseless violence. Until we know in greater detail who these youth are in Wisconsin, it is difficult to design intervention strategies and dispositional alternatives which will provide both safety to the public and effective care and treatment to violent juvenile offenders.

Prior to responding to public fears with a new set of "get tough" legislative proposals, an objective review of the dimensions of the problem of juvenile violence is essential. Although national and local arrest data on this population are of some value, they offer limited demographic information and provide no information on individual offense histories of juveniles involved in the justice system. It is not possible, for instance, to assess the number of crimes perpetrated by recidivists and chronic offenders from arrest data.

The goals, then, of this study are:

1. To describe the social and criminal characteristics of juveniles who are arrested for violent crimes.
2. To describe in detail the 1980 violent arrest offense, and analyze the severity of 1980 offenses.
3. To identify the impact that various court dispositions have on crime patterns.
4. To examine legal responses to violent crime.

The remaining sections of this executive summary focus on:

1. Pertinent studies on the violent juvenile delinquent and updated arrest statistics on both national and state levels.
2. The study's research design and methodology.

3. Descriptions of the social and criminal characteristics of juveniles arrested for violent offenses.
4. An in-depth analysis of the 1980 violent offenses and the impact of various dispositions and legal responses to crime.
5. An overall summary including conclusions and recommendations.

CHAPTER TWO: REVIEW OF THE LITERATURE
SCOPE OF THE PROBLEM

Since 1964, the "crime problem" has become a prominent domestic issue in national public opinion polls. A 1964 Gallup poll surveyed 1,500 persons and found that "maintaining law and order" was number six in overall importance and number one in domestic issues. Of those surveyed, 86 percent said "that they were worried 'a great deal' or 'considerably' about the problem" (Free, et al., 1967:51). "In a similar Gallup poll administered in 1949, four percent of those surveyed mentioned crime as a significant social issue" (Pope, 1981:10).

The public's fear of victimization has become a counterpart to their concern about crime (Pope, et al., 1981:10). A 1964 Gallup survey of 1,532 adults (21 years of age or older) revealed that 17 percent of the male respondents and 48 percent of the female respondents were afraid to walk alone at night within a mile of their place of residence. By 1972, those figures had increased to 20 percent of the male respondents and 58 percent of the female respondents (Hindelang, 1975:12).

Are public perceptions of crime and subsequent political reaction well founded? The FBI-Uniform Crime Report indicated that during 1980, an estimated 13,295,399 crime index offenses* occurred throughout the nation, an increase of nine percent over 1979. Both violent and property crime categories showed upward trends over 1979 by eleven and nine percent, respectively. The volume of crime index offenses in 1980 increased 18 percent over 1976 figures, and 55 percent above those for 1971. For every 100,000 persons, there were 580 violent crimes reported. While the volume of offenses reported increased, the severity decreased.

By far, the greater number of violent crimes reported in 1980 were robberies (42 percent) and aggravated assaults (50 percent). Forcible rape accounted for six percent and murder for less than two percent of the violent crimes reported (FBI, 1980:38).

Violent crime is generally regarded to be the province of the young. A review of UCR arrest data for 1980 suggests that the rate of violence by youth is decreasing. This validates Marvin Wolfgang's prediction in 1973 that crimes of

*Index Offenses include: criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.

personal violence would decline "if for no other reason than that the age-composition of society would change as the 'baby-boom' children born after World War II grew older and thus less violence prone" (Duxbury, 1980:671).

Juveniles (11 through 17) accounted for approximately 1.9 million arrests in 1980, less than half of which were for index crimes (as illustrated in Figure 2-1). The majority of these index offenses (89.1 percent) were property crimes, while relatively few would be classified as violent (10.9 percent). As shown in Figure 2-2, the great majority of all violent offenses involve either robbery or aggravated assault, while forcible rape and murder contribute very little to the overall volume. The respective frequencies of aggravated assault and robbery are uninformative in that these categories are, by definition, vague (Smith, et al., 1980:77).

Aggravated assault can involve the use of anything from guns and knives to fists, with accompanying injury ranging from loss of a tooth to a disabling injury. This same lack of clarity holds true for robbery, since the UCR classification for this offense incorporates both the armed and unarmed types (UCR, 1980:16, 20).

Although media presentations often emphasize the use of deadly weapons by juveniles, analysis of National Crime Survey victimization data indicates that juvenile crime is less serious, both in terms of weapon use and rate of injury, than adult crime. Indeed, in serious crimes guns are rarely used by juveniles, and there was no evidence that among juveniles weapon use generally, or gun use specifically, increased between 1973 and 1977 (McDermott, et al., 1981:1). Zimring has also suggested that most adolescent offenders commit robberies at the less serious end of the scale (Smith, et al., 1980:78). These findings lead to a reluctance to classify all robberies as violent, especially for juveniles.

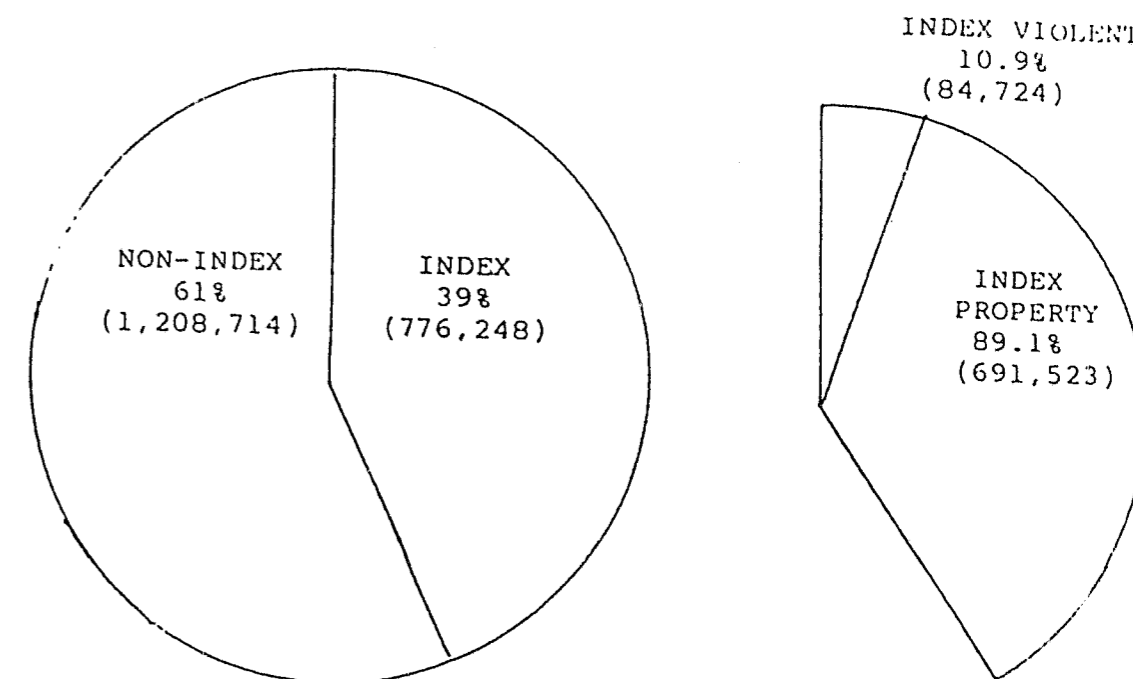
Another approach in examining youth violence is to focus on one state (Duxbury, 1980:671). The Wisconsin UCR program estimated that there were 9,074 violent crimes reported to law enforcement agencies during 1982. This represented a 1.6 percent increase from 1981. Violent offenses have increased by 108.2 percent in Wisconsin between 1972 and 1982 (Evans, et al., 1982:9).

Juveniles (ages 12 through 17) accounted for approximately 82,188 arrests in 1982, less than a third of which fall into the category of index crimes, as illustrated in Figure 2-3. The majority of these index offenses, 94 percent, were property crimes. Consistent with national arrest figures, most violent offenses involved either robbery (49 percent), or aggravated assault (44 percent); while

FIGURE 2-1

TOTAL OFFENSES = 1,984,962

INDEX OFFENSES = 776,248



* INDEX OFFENSES INCLUDE: CRIMINAL HOMICIDE, FORCIBLE RAPE, ROBBERY, AGGRAVATED ASSAULT, BURGLARY, LARCENY-THEFT, MOTOR VEHICLE THEFT, ARSON

** NON-INDEX OFFENSES INCLUDE: OTHER ASSAULTS, FORGERY AND COUNTERFEITING, FRAUD, EMBEZZLEMENT, STOLEN PROPERTY, VANDALISM, RUNAWAYS AND ALL OTHER CRIMINAL OFFENSES

PROPORTIONS OF INDEX* AND NON-INDEX** OFFENSES TO TOTAL ARRESTS, AND PROPORTIONS OF VIOLENT AND PROPERTY OFFENSES TO TOTAL INDEX OFFENSES, AGES 11-17, 1980, U.S.A.

SOURCE: F.B.I.-UNIFORM CRIME REPORTS; 1980: p. 198.

FIGURE 2-2

NATIONAL ARREST FREQUENCIES AND PROPORTIONS
OF INDIVIDUAL VIOLENT OFFENSES TO TOTAL VIOLENT
OFFENSES, AGES 11-17, 1980

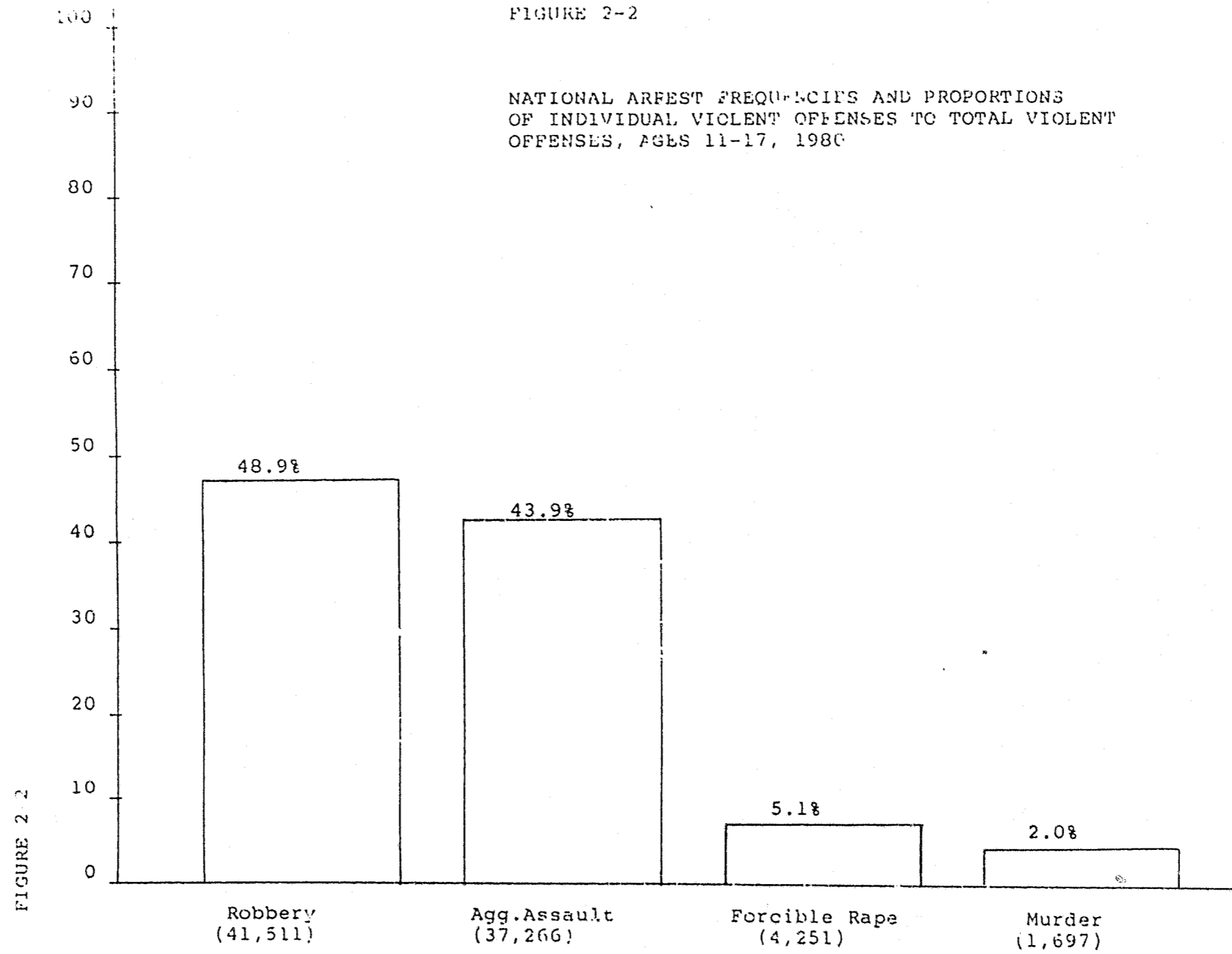


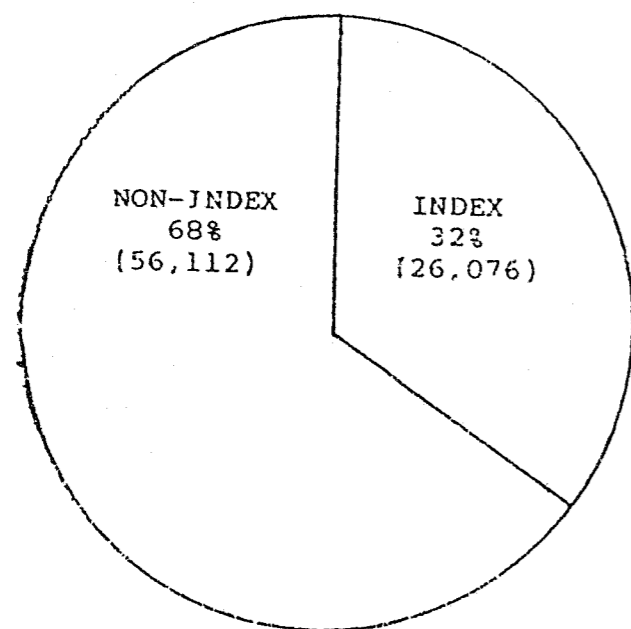
FIGURE 2-2

Source: U.C.R.; 1980:198

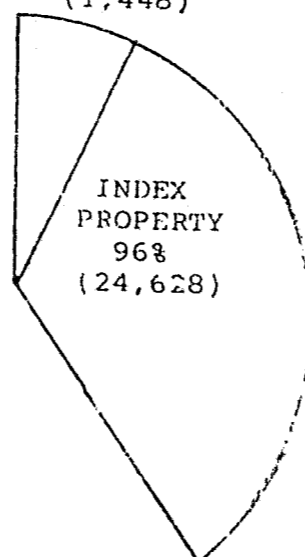
FIGURE 2-3

TOTAL OFFENSES = 82,188

INDEX OFFENSES = 26,076



INDEX VIOLENT
6%
(1,448)



- * INDEX OFFENSES INCLUDE: CRIMINAL HOMICIDE, FORCIBLE RAPE, ROBBERY, AGGRAVATED ASSAULT, BURGLARY, LARCENY-THEFT, MOTOR VEHICLE THEFT, AND ARSON
- ** NON-INDEX OFFENSES INCLUDE: OTHER ASSAULT, FORGERY AND COUNTERFEITING, FRAUD, EMBEZZLEMENT, STOLEN PROPERTY, VANDALISM, RUNAWAYS AND ALL OTHER CRIMINAL OFFENSES

PROPORTIONS OF INDEX* AND NON-INDEX** OFFENSES TO TOTAL ARRESTS, AND PROPORTIONS OF VIOLENT AND PROPERTY OFFENSES TO TOTAL INDEX OFFENSES, AGES 12-17, 1982, STATE OF WISCONSIN.

SOURCE: WISCONSIN, UNIFORM CRIME REPORTS; 1982: p. 36.

forcible rape and murder added minimally to the overall state volume (Evans, et al., 1982:86).

While there is some counterbalancing evidence, indications are strong that youth violence is leveling off or actually decreasing. Both the juvenile population and the volume of juvenile index arrests increased during the 1960's. The variations in reported juvenile arrests in recent years appear to be at least partially accounted for by changes in the total number of agencies reporting to the FBI crime reporting system (Smith, et al., 1980:81). Juvenile arrest rates for non-index offenses reflect fairly constant increases over the ten year period between 1970-1980, with a peak in 1974. Index offenses, on the other hand, increased consistently until 1974, at which point the rate peaks and then begins to decline. Significantly, the decrease in juvenile arrests occurred during the same period in which arrests of adults increased. During the five years from 1976 to 1980, arrests for all offenses, except traffic, increased five percent. Arrests of persons under the age of 18, however, declined by 10 percent. When restricted to the eight index offenses, total arrests increased seven percent and those of persons under age 18 fell seven percent (Webster, 1980:166).

Currently, there are a limited number of major studies which have examined violent and serious juvenile crime. The work of Wolfgang, Figlio and Sellin (1972) is perhaps the most frequently cited contribution to knowledge about the prevalence of youth violence. Similar studies have been conducted by Strasburg (1978), Hamparian, et al. (1978), and Shannon (1982). The studies by Strasburg and Hamparian are focused on violent crime. Wolfgang and Shannon were interested in a more generalized assessment of the cohort's entire criminal careers.

The data from these studies attest to the following conclusions regarding the scope of juvenile violence today:

1. Delinquent behavior is commonplace. Various self-report studies have demonstrated evidence of widespread juvenile crime. These studies indicate that most juveniles commit illegal acts.¹ Wolfgang found that 35 percent of the Philadelphia cohort were arrested at least once (3,475 boys). Fifty percent of non-white juveniles had police records in Philadelphia, compared to 28 percent of white juveniles. Altogether, the delinquents in the cohort were detected in 10,214 illegal acts, an average of three per delinquent. About 54 percent of the offenders in the cohort were recidivists. The one-time delinquents were usually involved in petty delinquent behavior, including "juvenile status"² offenses (Wolfgang, et al., 1972). Of the 811 boys

and girls born from 1956-58 in Columbus whose delinquent careers ended in 1976, 29.5 percent of the subset were arrested only once. The 811 youth were arrested on 3,373 occasions -- an average of 4.2 arrests per person. The Columbus cohort had a 70.5 percent recidivism rate compared with 53.6 percent in Philadelphia (Hamparian, et al., 1978).

Forty-one percent of the entire Vera sample were first-time offenders, 36 percent were recidivists and 23 percent were chronic offenders. In addition to their current offenses, details were gathered on all prior offenses up to a maximum of five.³ The sample had 878 prior offenses, bringing to 1,388 the total number of offenses committed by the group. In all, 326 of these crimes (24 percent) fell into the violent category, and 1975 (13 percent) involved known injury or death to the victim (Strasburg, 1978).

2. A relative small percentage of juveniles engaged in delinquent behavior appear to be responsible for a disproportionate amount of arrests. Wolfgang, et al., found that of the 10,214 cohort offenses, 8,601 (84.2 percent) were committed by the 1,862 recidivists (53.6 percent of all the delinquents). The chronic offenders were responsible for 51 percent of all delinquent acts (Wolfgang, et al., 1972).

Less than 25 percent of each cohort's males in Racine had five or more non-traffic contacts, but these chronic offenders accounted for from 77 percent to 83 percent of all contacts by the males in their cohort. An even smaller percentage (from eight to fourteen percent of each cohort) were responsible for all of the cohort's felonies. From two to seven percent of the females in each cohort generated 100 percent of the felonies by females in their cohort (Shannon, 1982).

Of the 1,138 subjects in the Columbus study, 353 or 31.0 percent were chronic offenders. Of the 353 members of this class, 101 committed nothing more serious than a simple assault. The entire cohort was responsible for 397 aggravated offenses, of which 146 (36.8 percent) were committed by 121 chronic offenders. Adding all other violent offenses, except assault, we have a total of 894 index offenses against person for the whole cohort, of which the chronic offenders committed between 40.1 and 44.8 percent.

3. The incidence of serious and repeated violence is relatively rare. Thirty-one percent of the Philadelphia cohort and 44 percent in the Vera Foundation study in New York City were charged with a violent crime at least once; only 29 percent of the crime were judged serious (Strasburg, 1978). Repeated violence is even less common. Only seven percent of the Philadelphia cohort, six percent of the Vera sample, and sixteen percent of the Columbus cohort were charged two or more times with injury offenses. The Racine study also found that "the most prevalent pattern of arrests was one of declining seriousness and discontinuation of delinquent behavior after the teenage years" (Shannon, 1982:4).

CHAPTER THREE: STUDY DESIGN AND METHODOLOGY

1. DATA BASE

This is a cross-sectional study of officially recorded violent delinquent behavior in three counties in the State of Wisconsin. The counties selected included Milwaukee, Rock, and Outagamie. County records were used to identify juveniles arrested for violent crimes in 1980. Violent arrest figures by county were as follows: Milwaukee (637 juveniles); Outagamie (21 juveniles); and Rock (44 juveniles). All cases listed by the counties were reviewed in both Rock and Outagamie counties. The sample of 200 cases in Milwaukee County was drawn from the county listing of 637 juveniles.

Court and probation records were the data sources utilized in this study. Although frequently incomplete, they did provide some information on individual and family social histories. Demographic and educational data, family composition and structure, and psychological and medical information were gathered, based upon their availability in court files.

Detailed information was also collected on the 1980 violent offense arrests. The information was based upon the police arrest report submitted to the district attorney's office. The arrest data on the 1980 offenses included information on:

- the juvenile (age, sex, race, place of residence);
- the offense (stipulates state statute violation);
- victim information (age, sex, race, physical condition, relationship to the victim);
- property loss and/or personal injury;
- number of accomplices;
- disposition by police;
- details of the offense (i.e., possession or use of weapon, nature of threat posed to victim);
- the result of contact with the victim (i.e., hospitalization, death, etc.);
- additional comments (attitude of offender, etc.).

The Sellin-Wolfgang Seriousness Scale was applied to the 1980 violent offenses to assess the severity of the crimes. The scale permitted us to make distinctions between degrees of seriousness both between and within offense categories (Smith, et al., 1980:21). The scale allowed us some degree of objective measurement of both the degree of injury inflicted upon victims and the value of the property loss.

Information on the arrest history for each juvenile was also available in the court files. Data on arrests through 1982 were collected. The majority of juveniles in the sample had reached their 18th birthday by the end of 1982; therefore, they had ended their careers as juvenile delinquents.⁴

2. SAMPLING METHODS

The initial criterion for selection into the sample was based upon an arrest for a violent offense in 1980. The year, 1980, was used for a variety of reasons, including:

- the recency of the arrest;
- the likelihood that a majority of the juveniles selected would have completed their delinquency careers;
- the availability of 1980 census tract information for demographic, social, and economic information.

Given the financial and time constraints of the study, subjects were not randomly selected from the total population of juveniles arrested for violent crimes in the State of Wisconsin. Rather, three counties were selected for the study. The county selection process was based upon: (1) counties within the State of Wisconsin with higher reported numbers of juvenile arrests for violent offenses in 1980, and (2) diversity of geographic environments.

Data provided by the Crime Information Bureau (CIB),⁵ the agency in the State of Wisconsin responsible for the collection of arrest statistics, indicated that 60 of the 72 Wisconsin counties reported less than 11 arrests of juveniles for violent offenses in 1980 -- these counties were disqualified because of the limited number of subjects available for the sample.

Milwaukee County had the largest reported number of arrests (660), followed by: Racine County (79); Dane County (50); Kenosha County (30); Rock County (26); and Outagamie County (24). Racine and Kenosha counties were not selected because of their close geographic proximity to Milwaukee County. Dane County was disqualified because of its unique social/economic characteristics relative to other counties in the State of Wisconsin. Dane County had the highest percentage of high school graduates (83 percent) in the state in 1980. Additionally, a larger proportion of the labor force in Dane County was employed in managerial/professional positions (28 percent) than was true for other counties. This was probably due to the fact that the county contains both the capitol of Wisconsin (Madison), and the largest college campus in the University

of Wisconsin system (University of Wisconsin-Madison). The counties selected then were: Milwaukee County, Rock County, and Outagamie County.

Milwaukee County

Milwaukee County is the largest metropolitan area in the state. The population in 1980 was 964,988. The county contains the largest urban center in the state; Milwaukee, and a substantial number of suburbs. The population of the City of Milwaukee was 636,212 in 1980. The county is located in the southeast portion of the state in an industrial area. Approximately one-third of those employed in 1980 were blue-collar workers. The median income for families with children under the age of 18 was \$21,576.00. The county has a heterogeneous population ethnically and racially: approximately 83 percent white; 16 percent black; and 1 percent other minority. There were 255,452 persons under the age of 18 in 1980 (Bureau of the Census, 1980).

The county is confronted with social and economic problems common to large urban centers. For instance, 19% percent of males and 16% of females in the county were unemployed at some time in 1979. The percentage of families below poverty level (eight percent) was higher than the state average (six percent). Additionally, 14 percent of those persons between the ages of 16-19 did not graduate from high school (Bureau of the Census, 1980).

Outagamie County

Outagamie County is the eighth largest county in the state with a population of 128,799 persons. It is situated in the northeastern section of the state and contains a mid-sized city, Appleton, and rural areas. The population of the City of Appleton was 59,040 in 1980. Slightly more than one-third of those employed (36 percent) in 1980 were blue-collar workers. The median income for families with children under the age of 18 was \$22,431. The population is homogeneous. Approximately 98 percent of the population is white, 1 percent is American Indian. There were 41,167 persons under the age of 18 in 1980 (Bureau of the Census, 1980).

Although the percentage of families below the poverty level (four percent) was lower than the state average (six percent), the county does face social and economic hardships. Approximately 14 percent of males and 18 percent of females in the work force were unemployed at some time in 1979.

Rock County

Rock County is the sixth largest county in the state with a population of 139,420 persons. It is located in the southcentral portion of the state. Rock County contains one mid-sized city, Janesville, and a small city, Beloit. These cities are surrounded by rural communities. The 1980 population of Janesville was 51,071 persons; the population of Beloit was 35,104 persons. The median income for families with children under the age of 18 was \$22,469. Of those employed, more than one-third were employed in blue-collar occupations. Although the county has a small black population (three percent), the vast majority of the population is white (96 percent). There were 42,614 persons under the age of 18 in 1980 (Bureau of the Census, 1980).

Rock County had a substantial portion of the population unemployed in 1979. Approximately 23 percent of males and 20 percent of females in the county were unemployed at some time in 1979.

The counties selected insured sufficient numbers of subjects, and some diversity (urban/rural) in geographic locations. Given the small number of juveniles arrested for violent crimes in both Rock and Outagamie counties, the populations were selected for the study. In Milwaukee County, a random sample of 200 juveniles was selected from an alphabetized list which recorded each juvenile's name once (some juveniles in Milwaukee County had been arrested on more than one occasion in 1980 for a violent crime). A table of random numbers was used to select the subjects.

3. METHODOLOGY AND STATISTICAL PROCEDURES

a. Variables of Study

The major variables in this study are sex, race, socioeconomic status (SES), educational status and school attendance, family structure, age at onset, type of offense(s), type of serious offense(s), number of arrests, dispositions, and seriousness as measured by the Sellin-Wolfgang scale. Additional information on the 1980 offenses include location of offense, victim information, and accomplice information. The objectives are (1) to describe the violent juvenile offender and (2) to describe the legal responses to violent crime and to identify the impact that various dispositions have on violent crime patterns.

b. Seriousness Scale

The Sellin-Wolfgang Seriousness Scale was used to create indicators of the harm sustained by the victims.

The higher the seriousness score, the more likely that severe personal injury or substantial property loss was experienced by the victim(s). Seriousness scores, based upon factual data on the crimes, also allow us to examine variations in police charging practices from one county to the next.

c. Coding

After the data were collected and entered on the appropriate data forms, a codebook was created. Information from the arrest data form, the case study form, and the seriousness scale was coded. Arrest cards were completed on all arrests contained in the file. The arrest cards were ordered from first arrest to most recent arrest. Code reliability was checked by randomly selecting code sheets and verifying the data.

d. Analysis

The data were analyzed on a univariate, bivariate, and multivariate level. The univariate analysis produced frequency distributions of the major variables in the study. The bivariate and multivariate analyses produced cross-tabulations which examined the relationships between the major demographic, social, educational, and legal variable. Because most of the data were at either a nominal or ordinal level, Chi Square was utilized to report the results of the analyses.

SUMMARY

In summary, it is assumed that the findings from this study will be beneficial to Wisconsin lawmakers and to those involved in formulating policies and designing programs for adolescents who have been arrested for violent crimes. One would be ill-advised to generalize the findings to "all delinquents" or to assume that the study describes "all violent juveniles" within the jurisdictions included. The generalizability of the study to other states can best be determined by the reader.

**CHAPTER FOUR: SOCIAL AND CRIMINAL CHARACTERISTICS OF
VIOLENT JUVENILE OFFENDERS**

COUNTY OF RESIDENCE

Seventy-five percent of the sample of juveniles arrested for violent offenses resided in Milwaukee County; 16 percent lived in Rock County, and the remaining eight percent lived in Outagamie County. Most of the census tracts in all three counties had a small number of violent juveniles. For all of Milwaukee County, 184 of the census tracts (62.4 percent) had no violent juveniles. In both Outagamie and Rock counties, 50 percent of the tracts had no juveniles arrested for a violent offense. Of those tracts with violent juveniles, most had only one or two. Eighty-eight percent of the juveniles in the sample lived in a city.

There were significant differences between counties in regard to sociodemographic variables. The majority of youth from Milwaukee County were black and low income. All juveniles residing in Outagamie were white, and the majority lived in moderate to above median income census tracts. Although the majority of youth from Rock County were white, 37 percent were black. Most of the Rock County juveniles resided in moderate to above median income census tracts. However, 33 percent did live in a low income neighborhood.

While there were no significant differences between counties and the age of the juveniles at the time of the 1980 offense, there was an association between county of residence and the age of onset of delinquency. Milwaukee County youth tended to be arrested at an earlier age than Outagamie and Rock County juveniles. Sixty-three percent of the juveniles residing in Milwaukee County were arrested prior to their 14th birthday. Approximately 53 percent of Rock County youth, and 28 percent of Outagamie County youth arrested were younger than 14.

Arrest frequency and the frequency of violent offenses were significantly different between counties. Sixty-six percent of the juveniles residing in Milwaukee County were chronic offenders (5+ arrests) before reaching age 18. The majority of juveniles from Milwaukee County (53 percent) were arrested at least twice for serious offenses, and 51 percent of these juveniles had more than one arrest for a violent offense. Twenty-nine percent of Rock County juveniles and 15 percent of Outagamie County youth were chronic offenders. None of the juveniles from Outagamie County had more than one arrest for a violent offense and only 25 percent of Rock County youth had more than one arrest for violence.

SEX

Males outnumbered females by a ratio of almost six to one. Males constituted 85.2 percent of the sample; females represented 14.8 percent of the sample (Table 4-1). Additionally, males were responsible for 89 percent of all arrests in the sample. It should be noted, however, that males comprised approximately 66 percent of the population of youth between the ages of 10 and 19 in all three counties (Bureau of Census, 1980).

Sixty-five percent of the violent females in the sample who had reached their 18th birthday had never been arrested on a serious delinquency charge. Only five percent of this group of females had been arrested five or more times on serious offenses. Twenty percent of the males who had reached their 18th birthday were chronically serious offenders. Females in the sample were arrested an average of 4.9 times. Males had a mean arrest rate of 7.17. There was no significant difference between the number of arrests for violent offenses for males and females. The mean number of arrests for violent offenses for males was 1.8; for females, the average was 1.5.

Females tended to receive less stringent dispositions from judges. Approximately 62 percent of arrest cases of male juveniles were counseled and closed at intake or dropped for lack of prosecutive merit. Seventy-one percent of arrests cases of female juveniles were terminated at court intake.

AGE

The median age of the sample was 15. The majority (59 percent) were between the ages of 15 and 17. The median age of onset of delinquency was 13. Age of onset was related to both the longevity of the delinquent career and arrest frequency (Table 4-2). Ninety-two percent of those who were arrested prior to age 12 were chronic offenders by the time they had reached their 18th birthday. Sixty-seven percent of this group were arrested at least twice for violent crimes, and 92 percent were arrested at least once for serious crimes. On the other hand, only eight percent of those arrested after age 15 were chronic offenders. Approximately 15 percent of this group were arrested for serious offenses.

RACE

Black juveniles represented approximately 49 percent of the sample and were responsible for 49 percent of arrests in the sample. There were significant differences in racial compositions between counties. Eighty-eight percent of black youth, and all other minority youth

Table 4-1

Distribution of Juveniles by
Sociodemographic Variables

	<u>Number</u>	<u>Percent</u>
<u>Sex</u>		
Male	225	85.2
Female	39	14.8
<u>Race</u>		
White	104	39.4
Black	129	48.9
Other*	22	8.3
<u>Age</u>		
10-11	7	2.7
12-14	100	37.9
15-17	157	59.5
<u>SES</u>		
Very Low	48	18.2
Low	113	42.8
Moderate	52	19.7
Above Median	48	18.2

*Includes: 5 American Indians, 1 Asian-American, 14 Hispanics, 2 Other

Table 4-2

Relationship of Age of Onset of Delinquency
With Number of Arrests*

	<u>Age of Onset</u>			
	<u>11 or younger</u>	<u>12-13</u>	<u>14-15</u>	<u>16-17</u>
<u>Number of Arrests</u>				
One	--	--	19.0	50.0
Recidivist	7.7	10.9	44.8	42.3
Chronic Offender	<u>92.3</u> 100.0% (26)	<u>89.1</u> 100.0% (46)	<u>36.2</u> 100.0% (58)	<u>7.7</u> 100.0% (26)
Chi Square = 77.91		p = .000		

*Includes only those who had reached their 18th birthday.
(N = 157)

resided in Milwaukee County. Approximately 12 percent of black youth in the sample lived in Rock County.

Black youth were somewhat younger than white and "other" minority youth. There was a strong and significant relationship between race and socioeconomic status. As illustrated in Table 4-3, 85 percent of the black juveniles and 81 percent of the other minority youth were low income. Thirty-one percent of the white youth fell below a moderate socioeconomic status. Thirty-eight percent of the families of black and other minority youth were dependent upon welfare as their only source of family income. This was true for 11 percent of white juveniles.

There were also some significant differences in the family structures and the living situations of juveniles by race. The majority of black and "other" minority youth lived in single parent households or outside of their parental home. In contrast, the majority of white youth resided in two-parent households. Black and "other" minority youth also came from larger families. Roughly 55 percent of black youth and 68 percent of "other" minority youth had four or more siblings. Only 35 percent of the families of white juveniles were comparable in size.

There were no significant differences by race either in the number of arrests for all offenses or the frequency of arrest for serious offenses. Race, however, did make a difference in the frequency of arrest for violent offenses (Table 4-4). There was also a difference by race and the kind of 1980 arrest offense. Most of the black youth in the sample (51 percent) were arrested on robbery charges. Other minority and white youth were most frequently arrested on battery charges (44 and 45 percent, respectively). In contrast, however, whites were responsible for all of the homicide arrests which resulted in the death of a victim.

Interestingly, there was a distinction between males and females and the relationship between race and arrest frequency for violent offenses. When sex was introduced as a control variable, the relationship between race and the number of arrests for violent offenses for males remained significant and strong. However, this was not correspondingly true for females in the sample. Black females were not significantly more likely than white females to be arrested for violent offenses.

There was also a significant difference in the frequency of arrest for all offenses between black juveniles living in Milwaukee County and blacks from Rock County. Black youth from Milwaukee County were more likely to be chronic offenders (57 percent) than were black youth from Rock County (27 percent). Indeed, 27 percent of Rock

Table 4-3

Relationship of Race
With Socioeconomic Status (SES)

SES	Race		
	White	Black	Other
Very Low	1.9	35.2	4.5
Low	29.1	50.0	77.3
Moderate	32.0	8.6	13.6
Above Median	36.9	6.3	4.5
	<u>100.0%</u> (103)	<u>100.0%</u> (128)	<u>100.0%</u> (22)

Chi Square = 96.23

p = .000

Table 4-4

Relationship of Number of Arrests
for Violent Offenses With Race**

Number of Arrests	Race		
	White	Black	Other*
1	70.0	44.6	33.3
2	20.0	26.2	53.3
3-4	8.6	23.1	13.3
5 or more	1.4	6.2	--
	100.0% (70)	100.0% (65)	100.0% (15)

Chi Square = 18.14 p = .005

*Includes: Hispanics, American Indians, and Asian-Americans.

**Includes only those who had reached their 18th birthday.
(N = 157)

County black youth were one-time offenders, whereas, only 13 percent of Milwaukee County black youth were one-time offenders by the time they reached age 18.

The effects then of race varied both in regard to the juvenile's place of residence and sex. It is possible that race is confounded by other variables such as socioeconomic status. Further analysis was not possible because of the size of n and the nature of the data.

SOCIOECONOMIC STATUS (SES)

Over 80 percent of black and other minority delinquents in the sample resided in census tracts with median incomes below the county median. Only 31 percent of white delinquents lived in lower-class neighborhoods. These figures correspond with similar findings in both the Philadelphia and Vera studies. Interestingly, 100 percent of the delinquents living in very low income census tracts were from Milwaukee County, and 86 percent of those residing in low income tracts were from Milwaukee County.

There was a significant difference between those from lower and higher income tracts and the source of family income. Eighty-four percent of those from above median tracts lived in families in which at least one parent was employed. Only 42 percent of those residing in very low income tracts had one parent working. Overall, 28 percent of the sample were children of families receiving Aid to Dependent Children (AFDC) or some other form of welfare benefits. Thirty-nine percent of those residing in very low income tracts, and 33 percent of those living in low income tracts were dependent upon welfare as their source of family income.

As illustrated in Table 4-5, juveniles residing in low income tracts were responsible for 53 percent of all arrests in the sample. These juveniles had a mean arrest rate of 8.4. The average arrest rate for the sample was 6.8. Juveniles in low income census tracts also had a higher average number of arrests for violent offenses. Overall, juveniles in the sample averaged 1.8 arrests for violent crimes. Juveniles from lower-income neighborhoods, however, had an average arrest rate of 3.1 for violent crimes. Interestingly, juveniles residing in very low income census tracts had the lowest average number of arrests -- 4.9. Indeed, 20 percent of these juveniles were one-time offenders at the time they reached their 18th birthday.

There were significant differences between SES census tracts and arrest frequency for serious offenses. Both the source of family income and census tract residence were related to the number of arrests for serious offenses.

Table 4-5

**Distribution of Arrests by
Sex, Race, SES, and Age -- All Arrests**

<u>Sex</u>	<u>Number</u>	<u>Percent</u>
Male	1,625	89.4
Female	<u>192</u>	<u>10.6</u>
	1,817	100.0%
<u>Race</u>	<u>Number</u>	<u>Percent</u>
Black	869	49.1
White	727	41.1
Other	<u>175</u>	<u>9.9</u>
	1,771	100.0%
<u>SES</u>	<u>Number</u>	<u>Percent</u>
Very Low	237	13.1
Low	955	52.7
Median	315	17.4
Above Median	<u>304</u>	<u>16.8</u>
	1,811	100.0%
<u>Age</u>	<u>Number</u>	<u>Percent</u>
10-11	54	3.0
12-14	615	33.8
15-17	<u>1,148</u>	<u>63.2</u>
	1,817	100.0%

Number of Arrests = 1,818
X = 6.8

Forty-one percent of juveniles living with families receiving welfare were arrested at least five times for serious offenses. Only 13 percent of children living in families with at least one parent employed were chronically serious offenders. Roughly 24 percent of those residing in very low and low-income census tracts were arrested at least five times for serious offenses. On the other hand, seven percent of juveniles residing in moderate income tracts and 16 percent of those in above median tracts were chronically serious offenders. There were no significant differences between socioeconomic census tract residence and the number of arrests for violent offenses for those who had reached their 18th birthday. There was also no relationship between the source of family income and the number of arrests for violent offenses.

FAMILY STRUCTURE

Single and two parent households were evenly distributed in the sample. Forty-three percent of the juveniles resided in single parent households, and 42 percent lived with two parents. The remaining 14 percent were living outside the home of the custodial parent. The majority of juveniles living in single parent households (97 percent) lived with their mothers.

A substantial proportion came from large families. Indeed, 49 percent of the sample had at least four siblings in their family. There were some indications of troublesome family relationships. For instance, 15 percent of the families had been reported for child abuse or neglect. Approximately 12 percent of the fathers in the sample had records of violent behavior. Twenty-one percent of the mothers in the sample were under the age of 19 at the time of the juvenile's birth. Two-thirds of the sample had at least one sibling referred to the court center.

Family composition did have an effect on offense frequency. Juveniles from one-parent households were responsible for 48 percent of all arrests, whereas, those living with two parents were responsible for 33 percent of the arrests in the sample. The remaining 19 percent were arrests of juveniles residing outside of their parent's home. There was a significant difference between the three groups and the number of arrests prior to the juvenile's 18th birthday. Sixty-six percent of those residing in single-parent households and 60 percent of those living outside of the parental home were chronic offenders by age 18. Forty-nine percent of those living with two parents were arrested at least five times. However, there were no significant differences between juveniles in different living situations with regard to the number of arrests for serious or violent offenses. The presence, then, of two parents may have reduced the total number of juvenile

offenses, but it appeared to have no effect on arrests for serious or violent offenses.

EDUCATION

Eighty percent of the sample were legally enrolled in school. Ninety-five percent were attending public schools, four percent were enrolled in alternative private schools, and the remaining one percent attended private, sectarian schools. Overall, juveniles in the sample were failures in the social institution of school. The vast majority (88 percent) were experiencing serious school related problems. For most (71 percent), school related problems preceded their first arrest.⁶

The juveniles in the sample appeared to realize minimal success either in regard to academic achievement or peer relationships. Fifty-four percent of them had failed at least one complete year of school. Additionally, 69 percent had attained less than a 1.5 grade point average⁷ at the time of their 1980 court referral. Sixty percent of these youth were experiencing conflicts with peers within school. The majority (79 percent) had a record of school truancy. Twenty-seven percent of the sample had been diagnosed and referred to programs for children with exceptional education needs.

Although most juveniles from all three counties had school related problems, the probability of school failure was the strongest for those residing in Rock (91 percent) and Milwaukee counties (89 percent). All of those who had dropped out of school had problems, and 77 percent of those still enrolled were experiencing problems.

The existence of school-related problems in the sample was related to some sociodemographic variables. There were significant differences by race, socioeconomic status, and the living situation of the child and the probability of school related problems. As Table 4-6 illustrates, minority youth, those below a moderate socioeconomic status, and juveniles living in a single-parent household were likely to experience problems in school.

There were no significant differences in this regard in terms of either sex or age of the juvenile.

The frequency of arrest was related to the juvenile's school status. Additionally, juveniles who were experiencing problems in school were likely to be arrested at an earlier age than those who were not. Sixty-five percent of the children having problems in school were arrested prior to their 14th birthday. Only 37 percent of those who did not have problems in school were arrested before age 14. Seventy-one percent of those with problems

Table 4-6

**Relationship of Existence of School Problems
With Race, Socioeconomic Status (SES),
and Juveniles Living Situation**

Race	School Problems	
	Yes	No
White	34.3	58.3
Black	55.6	41.7
Other*	10.0	--
	<u>100.0%</u>	<u>100.0%</u>
Chi Square = 6.48	p = .03	
SES		
Very Low	19.2	15.4
Low	47.8	23.1
Moderate	18.7	23.1
Above Median	14.3	38.5
	<u>100.0%</u>	<u>100.0%</u>
Chi Square = 11.20	p = .01	
Lives With		
2-Parents	36.8	73.1
1-Parent	49.5	19.2
Other**	13.7	7.7
	<u>100.0%</u>	<u>100.0%</u>
Chi Square = 12.42	p = .002	

*Includes: Hispanics, American Indians, and Asian-Americans.

**Includes: Foster care, relative's home, child treatment center, group home, and other.

were chronic offenders by the time they reached their 18th birthday, whereas only 18 percent without problems were chronic offenders. Indeed, 36 percent of those without school problems were arrested one time (Table 4-7).

Although there were no significant differences in the number of arrests for violent offenses and school related variables, there was a relationship between school truancy and the number of arrests for serious offenses. Sixty-four percent of those who had a record of school truancy were arrested at least twice for serious offenses. Of those who attended school, 65 percent had never been arrested for a serious offense, and only 29 percent had been arrested more than once for a serious offense.

Educational failure was experienced by the majority of juveniles in the sample. Given the reality that school has come to dominate the life of the adolescent, it is not surprising to find that school failure is related to both offense frequency and the number of arrests for serious offenses. However, school status was not found to make a significant difference in the number of arrests for violent offenses.

CRIMINAL CHARACTERISTICS ARREST FREQUENCY

The 264 juveniles in the sample were responsible for 1,818 arrests. The average number of arrests per juvenile was 6.8. At the point in time that the data were gathered, only 59 percent had reached their 18th birthday. The average arrest rate, then, would presumably be higher at the time that the entire sample ended their juvenile arrest careers. As illustrated in Table 4-8, the majority of arrests were not for trivial offenses. Fifty four percent of the arrests were for violent or serious crimes. Only 13 percent were for status offenses and municipal violations.

The average number of arrests varied across sociodemographic indicators. Males, "other" minority, and low-income youth tended to have arrest rates substantially higher than the overall average. The mean arrest rate for juveniles living outside of their parent's home was 9.0, and the average for those living with one parent was 7.67. The arrest rate for those living with two parents was 5.45, lower than the average for the sample.

There were significant differences between the type of arrest offense and all of the sociodemographic variables. The data reported in Table 4-9 conform with the findings of most of the major research on juvenile delinquency based upon official arrest data. Most arrests on delinquency matters involve a population that is composed of predominantly male, older juveniles, who are black, of low

Table 4-7

Relationship of Existence of School Problems With Arrest Frequency*

Number of Arrests	School Problems	
	Yes	No
1	5.6	36.4
2-4	23.4	45.5
5 or more	<u>71.0</u>	<u>18.2</u>
	100.0% (107)	100.0% (11)

Chi Square = 17.26

p = .000

*Includes only those who had reached their 18th birthday.
(N = 157)

Table 4-8

Distribution of Arrest Offenses -
All Offenses

<u>Nature of Offense</u>	<u>Number</u>	<u>Percent</u>
Violent	470	26.0
Serious	516	28.5
Other Delinquent	594	32.9
Status	180	10.0
Other*	48	2.7
	<u>1,808</u>	<u>100.0%</u>

Missing Cases = 10

*Includes: Municipal violations and family disturbances.

Table 4-9

Relationship Between Arrest Frequency and
Sociodemographic Variables and the
Juvenile's Living Situation*

<u>SES</u>	<u>Arrest Frequency</u>		
	<u>One-Time</u>	<u>Recidivist</u>	<u>Chronic</u>
Very Low	21.7	21.4	12.5
Low	8.7	35.7	53.5
Moderate	30.4	16.7	15.9
Above Median	39.1	26.2	18.2
Chi Square = 16.86	p = .009		
<u>Age of Onset</u>			
11 or younger	--	4.5	27.3
12-13	--	11.4	46.6
14-15	45.8	59.1	23.9
16-17	54.2	25.0	2.3
Chi Square = 77.91	p = .000		
<u>Lives With</u>			
2-Parents	68.2	51.2	41.4
1-Parent	31.8	30.2	44.8
Other**	--	18.6	25.7
Chi Square = 8.54	p = .07		

*Includes only those who had reached their 18th birthday.

**Includes: Foster care, group homes, treatment centers, relatives, and other.

socioeconomic status, and living in single parent households.

RELATIONSHIP OF ARREST FREQUENCY TO OTHER VARIABLES*

Fifty-nine percent of the juveniles in the sample had reached their 18th birthday when the data were collected. They had, therefore, completed their delinquent arrest careers. The majority of these youth (56 percent) were chronic offenders. Twenty-eight percent were recidivists, and the remaining 15 percent were one-time offenders.

Offense frequency was related to the county of residence. The majority of juveniles residing in Milwaukee County were chronic offenders, whereas only 29 percent of those from Rock County, and 15 percent of the Outagamie County youth were chronic offenders. Indeed, 89 percent of those with more than four arrests resided in Milwaukee County.

Offense frequency was also related to some socio-demographic variables. The frequency of arrests varied significantly by socioeconomic status, and the age of onset of delinquency. The juvenile's living situation also made a difference. Chronic offenders were more likely to reside in a low-income census tract neighborhood, to have been arrested prior to age 14, and to live in a single-parent household. One-time offenders, on the other hand, tended to live in neighborhoods with average incomes above the county median, were arrested for the first time after age 15, and lived with two parents. The relationship between arrest frequency and age of onset was particularly strong. Only two percent of those arrested after age 15 were chronic offenders, whereas none of the juveniles arrested prior to age 14 were one-time offenders at the time they reached their 18th birthday. Neither sex nor the offender's race made a difference in the frequency of arrest.

School status also made a difference in arrest frequency for juveniles in the sample. Ninety percent of the one-time offenders were enrolled in school, whereas only 62 percent of those who were chronic offenders were still attending school. Chronic offenders were also more likely to be experiencing problems in school. Ninety-seven percent of those who had been arrested at least five times had problems. Additionally, most of the chronic offenders

*The following discussion involves only those in the sample who had reached their 18th birthday (N = 157).

(58 percent) had conflicts with peers at school, and they were more likely to have records of school truancy. As the number of arrests increased, so did the probability of school truancy. Fifty-five percent of the one-time offenders, 64 percent of the recidivists, and 96 percent of the chronic offenders had reported records of school truancy. Also, although none of the one-time offenders had been held back at least one grade in school, 72 percent of those who were chronic offenders had failed at least one academic grade in school. By and large, the majority of juveniles in the sample were not succeeding in the educational setting. However, the probability of school failure was particularly high for those juveniles who were chronic offenders. Overall, as the number of arrests increased, so too did the likelihood of school failure.

SERIOUS OFFENSES

There were 516 arrests for serious offenses, approximately 28 percent of all arrests in the sample. Interestingly, 40 percent of those who had reached their 18th birthday were never arrested for a serious offense, and an additional 14 percent had only one arrest for a serious offense. Juveniles residing in Milwaukee County were arrested more frequently for serious offenses than those from either Rock or Outagamie counties. While the majority of youth living in Rock (58 percent) and Outagamie (62 percent) counties were never arrested for a serious offense, 65 percent of the Milwaukee County residents had been arrested for a serious offense. Ninety-three percent of those with at least five arrests were from Milwaukee County.

Sex, socioeconomic status (SES), and the age of onset of delinquency also made a difference in arrest frequency for serious offense (Table 4-10). Only three percent of those with at least five arrests were female. The majority of girls (65 percent) had never been arrested for a serious offense. Most of those with more than one arrest were low socioeconomic status. Once again, the age of onset made a significant difference in arrest frequency.

Educational failure did make a difference. Eighty-six percent of those with at least five serious arrests had failed a grade, whereas, only 35 percent of those never arrested for a serious offense had failed. Ninety percent of those with at least one arrest for a serious offense had records of school truancy. Indeed, only four percent of those juveniles arrested at least five times for serious offenses attended school regularly.

Finally, there was a relationship between offense frequency for all offenses, for violent offenses specifically, and the number of arrests for serious

Table 4-10

**Relationship of Arrest Frequency for
Serious Offenses With Sex, Socioeconomic
Status (SES), and Age of Onset**

	<u>Arrest Frequency</u>			
	<u>None</u>	<u>1</u>	<u>2-4</u>	<u>5 or more</u>
<u>Sex</u>				
Male	79.4	81.0	95.3	96.6
Female	32.1	19.0	4.7	3.4
<u>SES</u>				
Very Low	20.0	14.3	9.3	20.7
Low	23.3	47.6	58.1	51.7
Moderate	28.3	19.0	11.6	6.9
Above Median	28.3	19.0	20.9	20.7
<u>Age of Onset</u>				
11 or younger	3.2	9.5	23.3	41.4
12-13	9.5	47.6	41.9	41.4
14-15	52.4	38.1	27.9	17.2
16-17	34.9	4.8	7.0	--

offenses. Chronic offenders were more likely than recidivists to be arrested for a serious offense. Sixty-six percent of the recidivists were never arrested on a serious offense, and only 16 percent had more than one serious arrest. On the other hand, 74 percent of the chronic offenders had been arrested more than twice for a serious offense.

Sixty-six percent of those with at least one serious arrest had been arrested more than once for a violent offense, whereas the majority (75 percent) of those who had never been arrested for a serious offense had one violent arrest. Certainly, the greatest proportion of violent and serious offenses were committed by repeaters, not by the one-time offenders. However, it is interesting to note that 66 percent of those who were recidivists were never arrested for a serious offense, and only 34 percent had more than one violent arrest. The majority of chronic offenders, however, were arrested at least twice for serious and violent offenses. Clearly then, the juvenile justice system could decrease substantially the number of serious crimes if they could find effective methods to stop repeaters after the third or fourth offense.

**VIOLENT OFFENSES
ARREST POSITION OF FIRST VIOLENT OFFENSE
AND OFFENSE PATTERNS**

Popular lore would have us believe that delinquent careers generally follow a linear progression -- from bad to worse. Our data does not lend support to this notion. Twenty-five percent of the sample had no more than two arrests throughout their careers. Of those who had at least three arrests, 73 or 62 percent were arrested for a violent offense at the beginning or middle of their careers. The place of violence, then, within a delinquent pattern of behavior would be difficult to predict.

Interestingly, there were no clear patterns in the kinds of offenses committed by recidivists. There was some indication of a pattern of serious and non-index delinquent offenses followed by another arrest for a similar type of offense. Although the relationship between the type of arrest offense and the next arrest offense was significant, it was not a strong relationship. Furthermore, as Table 4-11 illustrates, most arrests for violent offenses (74 percent) were not immediately followed by another arrest for violence.

Perhaps one of the more significant findings, however, was that the probability of committing more serious crimes did not increase with arrest number. In other words, the sixth arrest offense was no more likely than the third to be a violent crime. As illustrated in Table 4-12, 26

Table 4-11

Relationship of Type of Arrest Offense
and the Next Arrest Offense -- All Arrests

Next Arrest Offense	Arrest Offense				
	Violent	Serious	Other Delinquent	Status	Other*
Violent	26.5	22.0	25.3	12.5	27.3
Serious	31.4	35.3	27.0	20.2	27.3
Other Delinquent	30.5	32.3	36.0	33.9	25.0
Status	8.2	8.4	8.9	29.2	13.6
Other*	<u>3.4</u> 100.0% (328)	<u>1.9</u> 100.0% (464)	<u>2.8</u> 100.0% (541)	<u>4.2</u> 100.0% (168)	<u>6.8</u> 100.0% (44)

Chi Square = 89.68

p = .000

*Includes municipal violations and domestic disturbance.

Table 4-12

Relationship of Arrest Number
With Type of Offense -- All Offenses

Type of Offense	Arrest Number				
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5-39</u>
Violent	42.4**	26.4	26.5	20.6	22.3
Serious	21.4	29.2	26.5	28.1	30.8
Other Delinquent	30.9	34.0	36.5	38.8	31.5
Status	4.2	8.0	7.9	10.0	12.3
Other*	<u>1.1</u> 100.0% (262)	<u>2.4</u> 100.0% (212)	<u>2.6</u> 100.0% (189)	<u>2.5</u> 100.0% (160)	<u>3.1</u> 100.0% (985)

Chi Square = 62.95

p = .000

*Includes municipal violations and domestic disturbance.

**Given the fact that selection into the sample was predicated on arrest for a violent offense, a higher proportion of arrest number one being violent would be expected. This would include all one-time offenders whose only arrest was the 1980 violent offense.

percent of all second arrests were for violent offenses, and 21 percent of all fourth arrests were for similar offenses. The results indicate that just knowing a juvenile's prior arrest record would offer little help in predicting whether or not his/her next offense would be violent.

RELATIONSHIP OF VIOLENT OFFENSES TO OTHER VARIABLES*

The majority of juveniles in the sample (57 percent) were only arrested once for a violent offense. Only 18 percent of the sample had more than two arrests for violence.

The frequency of arrest for violent offenses was also related to some sociodemographic variables. The age of onset of delinquency and the juvenile's race made a difference in the number of violent arrests. Additionally, there was a strong relationship between arrest frequency and the juvenile's age at his/her first arrest for a violent offense (Table 4-13).

As previously indicated, however, there was a difference between male and female delinquents in regard to the effects of race. When the offender's sex was introduced as a control, race continued to make a significant difference in the number of violent arrests for males. However, it did not make a difference for females. The number of arrests of black and other minority females was not significantly different than the number of arrests of white females.

TIME BETWEEN OFFENSES

Presumably, juvenile offenders who commit crimes within short time intervals create a more serious dilemma for society than those who are one-time offenders or those who infrequently violate the law. The former demonstrate a level of commitment to a delinquent career. Although our data can only measure the time between arrests, it does give some indication of the actual time between offenses.

Most offenses were committed within a brief period after a previous arrest. Indeed, the average amount of time between all arrest offenses was one to six months. Eighty-eight percent of all arrests occurred within a year of a previous arrest. Clearly, being arrested does not necessarily cause one to abandon delinquent activity.

*The following discussion includes only those in the sample who had reached their 18th birthday (N = 157).

Table 4-13

Relationship of Arrest Frequency for Violent Offenses With Race, Age of Onset, and Age at First Violent Offense Arrest

Race	Arrest Frequency			
	<u>1</u>	<u>2</u>	<u>3-4</u>	<u>5 or more</u>
White	59.0	35.9	26.1	20.0
Black	34.9	43.6	65.2	80.0
Other*	19.3	20.5	8.7	--
<u>Age of Onset</u>				
11 or younger	10.1	25.6	26.1	20.0
12-13	21.3	35.9	43.5	60.0
14-15	43.8	30.8	26.1	20.0
16-17	24.7	7.7	4.3	--
<u>Age at First Violent Offense Arrest</u>				
10-11	--	--	17.4	20.0
12-13	--	15.4	13.0	40.0
14-15	29.2	43.6	47.8	20.0
16-17	70.8	41.0	21.7	20.0

*Includes: Hispanics, American Indians, and Asian-Americans.

Interestingly, as the arrest number increased, the time between offenses decreased (Table 4-14). Forty-eight percent of second arrests occurred within six months of a previous arrest. However, 83 percent of rearrests after the fifth arrest occurred within six months of the prior arrest.

Perhaps what was most surprising was the relatively brief time intervals between all arrests. Indeed, only 12 percent of all arrests occurred after an entire year had lapsed since the previous arrest (Table 4-15). Twenty-four percent of paired arrests in this study occurred within less than a month of each other.

SUMMARY

It is important to keep in mind that this is a study of officially recorded violent delinquent behavior. As such, the information which was available was collected from children's court center files. The conclusions reached, therefore, should be tempered with the knowledge that our descriptions of violent juvenile offenders are drawn from a limited data base. Furthermore, since selection into the sample was predicated on arrest for a violent crime in 1980, there is no base for comparison with other delinquents or non-delinquents. Within these limitations, however, these data allow some conclusions to be drawn regarding the social and criminal characteristics of violent offenders.

The evidence points to the following general conclusions:

SOCIAL CHARACTERISTICS

1. **Milwaukee County, the largest urban area in the state, had the most serious delinquency problems.** Youth residing in Milwaukee County were arrested at an earlier age than youth from Outagamie and Rock counties. Milwaukee County youth were also arrested more frequently and were arrested for more serious and violent offenses than other youth. The majority of Milwaukee County youth were chronic offenders.
2. **Males were arrested more frequently than females.** The average arrest rate for males was 7.1, and for females the average rate was 4.9. Males were responsible for 87 percent of arrests for violent offenses. However, females in the sample were as likely as males to be arrested for violent offenses. The average arrest rate for males for violent offenses was 1.8, for females the average was 1.5.

Table 4-14

Relationship of Arrest Number With Time Between Arrests -- All Arrests

Time Between Offenses	Arrest Number				
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5 or more</u>
0 Months	11.8	19.9	21.7	20.7	30.5
1-6 Months	37.3	48.9	52.2	54.8	52.9
7-12 Months	16.5	17.7	15.5	17.8	11.2
13-18 Months	11.8	8.6	5.6	3.0	2.6
19-24 Months	5.7	1.6	3.1	3.0	1.1
25 or More Months	17.0	3.2	1.9	.7	1.8
	100.0% (212)	100.0% (186)	100.0% (161)	100.0% (135)	100.0% (847)

Chi Square = 229.94 P = .000

Table 4-15

**Distribution of Time Between Arrests -
All Arrests**

<u>Time Between Arrests</u>	<u>Number</u>	<u>Percent</u>
0 Months	373	24.2
1-6 Months	757	49.1
7-12 Months	226	14.7
13-18 Months	87	5.6
19-24 Months	40	2.6
25+ Months	58	3.8
	<u>1,541</u>	<u>100.0%</u>

3. **Older juveniles accounted for most of the arrests.** The median age was 15. Juveniles between the ages of 15 and 17 were responsible for 59 percent of all arrests for violent offenses.
4. **The age of onset of delinquency was related to both the frequency of arrests and the number of arrests for violent offenses.** Ninety-two percent of those arrested prior to age 12 were chronic offenders by the time they reached their 18th birthday. Also, those who began their delinquent careers early were more likely to be arrested more than once for a violent offense.
5. **Minority youth were overrepresented in the sample in proportion to their presence in the population.** Race was not related to the frequency of arrest. However, it was related to the severity of arrest offenses. Black males were more likely to be arrested for a violent offense than white males. However, there was no significant difference between white and black females and the frequency of arrest for violent offenses.
6. **The relationship between socioeconomic status and arrest frequency was not straightforward.** Although low income youth had the highest average arrest rate (8.4), those from very low income census tracts had the lowest average arrest rate (4.9).
7. **Although the presence of two parents in the juvenile's living situation reduced the number of juvenile arrests, it had no effect on the number of arrests for either serious or violent offenses.** Juveniles living in one-parent living situations, or those residing outside of the parental home were not more likely than those living with two parents to be arrested for a serious or a violent offense.
8. **For the majority of youth in the sample, school was an experience in failure.** They realized minimal success in regard to either academic achievement or peer relationships. Although school status did not make a significant difference in the number of arrests for violent offenses, it did make a difference in the frequency of arrests in general and the number of arrests for serious offenses.

Twenty-seven percent of the sample had been labeled exceptional education needs (EEN) students by the schools. The number of EEN students was disproportionate to national and state projected levels. Thirty-eight percent of those who were chronic offenders were EEN students.

CRIMINAL CHARACTERISTICS

1. **Delinquent behavior was prevalent.** The average arrest rate for the sample was 6.8, and 41 percent of the sample had not yet reached their 18th birthday.
2. **Violent arrests were not commonplace.** Seventy-four percent of all arrests in the sample were for either index property crimes, non-index crimes, or status offenses. The average violent arrest offense rate was 1.8.
3. **Prediction of violence in a delinquent career would be difficult.** Juveniles in the sample did not appear to specialize in an offense type. Furthermore, the probability of committing serious crimes did not increase with arrest number. Repeated violence was not the norm. Most juveniles (57 percent) were only arrested once for a violent offense.
4. **Chronic offenders do represent a menacing crime problem.** They were arrested more frequently than recidivists for both serious and violent crimes. Furthermore, those who were arrested at least five times for violent crimes tended to have been arrested at least as frequently for serious crimes. Chronic offenders were responsible for 84 percent of all arrests in the sample.
5. **Most juveniles in the sample were re-arrested within six months of another arrest.** Furthermore, as the number of arrest offenses increased, the time between arrests decreased.

CHAPTER FIVE: AN EXAMINATION OF THE 1980 VIOLENT OFFENSES AND THE LEGAL RESPONSE TO CRIME

1980 OFFENSES

TYPE OF OFFENSE

Most of the juveniles arrested for a violent crime in 1980 were apprehended on robbery or battery charges (Table 5-1). Seventeen percent of the 1980 delinquency petitions for violent offenses were filed on sexual assault charges, and less than four percent involved charges of attempted homicide or homicide. Composite descriptions based upon arrest frequency in this sample of violent juvenile offenders provided the following information:

- (1) **Juvenile Homicides:** Likely to be between 15-17 years of age, male, white, and low income. Although blacks were arrested for a disproportionate number of homicides (30 percent), they were not in a majority (Table 5-2). Furthermore, black juveniles were not involved in any homicide which resulted in death.
- (2) **Juvenile Sexual Assault:** Generally, a similar profile to that of juveniles charged with homicide, with one important exception -- age. Juveniles arrested for sexual assault were male, white, low income, between the ages of 12 and 14. On a national level, older juveniles (17 years of age) were most typically arrested for this offense (Smith, et al., 1980-219).

This difference may be due to Wisconsin's statutory definitions of first and second degree sexual assaults. Wisconsin's definitions do not parallel the FBI-UCR definition of sexual assault which presumes forcible sexual intercourse. Wisconsin distinguishes degrees of seriousness based upon the seriousness of the crime and the age of the victim. Any sexual contact with a child under the age of 12 is considered first degree sexual assault, and any sexual contact with a child between 12 and 14 years of age is defined by Wisconsin statutes as second degree sexual assault. Consequently, juveniles in Wisconsin are likely to be somewhat younger than the national average.

- (3) **Juvenile Batteries:** Similar to other profiles: juveniles charged with battery are likely to be

Table 5-1

Distribution of 1980 Offenses

<u>Offense</u>	<u>Number</u>	<u>Percent</u>
Homicide	10	3.8
Battery	99	37.5
Sexual Assault	45	17.0
Robbery	<u>110</u>	<u>41.7</u>
	264	100.0%

Table 5-2

**Relationship of 1980 Offense With
Sociodemographic Variables**

	<u>1980 Offenses</u>			
	<u>Homicide</u>	<u>Battery</u>	<u>Sexual Assault</u>	<u>Robbery</u>
<u>SEX</u>				
Male	90.0	74.7	97.8	89.1
Female	10.0	25.3	2.2	10.9
Chi Square = 15.75 p = .001				
<u>Race</u>				
White	60.0	47.4	48.8	29.9
Black	30.0	42.3	46.3	61.7
Other*	10.0	10.3	4.9	8.4
Chi Square = 11.62 p = .07				
<u>SES</u>				
Very Low	20.0	8.2	15.9	28.4
Low	50.0	46.9	34.1	43.1
Moderate	20.0	30.6	20.5	10.1
Above Median	10.0	14.3	29.5	18.3
Chi Square = 28.15 p = .000				
<u>AGE</u>				
10-11	--	1.0	4.4	3.6
12-14	10.0	35.4	55.6	35.5
15-17	90.0	63.6	40.0	60.9
Chi Square = 13.08 p = .04				

*Includes: Hispanics, American Indians, and Asian Americans.

older (15-17 years of age), white, male, low income. On a national level, white juveniles outnumbered blacks at a ratio of almost two to one. The disparities between race were less dramatic in this sample. White juveniles accounted for approximately 47 percent of the arrests for battery, and black juveniles were responsible for 42 percent of battery arrests.

- (4) Juvenile Robberies: Juveniles arrested for robbery were male, between the ages of 15 and 17, low-income, and black. Interestingly, although white juveniles were arrested more frequently than blacks in three out of four of the violent index crime categories, black youth were a majority (51 percent) in the sample. This was in some part due to the fact that 62 percent of those arrested for robbery were black, and arrests for robbery accounted for 42 percent of all arrests.

CHARACTERISTICS OF 1980 VIOLENT OFFENSE INCIDENTS

Most of the 1980 violent offenses took place on city streets in residential areas or in business establishments. Generally, offenses were most likely to come to the attention of the police department because of a report initiated by either the victim (49 percent of cases) or a relative of the victim (37 percent of cases).

ACCOMPLICE INVOLVEMENT

Most of the 1980 violent crimes were committed by three or more persons acting together. However, a substantial portion of offenses (40 percent) were committed by lone offenders. The majority of homicides, attempted homicides, and batteries involved lone offenders. Robberies and sexual assaults were more likely to involve more than one offender.

Approximately one-third of 1980 violent arrest offenses included the use of a weapon. Thirty-nine percent of the offenses in which accomplices were involved included the possession of a weapon. Only 24 percent of arrests of lone offenders involved the possession of a weapon during the offense. Crimes committed with accomplices then were more likely to pose a more serious threat to the crime victim. Indeed, offenses committed with accomplices received significantly different scores on the Sellin-Wolfgang seriousness scale. The modal seriousness score for offenses involving lone actors was three, whereas, the modal seriousness score for offenses with accomplices was six.

WEAPONS

Juveniles in the sample were not likely to possess a weapon during the commission of the 1980 offense. However, if a weapon was present, it was very likely to be used (Table 5-3). Knives and guns were the type of weapons generally used during the crimes.

Possession of a weapon was related to the offense charge. For instance, although none of the sexual assaults involved the use of a weapon, in all homicide or attempted homicide cases a weapon was present. The majority of robberies involved the possession of a weapon (51 percent), whereas, only 22 percent of batteries included the possession of a weapon by the offender.

Offenses involving the possession of a weapon scored significantly higher on the Sellin-Wolfgang seriousness scale. The modal seriousness score for offenses involving the possession of a weapon was six, whereas, the modal score for other cases was three.

RESULT OF CONTACT FOR VICTIMS

Although 87 percent of the 1980 violent crimes involved some form of contact by the offender with the victim, few incidents resulted in serious physical consequences for the victims. Seventy percent of the victims required no medical treatment as a result of the criminal event. Four of the ten homicides and attempted homicides resulted in the victim's death. Only a few victims required hospitalization.

There were significant differences by type of arrest offense. For instance, while 56 percent of homicide and attempted homicide victims were hospitalized and 44 percent were murdered, none of the sexual assault victims required hospitalization and only three percent of the battery and robbery victims were hospitalized. Indeed, less than 15 percent of robbery and sexual assault victims required any medical care. Forty-one percent of the victims of battery did require emergency care treatment.

The probability of damage to a victim's property was minimal (five percent of cases). However, there was a risk of property loss. Thirty-eight percent of these crimes resulted in property loss to the victims. The monetary value of the property lost was not substantial in most cases. Indeed, in one-third of cases involving loss of property, the monetary value of the property was less than \$10.00. Only three percent of all cases involved property losses valued at more than \$250.00.

Table 5-3

Distribution of Possession and Use of Weapons and
Type of Weapons --
1980 Offenses

<u>Possessed a Weapon</u>	<u>Number</u>	<u>Percent</u>
Yes	89	34.0
No	<u>172</u>	<u>66.0</u>
	261	100.0%
<u>Used the Weapon</u>		
Yes	86	97.7
No	<u>2</u>	<u>2.3</u>
	88	100.0%
<u>Type of Weapon</u>		
Gun	30	33.7
Knife	37	41.6
Club	13	14.6
Other	<u>9</u>	<u>10.1</u>
	89	100.0%

SERIOUSNESS SCORES

The Sellin-Wolfgang seriousness scale was used to measure the severity of criminal events. The scale contains elements which take into consideration graduating degrees of injury to persons and differences in the monetary value of stolen property. The seriousness scale allows us to measure comparative degrees of seriousness.

Clearly, one of the more interesting findings in regard to the 1980 violent offenses is that legal labels are relatively uninformative. Analysis of specific events within each violent index crime points to dramatic disparities in regard to offense seriousness.

The mean seriousness score for the 1980 violent offenses was five. The scores ranged from a low of two to a high of 30 (Table 5-4).

There were no significant differences between sociodemographic variables and the severity of the arrest offenses as measured by the seriousness scale. Neither race, sex, age, nor socioeconomic status made a significant difference. As expected, the arrest offense did make a difference. The average seriousness scores for homicide and robbery tended to be much higher than the scores for sexual assault and battery (Table 5-5). Indeed, the majority of the sexual assaults (59 percent) did not involve forcible sexual intercourse. Although only four of the homicides resulted in the death of the victim, all of the homicides had severe consequences for the victims. The lowest score for homicide was eight, whereas, for all other offenses the low score was a two.

Characteristics of the victim also made a significant difference. Offenses committed against males were likely to be more serious. For instance, all of the homicides which resulted in death involved male victims. The average seriousness score for offenses involving male victims was three times higher than the average for female victims.

The victim's age also made a significant difference. Offenses committed against younger victims were more likely to receive higher seriousness scores. Crimes committed against elderly victims received the lowest scores. Although the average seriousness score for crimes against the elderly was higher than the average score for offenses involving victims between the ages of 25 and 58, the range of scores was lower for crimes against the elderly. None of the homicide arrests involved elderly victims.

Clearly, most of the 1980 violent crimes scored on the lower end of the Sellin-Wolfgang seriousness scale. Only 10 percent of the crimes received a score higher than 10,

Table 5-4

**Distribution of Seriousness Scale --
1980 Offenses**

<u>Seriousness Score</u>	<u>Number</u>	<u>Percent</u>	<u>Cumulative Frequency</u>
2	23	9.3	9.3
3	50	20.2	29.4
4	28	11.3	40.7
5	30	12.1	52.8
6	49	19.8	72.6
7	5	2.0	74.6
8	16	6.5	81.0
9	5	2.0	83.1
10	14	5.6	88.7
11	5	2.0	90.7
12	5	2.0	92.7
13	3	1.2	94.0
14	8	3.2	97.2
18	1	.4	97.6
19	1	.4	98.0
20	1	.4	98.4
26	2	.8	99.2
29	1	.4	99.6
30	1	.4	100.0
	<u>248</u>	<u>100.0%</u>	

Table 5-5

**Average Seriousness Score
and Range of Scores by Offense**

Modal Seriousness Score by 1980 Offense

Homicide	11
Battery	3
Sexual Assault	2
Robbery	6

Range of Seriousness Scores for 1980 Offenses

Homicide	8-30
Battery	2-12
Sexual Assault	2-14
Robbery	2-20

and the majority were below a score of six on the scale. This evidence seems to lend some credence to the belief that violent crimes committed by juveniles tend to be less serious than crimes committed by adult offenders.

VICTIMS OF CRIME - 1980 OFFENSES

Who were the victims of the 1980 violent crimes? Fortunately, the court files did in most instances contain a profile of the victim. Contrary to popular lore, females and the elderly were not in the groups most victimized. Males, whites, and adolescents had the highest rates of victimization (Table 5-6). The elderly and persons from "other" minority populations were the least likely to be victimized.

AGE OF VICTIMS

The majority of crime victims from all counties were between the ages of 12 and 17. The elderly were the least likely to be victims (6 percent). There was a relationship between the victim's age and the most common violent crime committed against them. Although nationally assault is the most common violent crime, followed by robbery, rape, and homicide, only two age groups in the sample were most frequently victimized by battery. Minor children were most likely to be victims of sexual assaults or robberies. Adolescents and the elderly were most frequently victimized by robbery. Elderly victims were not likely to be victims of homicide, battery, or sexual assault. None of the elderly were victims of homicide, one was a victim of sexual assault, and one was a battery victim. Possibly because of their fear of crime, the elderly restrict their lives in ways which successfully reduce their chances of being victimized.

VICTIM'S SEX

Although males were more likely than females to be victimized, a substantial number of victims (41 percent) were female. Both male and female victims were most likely to be victimized by male offenders. Ninety-four percent of the male victims and 72 percent of the female victims were victimized by males.

The victim's sex was also related to the most common violent crime committed against them. Females were most likely to be victims of sexual assault or battery, whereas, males were substantially more likely to be victimized by robbery or battery. Although one female was the victim of an attempted homicide, none of the homicides which resulted in death involved a female victim.

Table 5-6

Distribution of Victim's Sex, Race, Age -- 1980 Offenses

<u>Victim's Sex</u>	<u>Number</u>	<u>Percent</u>
Male	153	59.1
Female	106	40.9
<u>Victim's Race</u>		
White	156	78.0
Black	36	18.0
Other*	8	4.0
<u>Victim's Age</u>		
4-11	29	12.2
12-17	132	55.7
18-24	25	10.5
25-59	37	15.6
60-87	14	5.9

*Included: 7 Hispanics, 1 Other.

VICTIM'S RACE

The majority of victims of the 1980 violent crimes were white. Seventy-eight percent of the victims were white, 18 percent were black, and four percent were members of other racial groups.

There was a relationship between the race of the victim and the offender's race. In general, victims were likely to be victimized by offenders from their racial group. Indeed, 94 percent of the black victims were victimized by black offenders. However, all of those arrested were most likely to be taken into custody for crimes involving white victims. Ninety-five percent of the white adolescents, 65 percent of the black adolescents, and 71 percent of the youth from other racial groups were arrested for crimes involving white victims.

There was also a relationship between the sex and race of the victim. Interestingly, while the majority of victims who were either white or from other racial groups were male, the opposite was true for black victims, most of whom were female. Approximately 63 percent of white victims and 75 percent of other minority victims were male, whereas, 64 percent of black victims were female.

RELATIONSHIP OF VICTIM TO OFFENDER

While the majority of victims (57 percent) were peers of the offenders, a significant number of victims were strangers to the offenders (Table 5-7). The victim's relationship to the offender tended to vary with the type of crime. Strangers were likely to be victimized by robbery or battery. They were not likely to be sexually assaulted or murdered. None of the homicides which resulted in the victim's death were committed against strangers. Sixty percent of the homicide or attempted homicide victims were peers of the offenders, and three of the four murders were committed against peers.

Serious injury was less likely when the victim was either a stranger, a minor child, or a person relating to the offender in some official capacity such as a teacher or a police officer. The seriousness scores for crimes against both relatives and peers were higher than for crimes against other victims.

LEGAL RESPONSE TO CRIME 1980 OFFENSES PRE-TRIAL DETENTION

Wisconsin state statutes, which govern juveniles, do not provide a bail option for anyone under the age of 18 who is taken into police custody. Law enforcement

Table 5-7

Distribution of Victim's Relationship to the Offender -- 1980 Arrests

<u>Relationship</u>	<u>Number</u>	<u>Percent</u>
Relative	9	3.5
Peer	148	57.4
Stranger	68	26.4
Minor Child*	22	8.5
Other**	11	4.2
	<u>258</u>	<u>100.0%</u>

*Defined as victim below the age of 12.

**Includes: Teacher (1), community worker (1), police officer (4), other (4).

personnel may decide to either convey a juvenile to children's court intake for a detention hearing or may release the juvenile in the custody of a responsible adult with an order to appear at intake at some future date.

Although the majority of youth in the sample were released (55 percent), a significant proportion were conveyed to court intake (45 percent). With few exceptions, those juveniles transported by the police to court intake were detained (93 percent). Although 28 percent were released after one day in detention, the number of days detained ranged from one to 60 days. The average time detained was 13 days.

There were no significant differences by either sex or race and the decision of the police to take the juvenile to court intake. There was a significant difference by age. Older juveniles were more likely than those who were younger to be transported to intake. The majority of youth between the ages of 15 and 17 were taken to intake (57 percent), whereas, only 28 percent of those between 12 and 14, and 14 percent of those between 10 and 11, were conveyed to court intake.

Socioeconomic status (SES) also made a difference. Juveniles residing in lower income neighborhoods were not only more likely than others to be conveyed to the court center, they were also significantly more likely to be detained. The majority of those living in very low income tracts and 50 percent of those from low income tracts were transported to court intake. On the other hand, only 29 percent of those from moderate income neighborhoods and 38 percent of those from above median income census tracts were conveyed to court intake.

The living situation of the juvenile also made a significant difference. Forty-five percent of those transported to court intake were from single-parent households, 35 percent were from two-parent households, and 20 percent were living outside of their parental household.

The law enforcement decision of whether or not to convey a juvenile to court intake also varied with the type and seriousness of the crime. Juveniles charged with either homicide or robbery were more likely to be taken to court intake. Indeed, 80 percent of those arrested for homicide and 59 percent of those arrested on robbery charge were taken to the court center for a detention hearing. On the other hand, 37 percent of those arrested for sexual assault and only 25 percent of those charged with battery were transported to court intake.

Additionally, those conveyed to court intake were arrested for crimes involving a greater degree of violence.

The average seriousness score on the Sellin-Wolfgang scale was twice as high for those taken to the court center. The modal score for those released by the police was three, whereas, the average score for those juveniles taken to court intake was six. The majority of those conveyed to court intake also possessed a weapon during the commission of the crime (54 percent).

There was a strong and significant relationship between the age of the victim and the likelihood of the juvenile being taken to court intake by the police. Generally, the older the victim, the greater the probability of being conveyed to court intake. Although the greatest proportion of juveniles who were removed to detention had been arrested for crimes committed against age peers, 66 percent of those juveniles who were charged with crimes against youth between 12-17 years of age were not conveyed to the court intake center. On the other hand, the majority of juveniles arrested for crimes against victims over the age of 25 were transported to court intake. This was dramatically true if the victim was elderly. Eighty-five percent of those juveniles who were arrested for crimes against the elderly were detained.

WAIVER

Wisconsin state statutes allow juvenile court judges to waive a youth to adult court at age 16, thus transferring jurisdiction to the adult criminal justice system. The juvenile court judge must, by law, consider both the severity of the offense and the probability of rehabilitation and successful treatment in the juvenile versus the adult criminal justice system in reaching a decision on waiver. Seventeen juveniles, or 16 percent of those eligible because of their age, were waived to stand trial in the adult criminal court system.

Both the kind of offense and the offense severity made significant differences. As indicated in Table 5-8, the majority of those juveniles who were waived had been arrested for robbery offenses (53 percent). However, a larger proportion of those arrested for both homicide and sexual assault were waived. Although 17 percent of those arrested for robbery were waived, 60 percent of those juveniles taken into custody for homicide or attempted homicide, and 30 percent of those charged with sexual assault had jurisdiction of their cases transferred to the adult system. Only five percent of those arrested on battery charges were waived.

There was a significant and strong relationship between waiver and the seriousness score on the Sellin-Wolfgang scale. While the majority of juveniles who were waived to adult court were arrested for offenses which

Table 5-8

Relationship of Waiver to Adult
Court with 1980 Offense*

1980 Offense	Waived	
	Yes	No
Homicide	17.6	2.2
Battery	11.8	41.6
Sexual Assault	17.6	7.9
Robbery	52.9	48.3
	100.0% (17)	100.0% (89)

Chi Square = 12.13

p = .006

*Includes only those who were at least 16 years of age in 1980. (N = 110).

received a score above six on the scale (65 percent), the majority of youth whose cases remained within juvenile court jurisdiction were charged with offenses which received a score below six on the scale (56 percent). Indeed, with the exception of one juvenile, all of those juveniles taken into custody for crimes which scored above 12 on the Sellin-Wolfgang scale were waived to adult court.

COURT FINDINGS - 1980 OFFENSES

Roughly half of the juveniles in the sample were found delinquent by children's court as a result of the 1980 offense (Table 5-9). Additionally, 17 youth were waived to adult court. Seven of those arrested were below the age of 12. Children below the age of 12 are brought before the court as "a child in need of protection and services" (CHIPS).

What happened to the remaining juveniles who were not found delinquent? Although data were not coded for computer analysis in instances where the case was dismissed, information was collected on the reasons for dismissals. A review of the information indicated that the remaining cases were either dismissed for lack of prosecutive merit, counseled and closed by the intake staff, or the adolescent agreed to be placed on informal probation and the case was, therefore, not referred to court.

Although it may initially be somewhat surprising that so many of those arrested for a violent crime were not found delinquent, it is important to also keep in mind that most of these violent offenses received low scores on the Sellin-Wolfgang scale. The average seriousness score of those adolescents who were adjudicated delinquent was six, whereas, the average score of those not adjudicated was two. Court intake staff were obviously more willing to close cases which appeared to have had less serious consequences. Also, in the majority of cases in which delinquency petitions were filed, the petitioned offenses were changed from the initial arrest offense prior to formal disposition (Table 5-10). Ninety-seven percent of those cases in which petitions were changed resulted in the juvenile appearing in court on less serious charges. In 62 percent of those cases the juvenile no longer appeared on a violent offense.

There was a relationship between the reason for arrest and being adjudicated delinquent. The majority of those found delinquent had been arrested on robbery charges (61 percent). Juveniles arrested for homicide and robbery were proportionately more likely than juveniles taken into custody for battery or sexual assault to be found delinquent as a result of the court hearing. Seventy-four

Table 5-9

Distribution of Juveniles Adjudicated Delinquent --
1980 Offenses

<u>Adjudicated Delinquent</u>	<u>Number*</u>	<u>Percent</u>
Yes	118	49.2
No	<u>122</u>	<u>50.8</u>
	240	100.0%

*Number does not include 17 youths who were waived into adult court. Additionally, 7 youth were under the age of 12 and, therefore, could not have petitions filed as delinquents.

Table 5-10

Distribution of Number of Petitions Changed
From Initial Statutory Charge and
Nature of Change -- 1980 Offenses

<u>Petition Offense Charged</u>	<u>Number</u>	<u>Percent</u>
Yes	79	41.6
No	<u>111</u>	<u>58.4</u>
	190	100.0%
<u>Nature of Change of Charge</u>		
Violent to Serious Crime	23	29.1
Violent to Non-Serious Crime	23	29.1
Violent to Less Violent	28	35.4
Violent to More Violent	2	2.5
Violent to CHIPS	<u>3</u>	<u>3.8</u>
	79	100.0%

percent of those arrested for robbery, for instance, were later adjudicated delinquent. Though only four percent of the sample were adjudicated delinquent on homicide charges, 71 percent of those arrested for homicide were found delinquent. On the other hand, the majority of juveniles arrested for sexual assault (64 percent) and battery (72 percent) were not adjudicated delinquent. This in part was due, as previously indicated, to cases which were counseled and closed by the intake department.

Crimes which later resulted in a delinquency finding in court tended to be more serious than others. In addition to the average seriousness score being three times higher on the Sellin-Wolfgang seriousness scale, the range of scores was also higher for crimes resulting in adjudications of delinquency. The range of scores for crimes involving juveniles not adjudicated was between two and 19, whereas, the range of scores for crimes which resulted in a finding of delinquency was between two and 30.

In addition, juveniles found delinquent were more likely to have acted with accomplices and to have used a weapon during the commission of the crime. Sixty-seven percent of those who were found delinquent acted with accomplices. Indeed, 72 percent of those who had weapons were found delinquent, whereas, the majority of juveniles who did not have weapons (61 percent) were not found delinquent.

Interestingly, although most victim characteristics made no difference in regard to the likelihood of being found delinquent, the victim's age did make a difference. Indeed, all of those arrested for crimes involving victims between the ages of 60 and 87 were later found delinquent. On the other hand, 48 percent of those arrested for crimes against peers were found delinquent.

DISPOSITIONS - 1980 OFFENSES

Although the outcome of cases which were not referred to court were coded as "no" disposition, we do know that most of those 85 cases were counseled and closed by the court intake worker. The remaining cases not referred to court were dropped by the district attorney's office for lack of prosecutive merit. The majority of youth who were found delinquent by a juvenile court judge were placed on probation (Table 5-11). Approximately 14 percent were incarcerated in a juvenile correctional facility.

Most of the sociodemographic variables made no difference in the disposition. There were no significant relationships between either the juvenile's sex, race, or socioeconomic status and the court disposition. The age of

Table 5-11

Disposition of Court Cases -- 1980 Offenses*

<u>Disposition</u>	<u>Number</u>	<u>Percent</u>
Incarcerated	22	13.7
Out-of-Home Placement	9	5.6
Probation	105	65.6
Held Open or Informal Probation	19	11.9
Other**	5	3.1
	<u>162</u>	<u>100.0%</u>

*The remaining cases were either waived, dismissed for lack of prosecutive merit, counseled and closed by court intake worker, or help open by the District Attorney's office.

**Restitution or orders combining restitution with informal supervision.

the juvenile, however, did make a significant difference. Older juveniles were more likely to be incarcerated. Indeed, 82 percent of those placed in a state correctional facility were at least 15 years of age. Twenty-one percent of youth in this older age group were incarcerated, whereas, only six percent of those between the ages of 12 and 14 were incarcerated.

The majority of juveniles who were placed in a juvenile correctional facility had been found delinquent on robbery charges. However, juveniles found delinquent as a result of homicide or attempted homicide were more likely to be remanded to state custody. Forty percent of those who were found guilty of homicide or attempted homicide had their custody transferred to the state for placement in a correctional facility. Approximately 16 percent of those found delinquent on robbery charges, 12 percent of those found guilty of sexual assault, and nine percent of those found delinquent on battery charges were incarcerated.

The majority of juveniles found delinquent on any of the four violent offenses were placed on probation (66 percent). Twelve percent of the sample had their cases "held open" or were placed on informal probation. Most of those cases which received a "hold open" or informal probation received lower scores on the Sellin-Wolfgang seriousness scale. For instance, 72 percent of those cases received a score below five on the scale. The scores ranged between two and ten.

The remaining cases were either placed outside of their parental homes for treatment (six percent) or ordered to pay restitution for their crimes (three percent). The five juveniles who were placed on restitution orders had all been found guilty of battery. Those placed in treatment facilities had been found guilty either of battery (33 percent), sexual assault (22 percent), or robbery (44 percent).

Juveniles were most likely to be incarcerated for crimes against strangers and a victim older than himself/herself. Thirty-nine percent of those juveniles who were found guilty of a crime against a victim between the ages of 60 and 87 were placed in a correctional facility, and 36 percent of those who committed crimes against victims between the ages of 25-58 were incarcerated. Obviously, the court does weigh quite seriously the community's abhorrence of crimes committed against elderly victims.

ARREST HISTORIES - LEGAL RESPONSES

As previously indicated, data were collected from the court files on all arrests of juveniles in the sample through 1982. The actual number of arrests ranged from one

to 39 arrests. There were 1,818 arrests in the sample. Chronic offenders were responsible for 84 percent of the arrests.

DISPOSITIONS

The majority of arrests (63 percent) resulted in no formal court disposition (Table 5-12). Twenty-one percent of all arrests resulted in probation. Placement in a correctional facility was not commonplace. Only five percent of all the arrests in the sample were disposed of in this manner. However, it is important to keep in mind that 74 percent of the arrests were for non-violent offenses. Twenty-eight percent of the arrests were for index property offenses, 33 percent were for non-index property crimes, 10 percent were arrests on status offenses, and the remaining three percent were municipal ordinance violations, such as disorderly conduct or jay-walking. Although the severity of offenses was not coded for all arrests, presumably the seriousness of these offenses varied significantly as was true with the 1980 offenses.

The majority of juveniles in the sample (68 percent) were placed on probation at some time during their delinquency career. Indeed, 38 percent of the sample had been placed on probation more than once. Approximately 22 percent of the sample were, at some time, placed in a correctional facility. Although a substantial proportion of juveniles had been placed on informal probation by probation officers (21 percent), very few had received a "held open" disposition (five percent).

The kind of crime made a significant difference in the disposition. There was a strong relationship between the nature of the offense and the eventual outcome of the case (Cramer's $V = .20$). Sixty percent of those arrests which resulted in no formal disposition were for non-index crimes, whereas, 88 percent of arrests which resulted in a placement in a correctional facility were for index offenses. Most arrests for less serious offenses were diverted by the intake workers. Indeed, 79 percent of all arrests for non-index delinquent offenses, 91 percent of all arrests for status offenses, and 85 percent of all arrests for municipal violations resulted in no formal disposition.

The arrest number also made a difference. As indicated in Table 5-13, juveniles were unlikely to be placed in a correctional facility or placed outside of their parental homes prior to their fifth arrest. On the other hand, juveniles were more likely to have their cases held open or to be placed on informal probation during the early course of their delinquency careers. The juvenile

Table 5-12

Distribution of Court Dispositions --
All Offenses

<u>Disposition</u>	<u>Number</u>	<u>Percent</u>
None*	1,118	62.8
Incarceration	89	5.0
Out-of-Home Placement	87	4.9
Probation	370	20.8
Restitution	26	1.5
Held Open/Informal Probation	<u>91</u>	<u>5.1</u>
	1,781	100.0%

Missing Cases = 37

*Includes: Counseled and closed, prosecution declined due to lack of evidence, waivers to adult court, referrals to municipal court, consent decrees.

Table 5-13

Relationship of Court Dispositions With Arrest Number--
All Offenses

Arrest Number	<u>Disposition</u>					
	<u>None</u>	<u>Incarcerated</u>	<u>Out-of-Home Placement</u>	<u>Probation</u>	<u>Restitution</u>	<u>Held/Open/ Informal Probation</u>
1	15.0	--	4.6	15.4	11.5	33.0
2	11.8	4.5	4.6	13.2	11.5	18.7
3	9.8	2.2	4.6	13.2	23.1	17.6
4	8.9	2.2	13.8	9.7	3.8	9.9
5 or more	<u>54.5</u>	<u>91.0</u>	<u>72.4</u>	<u>48.4</u>	<u>50.0</u>	<u>20.9</u>
	100.0% (1,118)	100.0% (89)	100.0% (87)	100.0% (370)	100.0% (26)	100.0% (91)

Chi Square = 128.96

p = .000

courts meted out the most restrictive dispositions to juveniles who were found guilty of serious crimes. Placement in a correctional facility was generally not utilized as a disposition early in a delinquent career.

What effect, if any, did the court's disposition of a case have on the period of time between arrests? Although disposition did make a significant difference, the relationship between disposition and the street time between arrests was weak (Cramer's $V = .08$). Interestingly, 71 percent of all dispositions which resulted in incarceration were followed by rearrest within a short time period. It is, however, difficult to judge whether or not that was due to a greater degree of scrutiny of juveniles post-incarceration by the police department, or whether those juveniles were, in fact, recidivating at a faster rate than those who were not incarcerated. All in all, however, the court disposition appeared to have limited impact on the period of time between commissions of crime (Table 5-14).

SUMMARY

1980 OFFENSES

1. Most of the juveniles arrested for a violent crime in 1980 were apprehended on robbery or battery charges. Very few juveniles were arrested on homicide charges (four percent).
2. Most offenses involved more than one person. Indeed, 60 percent of the 1980 violent offenses were committed by groups of three or more adolescents. Eighty-four percent of the robberies, and 54 percent of the sexual assaults involved accomplices. On the other hand, homicides and batteries were generally committed by lone offenders.
3. Violent crimes were most likely to take place on the streets of residential neighborhoods or in business establishments.
4. Juveniles were not likely to possess or use a weapon during the commission of a violent crime. Thirty-three percent of those arrested for a violent crime in 1980 possessed a weapon during commission of the offense. However, if a weapon was present, the juvenile was likely to use the weapon to threaten the victim.
5. The majority of victims did not sustain physical injury as a result of the violent crime committed against them. Indeed, 70 percent of the victims required no first aid. Only five percent of the

Table 5-14

Relationship of Disposition with Street Time Between Courses --
All Offenses

Street Time	Disposition					
	None	Incarcerated	Out-of-Home Placement	Probation	Restitution	Held Open/ Informal Probation
0 Months	25.8	44.4	32.9	19.3	9.5	15.7
1-6 Months	49.8	47.6	47.4	50.8	61.9	59.0
7-12 Months	12.8	3.2	15.8	18.3	14.3	14.5
13-18 Months	4.9	3.2	1.3	6.3	9.5	4.8
19-24 Months	1.7	--	2.6	4.0	4.8	1.2
25 or more Months	5.2	1.6	--	1.3	--	4.8
	100.0% (972)	100.0% (63)	100.0% (76)	100.0% (301)	100.0% (21)	100.0% (83)

Chi Square = 59.81 p = .000

victims were hospitalized as a result of physical injuries suffered during the crime. Two percent of the victims, or four persons, died as a result of the violent crime.

6. **The statutory label tells us very little about violent juvenile crime.** There was a wide variation both between and within violent offense categories. There was a range of seriousness scores between two and 30 on the Sellin-Wolfgang seriousness scale. The mean seriousness score for the 1980 offenses was five. The modal scores for battery and sexual assault were particularly low, two and three, respectively. This would seem to indicate that, overall, violent juvenile crime does not have severe consequences in regard to either physical injury, hospitalization, or loss of property for victims.
7. **Contrary to popular lore, females and the elderly were not the groups most likely to be victimized.** Males, whites, and adolescents were the three groups with the highest rates of victimization. Seventy-eight percent of the victims were white, 59 percent were males, and 56 percent were between the ages of 12 and 17. Only six percent of the victims were older persons between the ages of 60 and 87.

THE LEGAL RESPONSE TO CRIME

1. **Approximately 45 percent of the sample of juveniles arrested for violent offenses were found delinquent.** Additionally, six percent were waived to adult court. Seven of the juveniles were below the age of 12 at the time they were taken into custody by the police. As a consequence, they could only be referred to court under a "child in need of protection or services" (CHIPS) petition. The remaining 46 percent of the sample either had their cases counseled and closed at intake, had their cases held open on condition of cooperation with court personnel, or had their cases dropped by the district attorney's office for lack of prosecutive merit. The decision on whether or not to refer a case to court was related to offense seriousness. The average seriousness score on the Sellin-Wolfgang scale of crimes which were not referred for judicial proceedings was two.
2. **In general, the juvenile court's response to the 1980 violent offenses was proportional to the offense severity.** This was substantially true at all decision-making levels: pre-court detention, waiver to adult court, referral to court, adjudication of the offense, and the final court disposition. Juveniles who received the most restrictive dispositions of their

cases tended to have committed crimes with graver consequences for victims.

3. **Both the age of the victim and the relationship of the victim to the offender made a significant difference in the final court disposition.** Juveniles who were found guilty of crimes involving either elderly victims (over the age of 60) or crimes against strangers were more likely than others to be placed in a correctional facility.
4. **Juveniles placed in a correctional facility as a result of the 1980 offense were more likely than others to have experienced school failure.** All of those who had their custody transferred to the Division of Corrections had been truant from school. Additionally, 91 percent of them had failed at least one year of school.
5. **The majority of the 1,818 arrests in the sample resulted in no formal court action.** Sixty-three percent of the arrests resulted in no formal court dispositions. This includes cases which were counseled and closed at intake, closed due to lack of prosecutive merit, waived to adult court, and referred to municipal court. The majority of arrests, however, were not for violent crimes. Twenty-six percent of all arrests were for violent offenses.
6. **The data suggests that, in general, court dispositions are reasonably proportional.** Court dispositions were significantly different and strongly related to the kind of crime committed. The dispositions were also different by arrest number. A juvenile was significantly more likely to receive a more restrictive disposition, such as removal from his/her parental home after the fourth arrest. In other words, chronic offenders were more likely than either recidivists or one-time offenders to receive a harsh disposition.
7. **Court dispositions appeared to have limited impact on the velocity of crime.** In fact, juveniles who were incarcerated tended to be re-arrested in a shorter period of time than others.

CHAPTER SIX: CONCLUSIONS AND RECOMMENDATIONS

This study provides a closer look at violent juvenile crime in three counties in Wisconsin: Milwaukee, Outagamie, and Rock. The data were compiled from the official court records and taken from information contained in police arrest reports, social studies, school reports, and psychological evaluations.

The inferences which are drawn are based on a sample of juveniles who were arrested for a violent crime in 1980. The volume of "hidden" or undetected violent delinquency is unknown. Neither time nor money permitted an examination of the "dark side of juvenile crime" -- or hidden delinquency. Furthermore, there were no comparison groups. We cannot, therefore, evaluate whether or not violent delinquents are substantially different than either non-delinquents or non-violent delinquents. The data taken were what was available. Within that framework, it was possible to make some generalizations regarding violent delinquents in Milwaukee, Outagamie, and Rock counties.

"Getting Tough" on Juvenile Crime

Widespread public outcry against violent crime has led many states to enact legislation which substantively revises laws governing juveniles. The emphasis of most of this new legislation has been to "get tough" on juvenile crime. The legal remedies usually enacted by state legislative bodies include:

- Automatically waiving youth charged with certain crimes to adult court.
- Lowering the age of juvenile court jurisdiction.
- Imposing mandatory periods of incarceration for certain crimes (Armstrong, et al., 1980:18).

Legislative prescription of increased penalties for specific crimes is generally based upon public perceptions of juvenile crime which this study does not support. These perceptions or "myths" include the following:

1. There is a "violent" juvenile offender.

The average violent offense rate for the sample was 1.8. Seventy-four percent of all arrests in the sample were not for violent offenses. The number of juveniles who were chronically violent was extremely small. Only three percent of those who had turned 18 were arrested five times for violent offenses (N=5). The majority of youth who were arrested for a violent crime in 1980 (57 percent) were

never arrested again for an index crime against persons. Although few would doubt that the small group of chronically violent offenders should "be responded to in a firm fashion, there is meager evidence to support the call to radically restructure the juvenile code" (Armstrong, et al., 1982:24).

2. Delinquent careers follow a linear progression -- from bad to worse.

Much of the public believes that there is a pattern of deviant behavior that starts with minor acts of unlawfulness such as truancy or shoplifting, and develops into serious and eventually violent crime. If this were the case, prediction of violence in a delinquent career would not be difficult. However, our data do not support this assumption. Of those who had at least three arrests, only 28 percent were arrested for a violent offense during the last third of their delinquent career. Twenty-five percent of those who had turned 18, and therefore completed their delinquency careers, were arrested for a violent offense during the first part of their delinquent careers. Furthermore, our data on arrests indicated that the probability of committing serious crimes did not increase with arrest number. There was, as a matter of fact, no predictable pattern of arrests. This suggests that policies based on prediction of future behavior would be based upon faulty assumptions.

3. The statutory label of a specific criminal act describes the offense severity.

Although it is generally assumed that violent crimes are more severe than most property crimes, few studies take into account the wide range of behaviors included under the label of violent crimes. For instance, an aggravated assault could potentially consist of everything from a minor "school yard" fight, to an assault with a deadly weapon resulting in serious physical harm to the victim.

Using the Sellin-Wolfgang Scale to assign a seriousness score to the 1980 violent offenses, it became clear that there was a wide range of comparative degrees of seriousness both between violent offenses and within offense categories. Seriousness scores for all offenses ranged from two to 30; the average score was five. Clearly, then, legislation which would mandate fixed periods of incarceration for certain crimes would do an injustice to some offenders.

4. Violent acts by juveniles are typically committed against the elderly.

Public comment suggests that a disproportionate amount of juvenile crime is committed against elderly victims.

Our data do not support this belief. Indeed, as a group, the elderly were the least likely to be victimized. Only six percent of the victims of the 1980 violent crimes were between the ages of 60 and 87. Age peers of the offenders were, in fact, the most likely victims of violent crimes. Sixty-one percent of the victims were below the age of 18, and 71 percent were below the age of 25.

It appears that the judiciary is already particularly sensitive to the issue of elderly victimization. All of those juveniles arrested for crimes involving elderly victims were referred to court. Also, juveniles who were found delinquent as a result of a crime against an elderly victim were proportionately more likely to be placed in a correctional facility -- notwithstanding the fact that their crimes were not more serious than offenses committed against other victims. It would appear then that despite the fact that provisions which deal separately with the issue of elderly victimization may have popular appeal with the voters, they are unnecessary.

5. Incarceration is the best way to protect the public.

Most proponents of "get tough" proposals believe that imposing harsher penalties will deter future criminal behavior. To date, "evidence indicating that institutional control can reduce future criminal activity is entirely lacking" (Armstrong, et al., 1982:20).

Our data indicated that the time span between arrests was particularly brief following a period of incarceration. Accordingly, 71 percent of all dispositions which resulted in incarceration were followed by rearrests. Forty-four percent of rearrests occurred within four weeks of the juvenile's return to the community, and 92 percent of rearrests occurred within six months of release. Incarceration appeared to have minimal impact on deterring future criminal behavior. Thirty-two percent of the 299 juveniles placed in Ethan Allen (a state training school for boys) by Milwaukee County in 1980 recidivated after their return to the community.

Therefore, prior to establishing new policies which would mandate incarceration in either juvenile or adult facilities, "proposals should be scrutinized closely to insure that they actually do enhance public safety and have some assurance that limited economic resources are being utilized effectively" (Lowell, et al., 1981:4).

The findings from our data appear to support the following:

RECOMMENDATIONS

1. Juveniles should not be excluded from any services because of an arrest for a violent offense.

There is little doubt that "secure, effective interventions are needed to protect the public from those few violent youth who constitute a danger to others or themselves" (Lowell, et al., 1981:11). The "get tough" movement has generally called for imposing harsher sanctions on the serious juvenile offender. The problem that legislators, policy-makers, and program operators face is one of clearly defining who belongs within this category of juvenile offenders.

Our data clearly demonstrate that statutory labels are not necessarily useful descriptors of the degree of offense severity. The variation of seriousness scores on the Sellin-Wolfgang Scale, both between and within offense categories, indicated that juveniles arrested for violent offenses have not all physically threatened or harmed persons during the commission of the offense.

If we exclude statutory labels as the primary indicators of offense severity, how can we determine varying degrees of dangerousness within juvenile offender populations? "It is crucial to arrive at some mutually acceptable perceptions about the parameters of the category or, at the very least, to have a shared understanding of the problems entailed in generating such a definition. This exercise must precede any attempt to develop eligibility criteria, design services, or target potential clients for specific programs, whether institutional or community-based in nature" (Armstrong, et al., 1982-21).

In addressing the issue of defining the serious juvenile offender, Armstrong and Altschuler suggest that two elements are of particular importance in defining serious delinquency: offense severity and offense chronicity. They suggest that "any attempt to determine the severity of a particular offense usually entails an evaluation of the characteristics (a premeditated or spontaneous act, degree of malicious intent, use of a weapon, etc.) and the consequences (value of property damaged or stolen, extent of injury to victim) of the act" (Armstrong, et al., 1982-21). Any attempt to estimate offense severity should logically entail a scaling system which could easily assign a range of scores for offenses -- such as the Sellin-Wolfgang Seriousness Scale.

The next consideration of importance is offense frequency. Is the juvenile a one-time offender, a recidivist, or a chronic offender?

By intersecting severity of offense and repetitiveness of criminal behavior, one produces a matrix of categories reflecting various combinations of these two indicators ... in theory this produces four possible offender types:

- (1) Offenders who commit five or more serious crimes and perhaps one or more non-serious crimes;
- (2) Offenders who commit less than five serious crimes and perhaps one or more non-serious crimes;
- (3) Offenders who commit five or more non-serious crimes and no serious crimes; and
- (4) Offenders who commit less than five non-serious crimes and no serious crimes (Armstrong, et al., 1982-22).

Clearly, juveniles that fit into category one would be considered serious offenders. Possibly, juveniles in categories two through four could also be classified as such -- depending upon the severity of the arrest offense. If, in other words, a juvenile was arrested for an index property crime which received a high score on the Sellin-Wolfgang scale, the court may logically label the juvenile a serious offender. Although theoretically violent crimes against persons would receive higher scores than property offenses, there are instances where this is not the case.

In summary, it is suggested that depending simply on statutory labels to determine appropriate services for juvenile offenders is inadequate. Any evaluation of "who is the serious juvenile offender" should address the issues of offense severity as well as frequency. In attempting to determine the severity of an offense, the characteristics and the consequences of the act should be considered. Statutory labels provide somewhat limited information on either of the above, and should not, therefore, be the sole determinant of the case disposition.

2. Programs designed to serve serious offenders should address the problems identified in our data. These include, but are not limited to: school failure, drug and alcohol abuse, and recidivism. Also, although the data were limited in regard to the relationship between the family's economic status and offenses, a high proportion of juveniles arrested for robbery were from low income families. Perhaps, logically, this implies that youth unemployment is an important issue. Additionally, services

should address the importance of closely monitoring a juvenile's behavior in the home, school, and community during the six months following a court disposition. Although other characteristics, such as: personality disorders, physical health, family violence, sexual and physical abuse, etc., may be related to juvenile violence, our data were not sufficient to allow us to determine their significance. We are limited, therefore, to a discussion of problems we were able to identify. Let us turn then to a discussion of those:

a. School Failure

Research suggests that school-related factors contribute to delinquency.⁸ These factors include: (1) experiences of academic failure, (2) weak commitments to school, (3) weak attachments to conforming members of the school community, including teachers (U.S. Department of Justice, 1980:4). "Separate studies by Hirschi (1969), Polk and Schafer (1972), and Elliott and Voss (1974), have suggested that immediate school experiences are closely related to delinquent behavior" (U.S. Department of Justice, 1980:7). Truancy has been identified as a predictor of delinquency and school failure (Silberberg and Silberberg, 1971:27).

Whether school failure, truancy, or poor relationships with school peers are causative factors of delinquency or not, they were shown in our study to be strongly and significantly related. Most of the juveniles were marginal students. Given the relative importance of educational credentials and the importance that schooling plays in the life of an adolescent, wisdom dictates that effective school programs should be available to marginal students.

Recent research on schooling has identified the following characteristics of effective programs for at-risk students:

- (1) Small size: 25-60 students; 2-6 faculty.
- (2) Program autonomy: program control of administration, i.e., power of admission, dismissal, course offerings, credits and content, program identity (name) and space.
- (3) Teacher optimism about student success; high teacher expectation for student behavior; variable teacher expectation for academic achievement.
- (4) Positive peer culture; students support program goals.

- (5) Individualized curriculum in a group setting; students start at own level (Wehlage, 1982:194).

Efforts should be made to evaluate the school status of juveniles referred to juvenile court. If the juvenile is a marginal student, realizing limited social or academic success in school, court personnel should attempt to place the juvenile in a program which may more effectively meet the needs of the adolescent. If alternative programs are not available within the structure of the local district, an attempt should be made to identify the needs for such programs in the local community. Chapter 118, Wis. Stats., which proscribes state requirements for school districts in truancy cases, requires the local school district to offer each student an appropriate educational program which will meet the needs of the individual student.

b. Alcohol and Drug Problems

As previously indicated, 28 percent of the juveniles in the sample were known users of alcohol and drugs. Recent studies reveal that:

- * A considerable proportion of the serious crime committed by juveniles is indirectly associated with substance abuse.
- * Efforts to prevent or control juvenile serious crime must become concerned with the prevention and control of juvenile substance abuse.
- * A long series of studies have shown a strong relationship between alcohol and serious crime. Drinking delinquents were found to commit "significantly more crimes of assault than non-drinking delinquents" (Smith, et al., 1980:370-383).

Presumably, the percentage of alcohol/drug users in the sample underestimates the problem. Intake departments do not systematically record this phenomenon. Possibly, probation officers do not all inquire about substance use by juveniles referred to them. Furthermore, it is likely that some juveniles will not divulge information on substance use. Whatever the actual parameters of the problem, court personnel should refer youth to appropriate drug/alcohol treatment programs. In order to clearly determine the need for such services, an assessment of drug and alcohol use should be performed on youth referred to court intake.

c. Recidivism

As previously indicated, the time between offenses decreased as the arrest number increased. In other words, the actual time span between known offenses decreased with the frequency of arrest. The implication of this finding is that the juvenile justice system appears to have little deterrent effect on future juvenile misconduct.

Our inference for policy is that intervention must come early and must not be nominal. Experience must not suggest that the system is aleatory.... Such an intrusion into the delinquent's life need not be and usually should not be a term of residential treatment. It must not, however, be merely a scathing reprimand from the bench of "supervision" without supervisory contact. Where violence was part of the offense, the youth in court should be impressed with the true seriousness of the situation. That impression must be reinforced by continuing encounters with representatives of the system at school, in the home, and on the street. Where appropriate, restitution should be required, and where that is either impossible or inappropriate, a community order should be issued and enforced. Sometimes removal from a disorderly and delinquency-generating home may be needed, in which case placement in a foster or group home may be necessary. (Hamparian, et al., 1978:137).

In essence, the court system should be designed to insure some degree of predictable, graduated consequences for illegal acts. The odds, in terms of disposition, certainly favor "no court action". Indeed, 62 percent of the 1,818 arrests in the sample resulted in no court action. Presumably, in order to develop a system of predictable, graduated consequences judges would have to have access to a range of service options and programs for the juveniles that are referred to court intake. At present, this does not seem to be the reality. Juveniles in the sample were generally either placed on informal or formal probation, sent to a correctional facility, or released with no further court action. Only 17 percent of the sample had ever been placed in foster or group homes. Even fewer had ever participated in a restitution program.

Despite the fact that 28 percent of all arrests were for property index offenses, and an additional 33 percent of arrests were for other delinquent offenses (many involving property crimes), only two percent of all dispositions

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resulted in a restitution order. "The contemporary juvenile offender faces the prospect of grave severity or the leniency of indifference as the two most probable outcomes of an appearance in court" (Hamparian, et al., 1973:139). Generally, "by the time a commitment to a youth training facility is imposed, the offender has every reason to be unimpressed with the seriousness of the law" (Hamparian, et al., 1978:140).

Finally, given the fact that most of the juveniles in this study had been placed on formal probation at some time in their delinquency careers (68 percent), some consideration should perhaps be given to reorganizing this service. At present, caseloads of more than 30 clients is commonplace. Given the responsibilities of probation staff, it is ludicrous to assume that they can track the behavior of their clients in their homes, schools, and community with such large caseloads.

Clearly, the sixth months period following an arrest is an important time to reinforce the presence of the legal system in the life of the juvenile. Seventy-five percent of re-arrests occurred during this time span. As currently structured, a probation officer is fortunate to have the time for two office contacts a month with the juveniles on their caseload. The service of probation should be organized to allow frequent contact of clients in a variety of settings during the early stages of probation. Levels of client contact should be developed for this service. This is particularly crucial for youth who have had several contacts with the court center prior to placement on probation. In order to ensure intensive face-to-face contact during the early stage of probation, caseloads would have to be limited.

In summary, by forcing youth to face logical consequences of their actions, "the system contributes its share toward the reconciliation of the child with the community" (Hamparian, et al., 1978:137). Undoubtedly, the juvenile justice system's lack of consistent, logical responses to crime has fueled the flames of the "get tough" movement. Many, disheartened by the lack of obvious results of the current system of treatment and rehabilitation, are convinced that legislation limiting judicial discretion in sentencing is necessary. In reality, it would appear that the juvenile justice system has not seriously tried treatment or rehabilitation. Perhaps, prior to moving towards a system of costly consequences, such as placement in correctional facilities or waiver to adult court, the juvenile system should try appropriating dollars towards alternative treatment approaches.

d. Youth Unemployment

Positive development as an adolescent depends, in part, on the experience of successfully assuming adult roles and

responsibilities. Youth employment can play an important role in an adolescent's transition from "youth" to "adult". Given the limited accomplishments of the juveniles in this sample in the academic arena, participation in employment training and experience may be even more crucial to them than others. Commitment to conventional norms and expectations is difficult to achieve without reinforcements from conventional social and economic institutions.

Additionally, for many youth in the sample, employment could provide them with the financial remuneration necessary for survival. The majority of youth in the sample resided in low income census tract neighborhoods. Although unemployment data were not available in court files, we do know that the 1984 youth unemployment figures indicate that 19 percent of all teenagers are unemployed. Unemployment for black teenagers is alarmingly high. The 1984 data indicate that 44 percent of black teenagers are unemployed (Milwaukee Journal, April, 1984:1). Certainly then, programs developed to serve violent juvenile offenders may wish to consider the development of an employment component within the range of services offered. Furthermore, if employment is available to youthful offenders, the courts could legitimately require restitution to victims in appropriate cases.

3. The Wisconsin Juvenile Justice System should investigate programs in other jurisdictions which have worked successfully with the serious juvenile offender.

In spite of the recent surge of "get tough" legislative efforts to redefine the approach towards serious offenders within the juvenile justice system, numerous states are still committed to the principles of rehabilitation and successful reintegration of offending juveniles back to their communities.

At the heart of the juvenile court tradition lies the rehabilitative/treatment model espoused as essential for the handling of juvenile offenders. Eventually, disenchantment with the apparent shortcomings and purported excesses of this movement led to the emergence of widespread criticism. On the liberal end of the justice spectrum, one finds proponents of community-based treatment who support the use of non-institutional settings for a wide range of offenders.... At the opposite end of the spectrum are proponents of a control/punishment model who advocate the imposition of a harsher set of procedures and sanctions. Woven throughout our discussion of the two opposing approaches is the argument that the rehabilitative ideal as originally embodied in the juvenile court movement should

not be arbitrarily discarded but rather should be strengthened by linking it closely to the principles of consequences, individual accountability and social responsibility (Armstrong, et al., 1982:15).

Although numerous community-based programs have been developed over the past ten years which divert minor youthful offenders from the juvenile justice system, states have been considerably more reluctant to consider the possibility of community-based options for serious juvenile offenders. This reticence to design community-based options has been based on the fear that such program designs could not insure appropriate controls and supervision (Armstrong, et al., 1982:4).

However, program models for the serious juvenile offender based upon a rehabilitative/reintegration philosophy have been developed over the past several years in some states. A national study of programs serving serious juvenile offenders conducted by Armstrong and Altschuler in 1980 indicated that the majority of such programs were "developed and implemented as private, nonprofit efforts. This feature is apparently consistent with most sentiments expressed in professional and academic circles about the kind of auspices offering the best chances for success in treating this difficult delinquent population -- private sponsorship and operation appear to be conducive to higher levels of innovation and personal commitment" (Armstrong, et al., 1982:4). Armstrong and Altschuler visited 11 programs -- five residential and six non-residential. They observed that:

1. The client populations in these programs are diagnostically and behaviorally quite diverse,
2. Program success is often tied to the availability of a wide array of treatment strategies,
3. High levels of control and supervision can be imposed on clients in community-based settings in essentially non-institutional, non-punitive ways,
4. When properly designed, these programs are well suited for providing deterrence, insuring smooth reintegration into the community, and providing community protection (Armstrong, et al., 1982:8).

The Office of Juvenile Justice and Delinquency Prevention funded several community-based treatment

programs in 1983 designed to provide services to violent juvenile offenders. The components for provision of services emphasized the following features:

- (1) Continuous case management: Case management ensures rational planning and continuity so that youths receive all the services they need in a timely, efficient, and continuous manner. It builds in clear and consistent expectations for youths across numerous service agencies, maintains important relationships throughout the entire correctional program, and provides opportunities for rewards where gains are made;
- (2) Community reintegration: The community reintegration emphasis ensures that the intervention strategies are applied consistently throughout all phases of the program. For example, performance contracts should be used during all residential phases from secure care to in-home treatment, and in all services from education to family interventions. Reintegration services are critical to sustain in-program treatment gains after the termination of court-mandated control;
- (3) Diagnostic assessment: Given the wide range of causal and situational factors that may contribute to a youth's violent delinquency, projects must have a rational and consistent process by which those factors and, therefore, the service needs of each youth are identified and a service plan devised. Given the family's role in the development and strengthening of personal and social bonds, youth's families should be involved whenever possible in decision-making throughout intervention;
- (4) Job training and placement: Job-related services should include training in both basic and job advancement skills, training in career decision-making skills, training coupled with educational advancement (e.g., GED), and socialization in the daily routines of the workplace;
- (5) Education: Education services should be provided to strengthen youths' social bonds through development of salient job

- skills (opportunities) and attachments to goals (commitments). Educational achievement is also an important source of positive labeling and reinforcement.... Education services should incorporate the following techniques: individualized assessment of skill level and needs; specific learning goals; individualized programming; basic academic skills; and program goals including diploma or GED.... Education programs should use strategies to provide opportunities for involvement in decision-making, success and achievement in pursuit of educational skills and goals, and clear and consistent responses to both achievement and illegal conduct;
- (6) Physical health services: Health services address the individual predisposing factors in emotional, physical, and psychosocial development that may contribute to violent delinquent behavior;
- (7) Mental health services: Mental health services include psychological and psychiatric treatment for youths who are vigorously assessed and diagnosed as seriously emotionally disturbed and character disordered. Mental health services must be specifically designed to alter violent and aggressive behavior. They should employ social learning techniques, including setting behavior-specific goals, modeling of alternative behaviors, reinforcing goal attainment, and sanctioning aggressive behavior;
- (8) Individual and family counseling: Focusing on problem behaviors and contributing factors identified during individual assessment, counseling services should include family interventions, parent training communication skills, and behavioral change strategies;
- (9) Constructive living arrangements: A variety of living arrangements should be available ... these arrangements include group homes, therapeutic communities, independent living, foster family care, and residence in the youth's natural home;

- (10) Recreation and leisure time activities: Youths should have access to recreation and leisure time activities, including opportunities for involvement in community life and socialization in non-delinquent peer networks, that provide positive experiences through role enhancement and empowerment (e.g., practicing decision-making skills and self-determination in design of activities, and;
- (11) Special services: Intervention projects must include special treatment services for such behavior-specific problems as substance abuse and sexual aggressiveness (Harstone, et al., 1981:11-14).

The state should encourage the development of residential and non-residential programs designed for violent and serious juvenile offenders. Such programs should be required to meet standards developed by the state. "It is impressive to note the relative success of such programs now under way in Illinois, Massachusetts, and Minnesota, but it must also be remembered that no such program can be uniformly successful ... failures are inevitable, but they will be less destructive when caring relationships are established between the service provider and the person served" (Hamparian, et al., 1978:141).

In summary, there are no simple answers which will easily resolve either the personal problems of troubled youth or the crime problem. However, it is important that in planning strategies to deal with the problem of juvenile crime that we are mindful of the reality of diminishing financial resources available to both state and local governments. Government bodies should be thoughtful then in both the development of policies and introduction of new legislation mandating changes in the current juvenile justice system. If the state should move towards the "get tough" approach, this will mitigate against developing community-based models based upon a rehabilitation philosophy and treatment approach. Incarceration is expensive. Although the state will continue to need to isolate the truly violent and dangerous juvenile offenders for public protection, this fact does not "relieve us of the responsibility to provide reasonable and effective services for other troubled youth" (Lowell, et al., 1981:iii).

¹See Maynard Eriksen and Lamar Empey, "Court Records, Undetected Delinquency and Decision-Making" in Delinquency, Crime and Social Process, eds. D. Cressey and D. Ward (New York: Harper and Row, 1969), pp. 131-153; Martin Gold, "Undetected Delinquent Behavior," Journal of Research in Crime and Delinquency 3 (1966): 27-46.

²i.e., running away, ungovernable behavior, truancy, etc.

³Offenses beyond the fifth were not recorded -- no data were gathered on them.

⁴N = 157 juveniles had reached their 18th birthday at the time the data were collected in 1983. Arrest histories were available for 156 of those who had completed their delinquent careers.

⁵The Crime Information Bureau is a Division of Law Enforcement Services. The bureau gathers and records information on the number of offenses known to Wisconsin law enforcement agencies and reported under the Uniform Crime Reporting Program.

⁶Unfortunately, data on the age at which school problems first developed was only available for 50 percent of those with school-related problems. The reader should, therefore, be cautious interpreting the significance of this finding.

⁷This represents less than a D average.

⁸see: Travis Hirschi, Causes of Delinquency, Berkeley: University of California Press, 1969; Kenneth Polk, "Schools and the Delinquency Experience," pp. 21-44 in Ernest Wenk (ed.), Delinquency Prevention and the School, Beverly Hills, Sage Publications, 1976; Norman E. and Margaret C. Silberberg, "School Achievement and Delinquency," Review of Education Research, 41:17-34, 1971; Janice L. Erath, An Empirical Analyses of the School, Self-Esteem and Activity Dimensions in Relation to the Conforming and Non-Conforming Behaviors of Junior and Senior High School Students, Milwaukee, Wisconsin, 1979 (unpublished dissertation).

⁹see Wisconsin State Statutes, Section 118.15.

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