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## ABSTRACT

This student book for the nine week, junior high course "Youth and the Law" addresses juvenile delinquency. The content is organized by chapters dealing with growing up, juvenile crime, causes of delinquency laws, vandalism and shoplifting, and four case studies in delinquency. The students are asked to consider what adolescence is and how it related to social problems in our society, the seriousness of juvenile crime, why laws are necessary, common temptations for adolescents that lead to crime, and special laws and legal rights that apply to adolescents. In each chapter the student is asked to either consider or discuss questions on content. The discussion questions are coded for him according to involvement: a simple answer or statement of fact, a more complicated answer calling for discussion and perhaps without a clear-cut solution, an answer involving research or a sophisticated discussion guided by the teacher. Document SO 006 834 is the teacher's guide for this student book. (JH)

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# YOUTH AND THE LAW



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# **YOUTH AND THE LAW**

**FIRST EDITION 1973**



**EDUCATIONAL RESEARCH COUNCIL OF AMERICA / CLEVELAND, OHIO**

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## CONTENTS

INTRODUCTION	1
Chapter	
1 Growing Up	5
2 A Look at Juvenile Crime	15
3 Laws: Who Needs Them?	32
4 Two Special Problems: Vandalism and Shoplifting	61
5 Some Causes of Delinquency: Three Case Studies	87
6 The Juvenile Court System	108
7 Case Study: Cuyahoga County Juvenile Court	127

## A NOTE TO STUDENTS

To help you find out things for yourself and to use the things you know, think about the problems and questions as you read. They are marked

▶ , ● , \* .

These symbols mean:

- ▶ a simple question or problem of fact
- a more complicated question or problem calling for discussion, and not necessarily answerable in terms of "yes" or "no" or "right" or "wrong"
- \* a question or problem involving research or sophisticated discussion guided by your teacher

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## INTRODUCTION

"Youth is disintegrating. The youngsters of the land have disrespect for their elders and a contempt for authority in every form. The nation is in peril."

Can you guess who said this? Do you think it was the president? Or was it the head of juvenile court? Or maybe a police chief or a high school principal? Daily newspapers are full of articles about juvenile delinquency and teenage crime. Some parents and teachers complain and even call the younger generation useless, ungrateful, spoiled, lazy, incorrigible, pleasure-seeking, and undisciplined.

However, the man who spoke those words was not talking about today's youth. He was an Egyptian high priest who was angry at youngsters who lived more than 4,000 years ago!

The study of history reveals many interesting facts about the tension between adults and teenagers. In every period of history, older people have complained about the younger generation. In each age, some parents tend to look upon their children as the worst, most unruly, and most lawless of all children. Look what the philosopher Socrates said over 2,000 years ago about the young people of Greece and see if he doesn't sound a little bit like your own mother and father:

The children now love luxury. They have bad manners, contempt for authority, they show disrespect for elders and love chatter in place of exercise. They no longer rise when their elders enter the room. They contradict their parents. Chatter before company. Gobble up dainties at the table, and tyrannize over their teachers.

- ▶ Do you think that your parents' generation was called lazy, spoiled, and undisciplined by their parents?
- Why do you think that each new generation, including your own, is criticized by some adults?

Young people are quick to complain about the older generation, too. Do you and your friends ever describe parents and teachers as old-fashioned, conservative, or dictatorial?

- Do you think that your mother and father ever complained about their parents? If so, can you give any reasons why?

The tension between adults and teenagers seems to be a familiar theme in history. This is because human nature hasn't really changed since the days of the Greeks and the Egyptians. Of course, our way of life has changed. And there has been tremendous progress in science and technology. We can now solve problems with giant computers, transplant human hearts, and watch men walking on the moon. But human beings themselves are not much different today from what they were in the ancient past. And this is true of both adults and young people.

In spite of the tremendous progress in science and technology we have not been able to solve many of the serious social problems that seem to stem from human nature.

- List some serious social problems that science and technology have not been able to solve. Can you think of some social problems that science and technology have helped to solve? Have some social problems become more complicated because of science and technology? Explain.

We will study one of the serious social problems that has not been solved. Some authorities believe that the problem today is more serious than at any time in history. You have probably guessed what that problem is. Juvenile delinquency.

In the following chapters you will be asked to consider some questions about the problems of today's young people, especially their relations

with the law. Here are some questions to bear in mind as you read and study.

1. What is meant by the term adolescence? What are some of the special problems of the adolescent in contemporary society? Why is the process of growing into adulthood a frustrating as well as an exciting period in one's life?
2. How serious is the problem of youthful crime in our society? What are some of the most serious crimes that young people commit? How reliable are statistics about juvenile delinquency?
3. Are laws necessary? Does law interfere with freedom? Is law essential to the maintenance of a free society? Why should one obey the law? What are some of the consequences of lawbreaking? Are all laws good laws? What are the essentials of a good law?
4. What are some of the most common crimes that young people commit? What are the temptations that might lead young people to commit these crimes? What are the personal and legal consequences of these common offenses?
5. What are some of the special laws that apply only to young people? How and when are youthful offenders sent to juvenile court? How does juvenile court deal with delinquents? What legal rights do juveniles have in court?



## CHAPTER 1

### Growing Up

"Welcome to... Junior High School. The teenage years that lie just ahead of you will be filled with many wonderful and exciting times. Your teachers and I wish you success. Someday you will look back on these carefree times as the happiest days of your life. Take full advantage of all the opportunities...."

—Welcoming address by  
a principal to an incoming  
junior high class

"This business of growing up is terrible. I wish I could go to sleep tonight and not wake up until I'm twenty-one. Then it would be over and I'd be all grown up."

—Comment from a 15-year-  
old delinquent girl<sup>1</sup>

#### ADOLESCENCE: A TIME OF GROWTH

Like all the young people throughout history, you are now going through an important stage of life—passing from childhood into adulthood. This period of transition is called "adolescence." It is an exciting time full of many important changes and discoveries. You are becoming physically mature; you are also making new friends and accepting new freedoms and responsibilities.

Because of all these changes, adolescence is never an easy time. Each of us finds that growing up can be filled with frustration as well as excitement. Adolescence is a time of discovery, a period of experimenting and exploring to find out who YOU are and what you want out of life.

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Age, years

(Reprinted by permission of Daedalus, Journal of the American Academy of Arts and Sciences, Boston, Mass., Fall 1971, Twelve to Sixteen: Early Adolescence.)

This graph shows how the rate of physical growth of human beings speeds up between the ages of 10 to 13 for girls and 12 to 16 for boys. Might such rapid change make a person feel clumsy and awkward?

Are there similar changes in the rate of emotional growth? What might be the effects of such emotional change on your relations with others?

- Why might it be said that today's young people face a harder time growing up than ever before? (Compare life today with life in 1900-10. What problems do you have today that your grandparents did not have?)

### Who Am I?

A child never thinks much about the question, "Who am I?" Yet before any of us really become adults, we must try to find out who we are and what kind of persons we want to be. How can we find out? One way is to experiment. Quite often as adolescents, we role-play to see how people will react to us. Sometimes we play the role of a comedian; other times we show off our courage or take on the responsibilities of a leader.

Many adolescents begin to realize what they want to be when they think of the kinds of persons they most admire. Most of us realize that we can never be great baseball players, world-famous pianists, or gifted movie stars. Nonetheless, a great person we admire can influence us; for something happens to us merely by trying to become like that person.

- We often hear an adolescent say, "I want to be a success when I'm an adult." In your opinion, what is "a success"?
- What persons do you admire and respect? Do you try to emulate them? Why?
- Do communications media help determine which types of people we admire? What kinds of people become popular with teenagers through radio, television, films, and records?
- Can you give examples of popular individuals who might act as positive models for young people? What about negative models?

### Defying Authority

During the process of growing up, many adolescents go through a period of defying authority. Since earliest times, young people have told adults



David Cassidy



John F. Kennedy



Roberto Clemente



Richard M. Nixon



Chris Evert



Shirley Chisholm

(either out loud or under their breath) to "drop dead" or to "go jump in the lake." Rebelling against authority is a way of testing and experimenting. It is also a way of telling parents and teachers that we are no longer the "children" they have known.

If rebellion is so natural—if all adults, including our parents and teachers, have gone through this stage of growing up—then why are many adults so critical of teenagers? One 14-year-old girl perhaps had part of the answer when she complained, "I can't seem to talk to my parents any more. They just don't understand. I think they've forgotten what it's like to be young."

Maybe some adults have forgotten what it's like to be young. Perhaps as we grow older, we tend to remember only certain things about the past

Cartoon omitted for copyright reasons. This does not detract from the usefulness of this document.

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and forget the rest. For example, a father may remember how "grown-up" he felt on graduation night, but forget all the hell he raised in the classroom. And a mother may remember the excitement of being a cheerleader, but forget how often she was scolded for neglecting her studies.

### THE GENERATION GAP

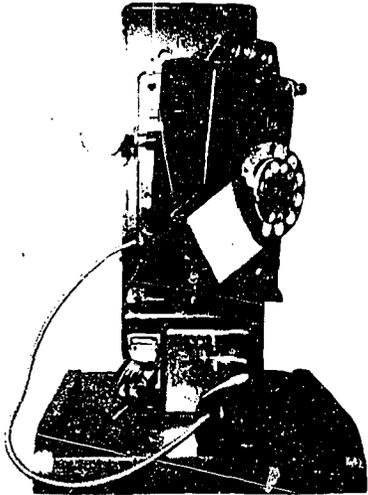
Today we often hear about a "generation gap." Perhaps part of this gap is due to the fact that adults don't understand—or have forgotten—how it feels to be a teenager. But understanding must work two ways. If the gap between generations is to close, young people, too, must try to understand how adults feel and why they feel the way they do.

In the first place, being grown-up is not always as wonderful and free as it sounds. In many ways adults have much less freedom than teenagers. Take, for example, a man with a family to support. He probably has found out that much of life is hard work. He is loaded with responsibilities which often force him to work long hours, year after year, sometimes at a job he doesn't enjoy, sometimes for a boss he doesn't like. He probably isn't free to quit because he has hungry mouths to feed. To the average working man who worries about how he is going to pay the dent<sup>(st</sup> bill, keep up payments on the mortgage, and save enough money to put his kids through college, it is the teenager who really has the easy life. In fact, he may even wish, just a little bit, that he were young again—full of health and free of responsibilities.

Put yourself in this married man's position. How do you think he feels when he reads in the newspapers that youthful vandals have broken into the local school and destroyed hundreds of dollars worth of equipment? Who will have to pay for this damage through an increase in taxes? Who will suffer when good teachers are released because the schools are in financial trouble?

How does this man feel when he learns that shoplifters, over half of whom are young students, have stolen 4 billion dollars' worth of merchandise in the past year? Who will pay the penalty for this shoplifting in increased prices?

How does this man feel when the car he has worked so hard for—gone into debt for—sacrificed for—is stolen and damaged by youngsters out for a joyride? And how does this father feel when the windshield of the car in which he and his family are riding is hit by a rock, thrown by young boys who are out looking for some excitement?



Who pays for vandalism?  
What happens to rates,  
taxes, and insurance  
costs when property  
is destroyed?

There are, then, two sides to the generation gap. Adults must try to remember what it is like to be young. Parents and teachers must learn to tolerate a certain amount of restlessness among young people and to keep in mind that some rebellion is natural, normal, and expected. On the other side, teenagers must understand that destructive forms of rebellion cannot be tolerated. There is a big difference between restless behavior that is a natural part of growing up and behavior that brings harm to other people.

### HARMLESS REBELLION

Harmless rebellion can include such things as deciding on your own clothing and hair styles. It can include disagreeing with the ideas of parents and teachers on politics, music, television programs, etc., and asserting your own opinions. At times it may even include breaking certain personal guidelines—such as occasionally getting home late or sneaking a cigarette. These forms of behavior are generally thought of as part of growing up. They may be unwise, but they are usually overlooked by adults. Most adults, however, hope that such rebellious experiments will not become the habitual pattern of life for youngsters.

Sometimes even so-called harmless rebellion is not so harmless—especially to a young teenager. It is unfortunate that many adolescents, in their eagerness to assert their independence, turn to behavior that is harmful to themselves. One of the best examples of this is smoking. For years, smoking cigarettes has been a symbol of rebellion; it has been a common way to defy authority and appear grown-up. Today it often is a popular way to get a reaction from adults, even though modern medicine has proved that smoking is harmful to health and may cut years off a person's life.

- Comment on this statement: "The really rebellious behavior is to reject the adult habit of smoking—to deny that smoking is proof of growing up."
  
- Teenagers have often done certain things just because they were told not to. Like smoking, some of these things can be harmful to the person who is rebelling. Drugs and alcohol can be examples of this. Can you think of any others?



How do cigarette advertisements try to associate smoking with maturity, sophistication, manliness, romance, femininity, and adventure? Are the associations valid?

- ▶ How many of your friends smoke because they wish to appear grown-up and independent? How many smoke because they know it upsets parents and brings criticism from adults in authority?

### HARMFUL REBELLION

Certain behavior cannot be tolerated from anyone—children, adolescents, or adults. This is the destructive kind of behavior that denies others' rights. No one has the right to injure another physically. As someone said, "Your right to swing your fist...ends where my nose begins." Nor does anyone have the right to steal the property of another person.

There are other ways of injuring people. Study the following examples and determine what kind of injury or harm is done by

- a. calling up strangers on the telephone and using threats or obscene language.
- b. running through a garden and trampling the flowers.
- c. spilling ink on someone's research paper.
- d. turning up the volume of your record player after 10 P.M.
- e. dumping garbage along the highway.

- What kinds of harm do you think were done in each of these examples—physical, financial, psychological, other?
- What rights were denied to other people in these examples?

Growing up, then, means more than just finding out who you are. It also means becoming aware that you are personally responsible for all your actions. It means keeping your restlessness, your experimenting, and your rebellion within certain limits: the limits set by the law and the limits set by the rights of other people. When you harm others, your rebellion is no longer acceptable.

## CHAPTER 2

### A Look at Juvenile Crime

#### INTERPRETING CRIME STATISTICS

In Chapter 1, a number of complaints about today's younger generation were discussed. The most serious complaints are about teenage crime. The subject of juvenile delinquency has received a great deal of publicity in the news media and, as a result, it has become more and more an area of public concern.

Is there need for concern? Is there a real delinquency problem? Are young people increasingly breaking the law and going to juvenile court? What is the truth? To find out how well-informed you are on the subject, answer the following questions. Then see if you must change your answers as you read on.

1. Of total arrests for major crimes (murder, robbery, etc.) what percentage is made up of juvenile arrests? (5%, 10%, 25%, 50%)
2. Between 1960 and 1970, by what percentage did juvenile arrests increase? (20%, 50%, 100%, 200%)
3. What are the chances of boys in America being taken to juvenile court some time between the ages of 10 and 18? (1 in 100, 1 in 50, 1 in 10, 1 in 5)
4. What is the most common serious teenage crime?
5. Which areas have more crime, cities or suburbs?
6. Between 10 and 18, which age group has the highest rate of arrests?
7. Which group commits more crime—boys or girls? Which group has the fastest growing crime rate?

8. What percentage of all vandalism is done by youths under the age of 15?
9. What percentage of all arson is committed by youths under 15?
10. What percentage of all auto-theft arrests is made up of people under 18?

In the pages that follow, there are six tables of crime statistics compiled by the Federal Bureau of Investigation (FBI). These tables contain important information about crime in America. The tables are not to be memorized. Their main purpose is to help you get an overall picture of our complicated crime problem.

By working with the tables, you will gain valuable practice in learning to read and interpret statistics. For example, you will be able to compare the amount of adult crime with the amount of juvenile crime; the amount of city crime with the amount of suburban crime; the amount of crime committed by boys with that committed by girls; and the amount of crime today with the amount of crime ten years ago.

But be careful! Statistics can be misleading. Always be ready to ask questions about what the figures show and what they do not show. Always make certain you understand the terms used in statistical tables. Following are some definitions of terms used in the FBI tables you will examine.

The Crime Index is made up of what are considered the seven most serious crimes. This index is a good, quick way of finding out about our major crime problems. The Crime Index includes four "Violent crimes" and three "Property crimes."

#### Violent Crimes

1. Murder—willful and unlawful killing of a human being.
2. Forcible rape—accompanied by the use of force or threat of force.
3. Robbery—use of force to steal when in the presence of the victim; it may include the use of a weapon.
4. Aggravated assault—unlawful attack on another person in order to do harm; usually includes the use of a weapon.

### Property Crimes

1. Burglary—illegal entry in order to steal.
2. Larceny—theft without the use of force; shoplifting is an example of larceny.
3. Auto theft—theft or attempted theft of an automobile; this includes "joyriding."

Rate per 100,000 inhabitants is the number of crimes committed within every group of 100,000 people. If there were 50 cars stolen in 1960 and 100 cars stolen in 1970; there would be a 100 per cent increase in auto theft. But this may not give us a very clear picture of the problem. What if the population were 100,000 in 1960 and 200,000 in 1970? Has the amount of crime increased? Yes. But have the people become worse—more criminal? No. The rate of the crime according to the population has not changed.

► In this example, what was the auto-theft rate in 1960? —in 1970?

We need some way to tell if there is a rise of crime that is not a result of a rise in the population. And we need a way to compare crime in areas that do not have the same number of people.

The best way is to record the amount of crime for a fixed number of people; in this way we can see if there has been a higher rate of crime. For example, if there were 50 cars stolen within a group of 100,000 people in 1960, and there were 100 cars stolen within that same group in 1970, we would know that auto theft was becoming a more serious problem.

Standard Metropolitan Statistical Area (SMSA) is a term used by the U.S. Census Bureau to describe large population areas. An SMSA is a county or group of counties that contain at least one central city of 50,000 or more people.

Other Cities include any city or town that is not within an SMSA and that has a population of more than 2,500.

TABLE 1  
Index of Crime, United States, 1970

Area	Population	Total crime index	Violent crime	Property crime	Murder and non-negligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny \$50 and over	Auto theft
<b>United States Total</b> .....	203,184,772	5,568,197	731,402	4,836,795	15,912	37,273	348,380	329,937	2,169,322	1,746,107	921,366
Rate per 100,000 inhabitants.....		2,740.5	360.0	2,380.5	7.8	18.3	171.5	162.4	1,067.7	859.4	453.5
<b>Standard Metropolitan Statistical Area</b> .....	140,226,949										
Area actually reporting.....	97.2%	4,691,725	634,446	4,057,279	12,093	30,847	331,819	259,687	1,797,699	1,420,012	839,668
Estimated total.....	100.0%	4,702,638	641,073	4,121,500	12,265	31,302	333,810	263,701	1,825,851	1,446,224	849,485
Rate per 100,000 inhabitants.....		3,396.4	457.2	2,939.2	8.7	22.3	238.0	188.1	1,302.1	1,031.3	605.3
<b>Other Cities</b> .....	24,092,789										
Area actually reporting.....	87.8%	398,450	37,895	358,555	906	1,877	8,140	26,963	155,290	163,380	39,870
Estimated total.....	100.0%	445,129	43,695	401,434	1,070	2,124	9,098	31,403	174,775	182,246	44,413
Rate per 100,000 inhabitants.....		1,847.6	181.4	1,666.2	4.4	8.8	37.8	130.3	725.4	756.4	184.3
<b>Rural</b> .....	38,865,034										
Area actually reporting.....	71.5%	267,368	28,735	238,633	1,534	2,614	3,639	20,948	129,021	88,702	20,930
Estimated total.....	100.0%	360,430	46,629	313,801	2,477	3,847	5,472	34,833	168,696	117,637	27,468
Rate per 100,000 inhabitants.....		927.4	120.0	807.4	6.4	9.9	14.1	89.6	434.1	302.7	70.7

SOURCE: Crime in the United States: Uniform Crime Reports—1970,  
Issued by John Edgar Hoover, Director—FBI, p. 64.

● Examine Table 1 to answer these questions.

1. What was the total number of serious crimes that occurred in the United States during 1970?
2. Which category of crime was the most common: property crime or violent crime?
3. Find the seven crimes of the Crime Index. Which of these was the most common? Which was most common in SMSAs? In Other Cities? In Rural areas?
4. What was the rate per 100,000 for violent crimes in the United States? Explain in your own words what this number means.
5. Look at the total number of crimes for SMSAs. Compare this figure with the total number of crimes in Other Cities. Now compare the population of both areas. Why are both the number of crimes and the rate per 100,000 used in comparing crime in these areas?

6. Compare the crime rate per 100,000 for SMSAs, Other Cities, and Rural areas. In which of these areas was the total rate of crime highest? Lowest? What might be some reasons for these facts?
7. Was the crime rate in Other Cities above or below the national average? What might be some reasons for this?

TABLE 2  
Index of Crime, Ohio, 1970

Area	Population	Total Crime Index	Violent crime	Property crime	Murder and non-negligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny \$50 and over	Auto theft
<b>OHIO</b>											
Standard Metropolitan Statistical Area.....	8,272,512										
Area actually reporting.....	96.0%	219,811	27,152	192,659	656	1,554	14,974	9,968	76,265	67,005	49,389
Estimated total.....	100.0%	224,535	27,546	196,989	664	1,582	15,096	10,204	78,075	68,773	50,141
Other cities.....	987,718										
Area actually reporting.....	89.6%	13,876	1,513	12,363	13	59	299	1,142	5,602	5,319	1,442
Estimated total.....	100.0%	15,480	1,689	13,791	15	66	334	1,274	6,249	5,933	1,609
Rural.....	1,391,787										
Area actually reporting.....	69.8%	9,169	728	8,441	14	36	76	602	4,625	3,301	515
Estimated total.....	100.0%	13,143	1,044	12,099	20	52	109	863	6,629	4,732	738
State total.....	10,652,017	253,158	30,279	222,879	699	1,700	15,539	12,341	90,953	79,438	52,488
Rate per 100,000 inhabitants.....		2,376.6	284.3	2,092.4	6.6	16.0	145.9	115.9	853.9	745.8	492.8
Cleveland, Ohio.....	2,064,194										
(Includes Cuyahoga, Lake, Geauga and Medina Counties.)											
Area actually reporting.....	96.6%	92,444	3,263	53,181	298	380	5,913	2,072	16,661	11,822	24,708
Estimated total.....	100.0%	63,632	9,355	54,277	300	385	5,943	2,727	17,053	12,286	24,938
Rate per 100,000 inhabitants.....		3,082.7	453.2	2,629.5	14.5	18.7	287.9	132.1	826.1	595.2	1,208.1

SOURCE: Uniform Crime Reports—1970, pp. 78, 84

- Table 2 gives crime statistics for the state of Ohio and also for an SMSA in Ohio consisting of four counties, with Cleveland as the central city.
  1. Which specific crime was most troublesome in the state? In the city?
  2. Were Cleveland's crime rates for the most part higher or lower than the state crime rates? What do you think accounts for this?
- Answer the following by comparing Table 2 with Table 1.
  1. Was the total crime rate in Ohio higher or lower than the national average?

2. How did Ohio compare with the rest of the nation in the seven most serious crimes? Was the rate of crime generally higher or lower? In what specific crime was Ohio ahead of the rest of the nation?
3. Compare Cleveland's rate of crime with the national average. Was Cleveland's rate higher, lower, or about the same for property crimes, violent crimes, murder, larceny, and auto theft?

TABLE 3  
Index of Crime, United States, 1960-70

Population	Total Crime Index	Violent crime	Property crime	Murder and non-negligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny \$50 and over	Auto theft
<b>Number of offenses:</b>										
1960—179,323,175.....	2,014,600	285,200	1,729,400	9,000	16,860	107,390	162,000	897,400	506,200	325,700
1961—182,953,000.....	2,082,400	286,100	1,796,300	8,630	16,890	106,210	164,400	934,200	528,500	333,500
1962—185,822,000.....	2,213,600	298,200	1,915,400	8,430	17,210	110,390	182,100	978,200	573,100	364,100
1963—188,531,000.....	2,435,900	313,300	2,122,500	8,530	17,310	115,980	171,600	1,068,800	648,500	405,200
1964—191,334,000.....	2,755,000	360,100	2,395,000	9,250	21,020	129,830	200,000	1,193,600	732,000	469,300
1965—193,818,000.....	2,930,200	383,100	2,547,200	9,850	22,970	138,100	212,100	1,261,800	792,300	493,100
1966—195,857,000.....	3,264,200	425,400	2,838,800	10,920	25,330	157,320	231,800	1,387,200	894,600	557,000
1967—197,864,000.....	3,802,300	494,600	3,307,700	12,090	27,100	202,050	253,300	1,605,700	1,047,100	654,900
1968—199,861,000.....	4,466,600	588,800	3,877,700	13,650	31,060	261,730	282,400	1,828,900	1,271,100	777,800
1969—201,921,000.....	5,001,400	655,100	4,346,400	14,590	36,470	297,580	306,420	1,949,800	1,524,600	871,900
1970—203,184,772.....	5,668,200	731,400	4,836,800	15,810	37,270	348,380	329,940	2,169,300	1,746,100	921,400
Percent change 1960-1970 .....	+178.4	+158.5	+179.7	+75.7	+121.1	+224.4	+117.1	+141.7	+244.9	+182.9
<b>Rate per 100,000 inhabitants:</b>										
1960.....	1,123.4	159.0	964.4	5.0	9.4	59.9	84.7	500.5	282.3	191.6
1961.....	1,138.2	156.4	981.8	4.7	9.2	58.1	84.4	510.6	289.9	192.3
1962.....	1,191.2	160.5	1,030.8	4.5	9.3	59.4	87.3	528.4	308.4	196.0
1963.....	1,292.0	163.2	1,125.8	4.5	9.2	61.5	91.0	566.9	344.0	214.9
1964.....	1,439.9	188.2	1,251.7	4.8	11.0	67.9	104.5	623.8	382.6	245.3
1965.....	1,511.9	197.6	1,314.2	5.1	11.9	71.3	109.5	651.0	408.8	254.4
1966.....	1,666.6	217.2	1,449.4	5.6	12.9	80.3	118.4	708.3	456.8	284.4
1967.....	1,921.7	260.0	1,671.7	6.1	13.7	102.1	128.0	811.5	529.2	331.0
1968.....	2,234.8	294.6	1,940.2	6.8	15.5	131.0	141.3	915.1	636.0	389.1
1969.....	2,476.9	324.4	2,152.5	7.2	18.1	147.4	151.8	965.6	755.1	431.8
1970.....	2,740.5	360.0	2,380.5	7.7	18.3	171.5	162.4	1,067.7	869.4	453.5
Percent change 1960-1970 .....	+143.9	+126.4	+146.8	+56.0	+94.7	+186.3	+91.7	+113.3	+204.4	+149.7

SOURCE: Uniform Crime Reports—1970, p. 65.

- Table 3 is divided into two parts. The first part gives the total number of crimes for each year, 1960-70. The second part shows the rate of crime per 100,000 people for the same period.

1. Which part of Table 3 gives the clearest picture of the increase in crime during this 11-year period?

2. The total number of crimes increased from 2,014,600 in 1960 to 5,568,200 in 1970. What was the percentage of increase?
  3. Total crime per 100,000 increased from 1,123 in 1960 to 2,740 in 1970. What was the percentage of increase?
  4. Which of the two percentages gives the best picture of the rise in crime?
  5. According to the rate per 100,000, which of the seven crimes of the Crime Index had the greatest percentage of increase between 1960 and 1970? Which had the smallest percentage of increase?
  6. Do you think America should be concerned about the rise in crime? Explain.
- Table 4 gives a breakdown of total arrest by age and by specific crime. Use Table 4 to answer the following questions.
1. Which age group had the largest number of total arrests in 1970? Do you have any idea why this was so? What was the percentage of total arrests in this age group?
  2. Which age group was involved in the largest number of arrests in the Crime Index (see "Subtotal")? What percentage of the Crime Index arrests was this group responsible for?
  3. Which age had the highest number of arrests for auto theft, larceny, and aggravated assault?
  4. Which ages were responsible for the highest number of arrests for violent crime and for property crime?
  5. Which age or age group was responsible for the largest number of arrests in each of the following categories: runaways, curfew violation, liquor violation, narcotic violation, vandalism, and arson?

TABLE 4  
Total Arrests Under Age 21, 1970

Offense charged	Grand total all ages	Age								
		10 and under	11-12	13-14	15	16	17	18	19	20
<b>TOTAL</b> .....	<b>6,570,473</b>	<b>78,020</b>	<b>134,362</b>	<b>394,751</b>	<b>323,317</b>	<b>372,374</b>	<b>357,819</b>	<b>343,657</b>	<b>304,092</b>	<b>261,888</b>
Percent distribution .....	100.0	1.2	2.0	6.0	4.9	5.7	5.4	5.2	4.6	4.0
<b>Criminal homicide:</b>										
(c) Murder and nonnegligent manslaughter.....	12,836	18	25	144	271	398	490	677	625	592
(b) Manslaughter by negligence.....	3,020	5	9	27	26	63	113	152	179	124
Forcible rape.....	15,411	22	90	622	660	855	1,056	1,169	1,140	1,019
Robbery.....	87,687	647	2,176	6,872	5,815	6,724	7,255	7,437	6,937	6,011
Aggravated assault.....	125,971	708	1,496	4,663	3,881	4,811	5,297	5,863	5,514	5,385
Burglary—breaking or entering.....	285,418	8,774	15,908	40,809	28,516	28,987	26,322	22,258	17,060	13,247
Larceny—theft.....	616,099	21,816	42,143	90,816	66,199	64,248	46,844	41,316	31,509	24,540
Auto theft.....	127,341	460	2,181	16,544	18,417	19,104	14,770	10,523	7,677	5,784
<b>Violent crime</b> .....	<b>241,905</b>	<b>1,395</b>	<b>3,787</b>	<b>12,101</b>	<b>10,427</b>	<b>12,788</b>	<b>14,098</b>	<b>15,146</b>	<b>14,286</b>	<b>13,007</b>
Percent distribution .....	100.0	.6	1.6	5.0	4.3	5.3	5.8	6.3	5.9	5.4
<b>Property crime</b> .....	<b>1,029,858</b>	<b>31,050</b>	<b>60,212</b>	<b>148,169</b>	<b>103,132</b>	<b>102,319</b>	<b>86,936</b>	<b>74,097</b>	<b>66,246</b>	<b>43,571</b>
Percent distribution .....	100.0	3.0	5.9	14.4	10.0	9.9	8.4	7.2	5.5	4.2
<b>Subtotal for above offenses</b> .....	<b>1,273,783</b>	<b>32,450</b>	<b>64,008</b>	<b>160,297</b>	<b>113,585</b>	<b>115,170</b>	<b>101,147</b>	<b>89,395</b>	<b>70,711</b>	<b>56,702</b>
Percent distribution .....	100.0	2.5	5.0	12.6	8.9	9.0	7.9	7.0	5.6	4.5
<b>Other assaults</b> .....	<b>287,027</b>	<b>2,766</b>	<b>5,115</b>	<b>12,943</b>	<b>9,383</b>	<b>10,675</b>	<b>11,410</b>	<b>12,358</b>	<b>11,842</b>	<b>11,529</b>
Arson.....	9,409	1,217	898	1,568	784	661	506	384	308	267
Forgery and counterfeiting.....	43,833	39	131	556	725	1,287	1,894	2,490	2,747	2,729
Fraud.....	76,661	52	169	481	510	772	1,103	2,205	2,689	3,039
Embezzlement.....	8,172	4	16	50	50	100	129	238	277	322
Stolen property; buying, receiving, possessing.....	61,517	409	1,191	4,030	3,679	4,547	4,698	4,892	4,268	3,634
Vandalism.....	111,671	12,372	14,463	23,762	12,568	10,183	7,294	4,505	3,373	2,375
Weapons; carrying, possessing, etc.....	102,725	314	950	3,252	3,182	4,359	4,953	5,798	5,174	4,619
Prostitution and commercialized vice.....	49,344	4	7	93	144	275	633	1,040	3,286	3,850
Sex offenses (except forcible rape and prostitution).....	49,328	412	818	2,787	2,080	2,202	2,122	2,200	2,155	2,068
Narcotic drug laws.....	346,412	177	992	8,982	13,641	23,143	30,821	37,306	36,524	31,724
Gambling.....	84,804	9	14	195	280	438	713	1,012	1,181	1,241
Offenses against family and children.....	56,620	87	51	125	102	168	324	2,100	2,083	2,187
Driving under the influence.....	423,522	2	18	75	235	1,258	3,045	7,555	8,910	9,622
Liquor laws.....	222,464	87	476	6,049	11,147	24,203	33,326	38,673	31,640	22,338
Drunkenness.....	1,512,672	122	459	4,450	6,555	11,755	17,625	28,843	27,891	27,018
Disorderly conduct.....	589,642	5,630	10,033	27,132	22,434	27,487	31,361	37,508	32,103	27,803
Vagrancy.....	101,093	141	378	1,662	1,878	3,360	4,894	6,793	5,974	4,766
All other offenses (except traffic).....	804,780	14,022	17,729	57,033	47,029	51,163	50,386	50,882	45,490	40,236
Suspicion.....	70,173	805	1,279	4,121	4,034	4,895	5,616	6,580	5,466	4,329
Curfew and loitering law violations.....	105,548	1,720	4,064	21,152	22,714	32,098	23,770			
Runaways.....	179,073	5,189	11,075	53,966	46,818	42,175	20,050			

SOURCE: Uniform Crime Reports—1970, p. 126.

TABLE 5  
Total Arrests by Sex, 1960-70

Offense charged	BOYS			GIRLS			COMBINED		
	Under 18			Under 18			Under 18		
	1960	1970	Percent change	1960	1970	Percent change	1960	1970	Percent change
<b>TOTAL</b> .....	<b>439,929</b>	<b>870,460</b>	<b>+97.9</b>	<b>77,110</b>	<b>234,483</b>	<b>+204.1</b>	<b>517,639</b>	<b>1,104,943</b>	<b>+113.7</b>
Criminal homicide:									
(a) Murder and nonnegligent manslaughter.....	353	1,072	+203.7	27	80	+196.3	380	1,152	+203.2
(b) Manslaughter by negligence.....	144	142	-1.4	9	16	+77.8	153	158	+3.3
Forcible rape.....	1,284	2,380	+85.4				1,284	2,380	+85.4
Robbery.....	7,906	23,737	+196.9	389	1,813	+366.1	8,385	25,550	+204.7
Aggravated assault.....	6,041	13,421	+122.2	689	2,285	+228.7	6,730	15,686	+133.1
Burglary—breaking or entering.....	57,232	97,200	+69.8	1,751	4,450	+154.1	58,983	101,650	+72.3
Larceny—steft.....	85,986	157,911	+83.6	14,703	56,509	+280.9	100,689	213,920	+112.5
Auto theft.....	34,043	50,633	+48.7	1,344	2,784	+107.1	35,387	53,417	+51.0
Violent crime.....	15,674	40,610	+159.1	1,105	4,158	+276.3	16,779	44,768	+166.8
Property crime.....	177,261	305,744	+72.5	17,798	63,243	+255.3	195,059	368,987	+89.2
Subtotal for above offenses.....	193,079	346,496	+79.5	18,912	67,417	+256.5	211,991	413,913	+95.3
Other assaults.....	11,533	29,428	+155.2	1,994	7,960	+300.2	13,527	37,408	+176.5
Forgery and counterfeiting.....	1,199	2,429	+102.6	352	926	+163.1	1,551	3,355	+116.3
Embezzlement and fraud.....	722	1,936	+168.1	161	642	+298.8	883	2,578	+192.0
Stolen property; buying, receiving, possessing.....	2,525	12,371	+389.9	185	941	+408.6	2,710	13,312	+391.2
Weapons; carrying, possessing, etc.....	6,749	11,832	+75.3	203	512	+152.2	6,952	12,344	+77.6
Prostitution and commercialized vice.....	128	311	+143.0	297	726	+144.4	425	1,037	+144.0
Sex offenses (except forcible rape and prostitution).....	7,118	5,606	-21.2	2,915	1,533	-47.4	10,033	7,139	-28.8
Narcotic drug laws.....	1,421	43,436	+2,956.7	243	11,420	+4,599.6	1,664	54,856	+3,196.6
Gambling.....	1,492	1,393	-6.6	42	49	+16.7	1,534	1,442	-6.0
Offenses against family and children.....	307	271	-31.7	171	146	-14.6	568	417	-26.6
Driving under the influence.....	1,073	2,763	+157.5	57	165	+189.5	1,130	2,928	+159.1
Liquor laws.....	15,059	36,057	+139.4	2,502	7,658	+206.1	17,561	43,715	+148.9
Drunkenness.....	11,727	24,639	+110.1	1,363	3,943	+189.3	13,090	28,582	+118.3
Disorderly conduct.....	42,948	71,432	+66.3	7,583	15,131	+99.5	50,531	86,563	+71.3
Vagrancy.....	7,649	7,749	+2.6	914	1,686	+84.5	8,463	9,435	+11.5
All other offenses (except traffic).....	135,210	272,311	+101.4	39,216	113,608	+189.7	174,426	386,919	+121.3
Suspicion (not included in totals).....	19,267	10,852	-43.7	2,732	2,442	-10.6	21,999	13,294	-39.6

SOURCE: Uniform Crime Reports—1970, pp. 122, 124.

● Use Table 5 to answer the following questions.

1. Find the total number of arrests of boys in 1970; also find the total number for girls. Which group was responsible for most of the arrests? By about what ratio or fraction?
2. Does the rate of crime ("Percent change") show a greater increase for boys or for girls? Do you have any idea why?

3. Among girls, what crime in the Crime Index seems to have risen fastest? Notice how many girls were arrested for larceny in 1970. Does this surprise you? Why?
  4. Look at the offenses below the Crime Index:
    - a. Which arrest category for girls rose fastest? By what percentage? Which were the second and third fastest rising crimes?
    - b. Which categories rose faster for girls than for boys?
    - c. Which arrests rose more than 100 per cent from 1960 to 1970?
  5. Look at the offenses below the Crime Index:
    - a. Which arrest category for boys rose fastest? By what percentage? Which were the second and third fastest rising crimes?
    - b. Which arrests rose more than 100 per cent from 1960 to 1970?
  6. In the Crime Index, which crime showed the greatest increase in arrests for all youths ("Combined, Under 18")? Which showed the second greatest increase?
  7. In all categories, which crime showed the greatest increase for all youths under 18? Did any arrest figures decrease from 1960?
- Use Table 6 to answer the following questions.
1. Study the Crime Index. Were youths under 18 responsible for more than half the arrests for any crimes? If so, which ones?
  2. In the Crime Index, which was the largest arrest category for young people "under 15"? How do you explain this?
  3. What percentage of vandalism was committed by youths under 15? Under 18?
  4. What percentage of all arson was committed by youths under 15? Under 18?
  5. What crimes seem to be especially serious problems for those under the age of 15?
  6. What offenses seem to be uncommon below the age of 15, but very common in ages 15 to 18?

TABLE 6  
Total Arrests by Age Groups, 1970

Offense charged	Percentage			
	Under 15	Under 18	Under 21	Under 25
<b>TOTAL</b> .....	<b>9.2</b>	<b>25.3</b>	<b>39.1</b>	<b>52.4</b>
<b>Criminal homicide:</b>				
(a) Murder and nonnegligent manslaughter.....	1.5	10.5	25.2	43.4
(b) Manslaughter by negligence.....	1.4	8.0	23.1	44.1
Forcible rape.....	4.1	20.8	42.4	64.5
Robbery.....	11.1	33.4	56.6	77.0
Aggravated assault.....	5.4	16.5	29.8	46.4
Burglary—breaking or entering.....	22.9	52.0	70.4	83.1
Larceny— theft.....	25.1	50.7	66.5	77.4
Auto theft.....	15.1	56.1	74.9	86.3
<b>Violent crime</b> .....	<b>7.1</b>	<b>22.6</b>	<b>40.1</b>	<b>58.5</b>
<b>Property crime</b> .....	<b>23.3</b>	<b>51.7</b>	<b>68.6</b>	<b>80.1</b>
<b>Subtotal for above offenses</b> .....	<b>20.2</b>	<b>46.1</b>	<b>63.1</b>	<b>75.9</b>
Other assaults.....	7.8	18.2	30.7	47.0
Arson.....	39.0	59.5	69.5	77.4
Forgery and counterfeiting.....	1.7	10.6	28.7	52.8
Fraud.....	.9	4.0	14.3	34.7
Embezzlement.....	.9	4.3	14.5	35.0
Stolen property; buying, receiving, possessing.....	9.2	30.2	51.0	68.8
Vandalism.....	45.3	72.2	81.4	87.6
Weapons; carrying, possessing, etc.....	4.4	16.6	31.7	49.6
Prostitution and commercialized vice.....	.2	2.3	20.7	61.4
Sex offenses (except forcible rape and prostitution).....	8.1	21.1	34.1	51.5
Narcotic drug laws.....	2.9	22.4	52.9	77.7
Gambling.....	.3	1.9	6.0	14.3
Offenses against family and children.....	.5	1.5	12.8	32.2
Driving under the influence.....		1.1	7.3	20.2
Liquor laws.....	3.0	33.8	75.5	88.0
Drunkenness.....	.3	2.7	8.2	17.3
Disorderly conduct.....	7.3	21.0	37.5	53.8
Vagrancy.....	2.2	12.2	29.5	51.9
All other offenses (except traffic).....	11.0	29.5	46.5	62.3
Suspicion.....	8.8	23.6	52.9	70.8
Curfew and loitering law violations.....	25.5	100.0	100.0	100.0
Runaways.....	39.2	100.0	100.0	100.0

SOURCE: Uniform Crime Reports—1970, p. 128.

### JUVENILE CRIME: A SUMMARY

Is there a problem of juvenile delinquency in our country today? The following summary of statistics may help you decide. (Note: The term juvenile is used here to apply to all young people aged 10-17. This age group represented about 16 per cent of the total population in 1970.)

1. Since 1960, more than 750,000 young Americans were brought before a juvenile court judge each year.

2. At some time during ages 10-17, 12 per cent of our nation's youth will be declared delinquent. The chances that a boy will be declared delinquent are 20 per cent—or one out of five.
3. Total arrests in 1970: 6,570,473  
     Juvenile, under 18: 1,660,643, or about 25 per cent of total arrests  
     Juvenile, under 15: 607,133, or about 9 per cent of total arrests
4. Total number of arrests for major crimes in 1970: 1,273,783; juveniles were responsible for 46 per cent of these arrests.

Major Crimes	Total Arrests	Juvenile Arrests	% of Total Arrests	% of Increase in Juvenile Arrests 1960-70
Murder	15,856	1,589	9	200
Rape	15,411	3,205	21	85
Robbery	87,687	29,289	33	204
Aggravated Assault	125,971	20,756	17	133
Burglary	285,418	148,296	52	72
Larceny	616,099	312,066	51	112
Auto Theft	127,341	71,456	56	51
Total	1,273,783	586,657	46	95

5. Juveniles under the age of 15 represent 9.2 per cent of the total population; yet they made up more than 20 per cent of arrests for major crimes.
6. During the 1960's, juveniles were consistently responsible for two-thirds of all arrests for auto theft and half of all arrests for burglary and robbery.
7. Youths under the age of 18 are responsible for over 50 per cent of all arrests for property crimes.

8. The 13-14 age group had the highest arrest record (12.6 per cent) for major crimes.
9. Between 1960-70, arrests of juveniles increased more than 100 per cent. The population in this age group rose by only 29 per cent.

Juvenile crimes of violence rose 167 per cent; against property, 89 per cent. Arrests of juvenile girls rose 204 per cent; of boys, 98 per cent.

10. Since 1950, statistics show a 250 per cent increase in juvenile, which is four times as large as the increase in the juvenile population.
  - Is the juvenile delinquency problem as bad as it seems? Can you attack any of these figures and claim that they do not give a fair picture of juvenile crime?

#### SOME REASONS WHY JUVENILE CRIME STATISTICS ARE SO HIGH

The statistics indicate that America does indeed have a serious juvenile crime problem. But they do not tell exactly how serious the problem is. The statistics you have examined give the impression that our present teenage generation is a vicious, violent group of delinquents who are responsible for an ever-increasing flood of crime. Of course, this is a false picture.

#### Teenagers Are More Easily Arrested than Adults

Many figures show that a high percentage of crime is committed by young people. These figures are usually based upon "arrest" statistics. But what do these numbers really mean? When a chart says that in 1970 juveniles accounted for 56 per cent of the arrests for auto theft, does this mean that 56 per cent of all stolen cars were taken by juveniles? No! It means that of all those arrested for car theft 56 per cent were juveniles.

Does this make a difference? Yes. As you might guess, teenagers are often easier to catch than adults. Some young people have broken the law because they subconsciously want to be caught in order to attract attention. Most juveniles are so inexperienced that the police have an easy time catching them. Take, for example, youngsters who steal a flashy sports car for a joyride down main streets. Certainly these boys will be caught

much faster than the experienced adult auto thief who sells the cars he steals.

Another point to consider is that most of our crimes go unsolved. Police admit that they solve only about 30 per cent of all crimes with an arrest. This means that 70 per cent of all crimes go unsolved. No one knows how many unsolved crimes are committed by adults and how many are committed by juveniles. All we do know is that a higher percentage of those who are caught are young.

### Many Juvenile Statistics Do Not Represent Serious Crime

Arrest Statistics. Close studies of the records show that there is a big difference between the number of juveniles arrested and the number of juveniles declared delinquent. In other words, many teenagers are picked up by the police for fairly minor offenses. For example, approximately 50 per cent, or half, of the young people picked up by police are never sent to court. Quite often the policeman himself feels that the offense deserves only a warning. And of those juveniles who are sent to court, about 50 per cent are dismissed without an official hearing. As a result, up to about 80 per cent of all young people picked up by police never come before a judge in an official hearing.

Court Statistics. Each year for the past several years, more than 750,000 youths aged 10 to 18 appeared in juvenile court. This is a high figure. Of those who appear in court, 25 per cent have done nothing that would be considered wrong if done by an adult. For example, in 1970, many thousands of young people were declared delinquent because of truancy or for breaking curfew. Many boys were guilty of such charges as immoral or disorderly conduct; 50 per cent of the girls who were sent to court were charged with being incorrigible. Thus many juveniles are considered delinquent because they have broken rules that apply only to the young. This is an important fact to keep in mind when examining court statistics on delinquency. It is also important when looking at the detention home figures. In 1970 it was estimated that of the 162,000 children in reform schools and detention homes, 50 per cent had broken no adult law.

It is up to each state to define delinquency and to make the special rules for its young people. Almost every state has seven or eight of these rules. In many cases, the rules are vague; they contain words that can mean more than one thing. With such rules, almost every person under the age of 18 might, at one time or another, be considered delinquent.

Glance through the following rules to see whether you have ever qualified as a delinquent.

1. Violates any law or ordinance.
2. Habitually truant.
3. (Knowingly) associates with thieves, vicious or immoral persons.
4. Incurable.
5. Beyond control of parent or guardian.
6. Growing up in idleness or crime.
7. So deports self as to injure or endanger self or others.
8. Absents self from home and without consent.
9. Immoral or indecent conduct.
10. (Habitually) uses vile, obscene, or vulgar language.
11. (Knowingly) enters, visits house of ill repute.
12. Patronizes, visits policy shop or gaming place.
13. (Habitually) wanders about railroad yards or track.
14. Jumps train or enters car or engine without authority.
15. Patronizes saloon or dram house where intoxicating liquor is sold.
16. Wanders streets at night, not on lawful business.
17. Patronizes public pool room or bucket shop places.
18. Immoral conduct around school.
19. Engages in illegal occupation.
20. In occupation or situation dangerous or injurious to self or others.
21. Smokes cigarettes, or uses tobacco in any form.
22. Frequents place whose existence violates law.
23. Is found in place for permitting which adult may be punished.
24. Addicted to drugs.
25. Disorderly.
26. Begging.
27. Uses intoxicating liquor.
28. Makes indecent proposal.
29. Loiters, sleeps in alleys, vagrant.
30. Runs away from state or charity institution.
31. Operates motor vehicle dangerously while under influence of liquor.
32. Found on premises occupied or used for illegal purposes.
33. Attempts to marry without consent, in violation of law.
34. Given to sexual irregularities.<sup>2</sup>

- Are all of these rules and terms perfectly clear? Do you know the exact meaning of incurable or disorderly conduct? Who has the final power to define these terms?

- Why can it be said that a juvenile court judge is more powerful than an adult court judge?

Crime Index Statistics. Do not think that there are no real delinquents! A great many juvenile statistics represent major crimes. In 1970, juveniles accounted for 46 per cent of all arrests for major crime. But here again, figures can hide the real picture. Because of the present method of reporting it is difficult to tell just how serious a crime is.

For example, a ten-year-old boy who breaks into a freight car is listed in the records as a burglary case. A second-grader who takes some pennies from a broken parking meter is listed in the larceny category. Highway robbery is a serious crime. It might involve a \$100-theft at gunpoint with the victim being hospitalized from severe wounds. Yet, it can be less serious, too. Recently, two nine-year-old boys were charged with highway robbery when they twisted the arm of a third boy in a school playground to get his lunch money—25 cents.

- For what reasons can crimes mentioned above be considered "not so serious"? In what respect are they considered "serious"?

### Higher Statistics Do Not Always Mean More Crime

Statistics alarm us with reports that juvenile crime—no matter what its definition—has increased more than 100 per cent during the last decade. But does 100 per cent more arrests mean that there has been 100 per cent more crime?

There are several things to consider here. Over the past years, the number of police has increased. Their methods have improved. Today's police forces have better equipment and much better communications. Also, because of the publicity about juvenile delinquency in press, radio, and TV, police are much stricter than they were before. This is especially true in the suburbs. In view of these facts alone, one would expect the number of arrests to increase.

- In 1969, the Cuyahoga County juvenile court opened two branch courts in the suburbs. The statistics of juvenile court cases for that year skyrocketed. Does this necessarily mean that there was a big jump in juvenile crime in Cuyahoga County between 1968 and 1969?

Remember, that along with everything else, the teenage population has increased during the past decade. Not only has there been an increase in the total juvenile population, but the rate of growth is greater for juveniles than it is for adults. This means that there is a higher percentage of teenagers today out of 1,000 or 100,000 people than there was ten years ago. Therefore, can we be sure that teenagers today are more lawless than ever before? Or does the rise in crime statistics result from a higher population and more and better reporting of crime?

### SUMMING UP

We can debate for hours about whether teenage crime is more widespread or more violent than it has been in the past. But the fact remains that a serious problem does exist. When all the statistics are analyzed, adjusted, and corrected, we find that an extremely large number of young people—especially boys—are arrested, come before a judge, and are declared delinquent.



Policemen have a duty to enforce the law and to protect people and property.

## CHAPTER 3

### Laws: Who Needs Them ?

When the door opened, six noisy junior high boys elbowed their way into the conference room and sat down. These particular boys had been invited because all of them had a history of troublemaking both in the school and in the community. They seemed very sure of themselves and were eager to talk about the trouble they had caused. The interviewer—who was lucky enough to see the lighted cigarette on his chair before he sat on it—had a hard time getting the group to settle down.

"First question...What laws do you like? That is, what laws do you think are good laws?"

Silence. None of the boys could think of any.

"Well, should there be a law about going through a red light?"

"Naa," unanimously. Added one boy, "Every man for himself."

"Against shoplifting?"

"Definitely not! Damn store owners' fault anyway for having such high prices."

"Would you go out and shoplift tomorrow?"

"Sure. Why not?"

"Should there be a law against 'breaking and entering'?"

"Nope," was the general agreement, although several boys seemed to hesitate.

"What if you knew the owner of the house you were breaking into? Would it make any difference if she were a little old lady who didn't have much money?"

Silence.

"Can you think of any law that you agree with—any law that you would volunteer to obey even if there were no police around?"

Another pause. Finally one boy suggested..."Law against murder?"<sup>3</sup>

- ▶ This conversation was part of an interview that took place in a Cleveland suburb not long ago. What opinion of the law do these boys have?
- Do you think many young people in junior high feel the same way?
- What do you think it would be like if most of the men and women of our country felt the same way about obeying the law as these six boys do?

This conversation tells us several things about these young men. One is the fact that they probably have never given much thought to the subject of law. WHY DO WE HAVE LAWS? This is an important question and one that we should all think about. Therefore, before discussing certain specific teenage problems—such as shoplifting, vandalism, and joyriding—let's take some time to look at the subject of LAW. Are LAWS necessary? Why should "I" obey the LAW?

### ARE LAWS NECESSARY?

What do you think it would be like if everyone believed—as these six students believe—that laws are not necessary? What would a country be like without laws? Better still, what do you think it would be like at home or at school if there were no rules to follow? Fun? Freedom? A ball?

### Law and Human Nature

Be serious. What would it be like without any rules? How do you think most people would behave? How do you think you would behave? Look at the following list of ideas about people and rules, and decide which makes the most sense to you.

1. Laws are NOT necessary because people are basically good. Rules get in the way and make it more frustrating and difficult for people to get along.
2. Laws are necessary because, even though people are naturally good, kind, and intelligent, they need guidance and rules in order to live and work together smoothly and efficiently.
3. Laws are necessary because human beings are so selfish and greedy that they need laws to scare them into behaving in a decent way.
4. Laws are necessary because human beings are stupid. People would not know what to do without laws.
5. Laws are necessary because people are very complicated: every man, woman, and child is a mixture of selfishness and generosity, of hostility and affection, of stupidity and wisdom. Therefore, in order to make the most of their lives, they need rules and leadership.

- Which of these five ideas seems to you to come the closest to describing people and the way they behave?
- Do you think that many people in America would agree with statement number 1? What about your classmates?
- On the basis of your own experience, what is your opinion of human nature? Do you think people are naturally good or naturally bad? Explain.

Continue thinking about these ideas of law and of human nature as you read and discuss the following situations.

What if there were no laws?

1. Several members of your class probably come from large families with many brothers and sisters. Maybe you do. Are rules necessary for a family?

- Give some examples of what could happen in a family with many children if there were no rules at all. Who would benefit? Who would lose?
  - Give some examples of necessary family rules.
2. Can you think of any sport or game that has no rules? Would such a game make any sense? Would it be possible to have a fair contest without rules?
- Describe what a football game might be like with 22 men on the field, a small brown ball, and no rules.
  - Before a winner can be declared, game rules have to be agreed upon. Is it better to decide on the rules of play before or during the game? Why? What do you think might happen if a pitcher and a batter had to agree on what a "strike" should be in the middle of an inning? Have you ever tried to agree on the boundaries of a pickup football game after the first end run?
3. Several of the junior high boys in the interview said that they didn't believe that laws were necessary—for them. Look at their point of view and decide what you think about it.

"Do you think people would behave decently without laws?" the boys were asked.

"No...there'd be riots all over the place. But we can take care of ourselves. We'd have a ball. We wouldn't get hurt."<sup>4</sup>

- Is this a realistic point of view? Could anyone—no matter how strong he is—be sure that he will be safe and his possessions secure if there were no laws?
- Is this a selfish attitude? Even if the boys were correct in thinking they could protect themselves, what have they forgotten?

What if there were no law enforcers?

1. Can a country—or a school or a family—have rules if there is no one to enforce these rules? Would the rules be obeyed without an "enforcer"? What about penalties? Is it necessary to have penalties for those who break the rules? If there were no five-yard penalties for offsides, what would probably happen in a football game?
  - ▶ Who is the enforcer of the rules in your home? School? Community?
  - ▶ Give some examples of the penalties these enforcers give to make sure that the rules are obeyed.
  
2. In 1919 in the city of Boston, the police force decided to go out on strike. The policemen were unhappy because city officials had forbidden them to join a union. What do you think happened in Boston when this strike took place? Which people benefited from such a strike? Which people were hurt?
  - \* After you have discussed some of your ideas about the Boston police strike of 1919, find out what actually happened in Boston in connection with this strike.
  - What if all the police in your community went out on strike? What do you think would happen? Would you perhaps behave differently than before? What about some of your friends?
  
3. In the big championship basketball game between East and West High School, the rivalry was strong. Both sides wanted very badly to win. Suddenly both referees were taken ill and had to leave the game. Do you think this basketball game could continue without any officials to enforce the rules?
  - Could the game be played fairly if the players volunteered to obey the rules, even though the officials were absent? Why or why not? If not, is it because the players are evil?

- If the game were finished without referees, which team would be the one most likely to score the most baskets?

Have you changed your mind about human nature? Look back once more at the list of ideas about people and rules. Make up your mind about whether or not you think law is necessary and why.

Most people agree that human beings are not perfect. If all men were angels there might not be any need for laws. But experience has shown us that without rules, we would live in a "jungle" where the strong and the powerful would take whatever they wanted. The rest of us would live in constant fear. Therefore, we must conclude that laws are necessary to guarantee our safety.

But laws do more than this. In addition to protecting us, they also enable us to live and work together with great freedom.

### Law and Freedom

It is sometimes hard for young people to see the connection between law and freedom. Isn't freedom the opposite of obeying the law? When most of us think of obeying the law, we think first about those rules which restrict our actions. We think about rules that begin with "Do not..."

"Do not stay out on the streets past 11:00 P.M."

"Do not smoke in the cafeteria."

"Do not drink until you are old enough."

"Do not wear your hair below....Do not wear your skirt above...."

Etc., etc.

Many laws are so much a part of our everyday lives that we take them for granted. We often forget how much we depend on them. Yet it is because of the law that we are able to live and work together smoothly.

Fortunately for us, the United States is rich in traditions. Many common rules and patterns of living have been established and handed down to us by our ancestors. Because we accept many of these rules, sometimes

called "common law," we are saved the time and the inconvenience of making them up as we go along. Our heritage of laws has been built up over hundreds and hundreds of years, and, of course, we are constantly adding to them.

Because laws enable us to know what to expect from other people, we can plan our activities accordingly. Notice how our everyday actions are affected by laws.

Because we are fairly certain that people will follow traffic rules, we can expect to cross a street safely and in a minimum amount of time.

We know what side of the street to watch for oncoming cars. We know that when the light turns green, we can expect to move safely into the intersection.

We expect cars to stop at stop signs, red lights, and crosswalks.

When buying a record album, we again have certain expectations because we take for granted that the store owner follows established rules.

We can expect that the record will play the song listed on the album.

We can expect that the record will play at the correct speed on our record player.

We know that when we hand the store owner a \$10 bill, he will give us back the correct change.

Our rules provide us with a fixed pattern for doing many different things in life. We can make plans for the future because our laws not only protect us, they also free us from having to solve various kinds of problems daily. Because of our system of rules, you usually take for granted that:

- a. your water is pure and safe for drinking
- b. your bacon has been processed under sanitary conditions
- c. your family's new car is equipped with brakes
- d. your bus driver is able to operate the school bus
- e. your wallet or purse is safe from theft

What would happen if there were no traffic laws? Can you give examples of other laws that increase your safety and freedom?



- f. your hot lunch will be reasonably priced
  - g. your bicycle will be at the bike rack where you left it
- What would you have to do if you couldn't take all of these things for granted?

A good example of how law can increase our freedom is the traffic rules we obey. Can you imagine what our highways would be like if each driver decided to make up his own rules as he drove along? Our highways would be like giant "dodgems." Each trip on the road would be a dangerous adventure.

- Think about some of the rules of the road. Do these rules increase or decrease your freedom to drive across town?
  - Stop for a red light.
  - School, Speed Limit 20.
  - Yield the right of way.
  - Hill—No Passing.
  - Speed Limit 35.
  - Passing on the left only.
  - Do not cross the yellow line.
  - Every driver must have a license.
- In the United States, people drive on the right side of the road. In England, Thailand, and Kenya the people drive on the left side of the road. Drivers who follow the established pattern in each country can be fairly confident of reaching their destination safely. How secure would you feel driving in England for the first time?
- Think about planning a trip to Alaska. What things besides traffic rules would you take for granted? That is, what could you count on or expect to find along the way that would make your trip convenient and safe?

In summary, then, we can say that laws are necessary. We need them for order and safety, and we need them for freedom and convenience. Because human nature is not perfect and some people are liable to do bad

things, we need laws to protect ourselves, our families, and our friends. Without laws we would live in constant fear of injury or theft. And because people must live together, it is essential for any society to have accepted or fixed ways of doing things. The laws that we have made (and the rules passed down to us by our ancestors) free us from the inconvenience and delay of making up rules as we go along, and they free us from worrying about what to expect from others. They make living together possible.

### DIFFERENT WAYS OF MAKING AND OBEYING LAWS

Most human beings live under two different umbrellas of law. We have already talked about man-made laws which people follow in order to live together. But there are other laws that we obey also. These are physical laws, sometimes called the laws of nature, or scientific laws. We learn about them not only in school, but also from our everyday experience. Because the laws of society and the laws of nature differ in many ways, it is interesting to compare them.

One well-known physical law is the law of gravity. Consider this physical law for a moment.

#### The Law of Gravity

"What goes up, must come down."

- a. Is this law understandable? Is it clear what will happen when you step on a chair and jump off?
- b. Can this law be changed? Can your teacher jump off a chair and change this rule? Can the class take a vote and decide that the next person to jump off the chair will not drop to the floor?
- c. Is this law consistent and fair? Does it apply equally to all people—adults as well as students? Can rich students ignore this rule? Is it prejudiced against left-handed students or against girls?
- d. Does this law need an enforcer? Is it necessary for a policeman to be close by to make sure that when you jump from the chair, you will obey the law of gravity? Is it necessary to have Congress pass a law providing punishment for people who try to break this law?

- ▶ What is meant when we say, "Nobody ever breaks the law of gravity; it always breaks you"?
- The questions listed above refer only to the effects of gravity close to earth's surface. Is it possible to escape from earth's gravity? How?
- \* If it is possible to escape from earth's gravity, does this mean that the law of gravity can be broken? Caution! What is the relation between the law of gravity and the solar system—the orbits of the planets and the orbits of their satellites? What is the relation of the law of gravity to space flights?

The basic point to notice is that physical laws cannot be changed or broken. Whatever technological advances we make must be made by paying attention to and respecting physical laws. Physical laws can be known and understood; they apply equally to all persons in all cases.

- \* How have the discoveries of physicists in our century affected our views of physical laws? Look up quantum theory and the names Max Planck, Albert Einstein, Niels Bohr, and Werner Heisenberg. Does a physical law necessarily control the behavior of every molecule and atom?

### Human Laws

Laws in human societies are not always as dependable as physical laws. Like the people who make them, laws are imperfect. Sometimes laws are unreasonable; sometimes they are vague and hard to understand; and sometimes they are made or changed in secret so that people don't even know what they say.

- Have your parents or teachers ever made a rule that you considered to be unreasonable? What did you do about it?

- Have you ever been punished for breaking a rule you didn't know about or didn't understand? How did you feel?

Human laws cannot be perfect. However, we must have laws in order to live together, and therefore we want to have the best laws possible. When the laws are good, it is quite easy for us to obey them. In fact, when they are very good, we generally obey them cheerfully. But if laws are bad, or seem bad, we have a hard time following them and must be forced to obey.

What, then, makes a good law and what makes a bad law? One way to answer this question is to think of the characteristics of an ideal law. See if you agree with the list below.

An IDEAL law:

- (1) applies to all citizens equally;
- (2) is just to all citizens;
- (3) is necessary—not fussy or needlessly interfering;
- (4) is acceptable to a person's conscience;
- (5) is helpful in achieving genuine freedom;
- (6) is fairly enforced without cruel punishment;
- (7) is written in clear language so that it does not trick us.

- Can you think of any other characteristics of an ideal law? Discuss them.
- Give an example of a law or rule that you think has all these characteristics.

### A History of Lawmaking

Another way to compare good laws with bad ones is to study the ways that they are made. To do this, let us take a brief trip into the past to look at the history of lawmaking.

Customary Laws. First of all, think about laws in a primitive society. The lives of people in a primitive society change very little from one generation to the next. Often there is little private property in such a society. People share in hunting or gathering food. They share in eating the food. Each person knows his or her place.

Primitive societies often have very complicated laws. They have laws about marriage—who can marry whom. They have laws about children and about adolescence. They have many laws about religion. These laws do not change. People simply accept them. Hardly anyone would dream of disobeying or questioning them. We call these customary, or traditional, laws.

Making and Changing Laws. The real problem about laws comes when we leave primitive, traditional societies. A society with private property, economic classes, trade and money, and armed forces needs many different laws. It needs to be able to change its laws. It needs to enforce the laws. Custom and tradition are not enough.

- What ways might a nonprimitive society have for making and changing laws?
- How might changing the laws bring unfairness and tyranny?

Arbitrary Laws. In ancient times, when most countries were ruled by powerful kings, very often the word of the ruler was the law. He alone decided what laws should be made and what punishments should be inflicted. The king would make any laws he wanted to. Whenever he felt like punishing people, he could quickly change the laws to suit his purpose. People in these countries obeyed the laws for one reason; they were afraid of the king and his cruel punishments. We call this system arbitrary, or despotic, rule.

One of the big steps in history toward a better method of lawmaking was taken by an ancient ruler of Babylon, a king named Hammurabi. About 4,000 years ago, Hammurabi made history when he wrote down a code of laws for his people. He was one of the first rulers ever to write a legal code and put it on display for all his people to see. Certain items in his code are listed below.

#### Hammurabi's Code of Laws

"An Eye for an Eye; a Tooth for a Tooth."

1. If a man have struck his father, they shall cut off his hands.

2. If a man have destroyed the eye of a gentleman, they shall destroy his eyes.
3. If he have broken a gentleman's bone, they shall break his bone.
4. If a man have knocked out the tooth of a man of his own rank, they shall knock out his tooth.
5. If a man have struck the person of a man who is his superior, he shall receive 60 strokes with an oxtail whip in public.
6. If a gentleman have struck another gentleman of equal rank, he shall pay one mina of silver.
7. If a gentleman's slave have struck the cheek of a free man, they shall cut off his ear.
8. If a builder have built a house for a man, and have not made it strong, and the house built have fallen down, and have caused the death of the owner of that house, that builder shall be put to death.

What is the most important thing to understand about these laws? Be careful that you don't miss the real point. The point is not that these penalties were cruel—which many were. Nor is the point that penalties for slaves were different from penalties for free men and for gentlemen. The point is that for the first time in history, a ruler had written down laws and the penalties for breaking them, so that everyone knew what they were.

- What advantages did the Babylonians have over people living in countries where the laws were unwritten?
- Did Hammurabi have more power or less power after these laws were displayed in public? Explain.
- What is meant by rule of law and by rule of man? Which do you think is fairer? Why?
- In our country today, do we believe in the kind of justice that requires "an eye for an eye"? Why or why not?

- What possible disadvantages can you see in an absolutely rigid rule of law? Should a judge take account of circumstances and personalities in deciding on penalties? For example: should the same penalty apply to a man who accidentally injures another as to a man who intentionally and knowingly commits the same injury? Or should the same penalty apply to a child, an adolescent, and an adult? Should the same penalty apply to a mentally ill person as to a sane person?
- \* You may care to look up another ancient code of laws. In the Hebrew Scriptures (Old Testament) look up Exodus, chapters 20-23. Many more laws of the ancient Hebrews are in Leviticus and Deuteronomy. How do these laws differ from those of Hammurabi? What do we mean when we speak of God's law, or Divine Law?

Obedience Based on Fear. The development of lawmaking proceeded very slowly after the time of Hammurabi. Even though some laws were written down, most people still had little to say about how the laws were written. They could not suggest the laws they wanted, nor could they find any way to change laws which they felt to be undesirable. Most people obeyed the laws, not because they thought the laws wise, but only because they were afraid of being caught and punished if they did not obey.

Here is an example of one of the laws of the Roman Republic, almost 2,000 years after Hammurabi.

The Roman Law of the Twelve Tables, 450 B.C.

Law LXXII

If a thief is caught red-handed and committed the theft when it was dark, or was caught armed in the daytime, he shall be put to death. If others caught in the act are free men, they shall receive lashes. If a man commits a theft in the open daylight and is not armed, he shall be sentenced. Slaves, after receiving lashes, shall be thrown from the Tarpeian rock to their death.

Today there are many places in the world where laws are made without the people's knowledge and consent. In the Soviet Union, for example, people have no way to influence new laws or to remove bad ones. The laws are made by the Soviet rulers (who are not chosen freely in an election). Then they are given to the people. The secret police scare people into obedience. Laws may be changed in secret and anyone who breaks a law can be severely punished. Like all societies that are not free, the people of the Soviet Union generally obey their laws out of fear of being punished.

\* How are the rulers of the Soviet Union selected?

Obedience Based on Participation. In some countries, lawmaking followed a different direction from the despotic way of Russia. Many hundreds of years ago, especially in England, the lawmaking power passed from the king to a council of men. These men, who came from different sections of the country, gradually came to be considered the representatives of the people. When this happened, the citizens of the country could finally have a voice in the laws of their country. By voting for representatives of their choice, the people could influence the passing of new laws and the removal of poor ones. Although several centuries passed before every adult was given the right to vote, the seeds of representative democracy were planted in these early times.

The idea that laws should be made and changed by the people's representatives, elected by a majority vote, is basic to our system of government in the United States. When we elect representatives to Congress, all of us are involved in lawmaking. As a result, Americans have other reasons, besides fear, for obeying the law.

To be realistic, it is probably true that some fear influences many of our decisions to obey. For example, if there were no penalties, is it likely that every person would pay all of his income tax? Would everyone always obey the speed limit if there were no patrol cars on the road? Would more boys yield to the temptation to set off the school's fire alarm if there were no danger of being caught? In many cases, the fear of being punished (or the fear of being caught and disgraced) is part of our motive for obeying the law. Nevertheless, much of our obedience is voluntary and not based upon fear.

- What reasons, besides fear, do people have for obeying laws?

### Obedience in a Free Society

Following is a summary of the most important reasons why Americans freely obey the law. As you study them, decide if any of the statements might apply to the citizens of the Soviet Union, as well as to citizens of the United States. That is, decide which of the statements below you think apply only to citizens of a free society.

1. Citizens of a free society obey the law because they appreciate the protection good laws give them. Free citizens understand that without laws, they would live in constant fear of being intentionally injured or robbed.
2. Most Americans even obey imperfect laws. This is because they realize the complete confusion that would result if any person might choose to disobey laws which he thought were unwise or imperfect. Many tax laws are imperfect; many stop signs ought to be removed and placed elsewhere. But imagine the disorder if people disobeyed these signs. Society needs order and certainty, and sometimes even unwise laws can give this.
  - Do you think most people stop for a red light at night at an intersection where there is no traffic and no police car in sight? Why?
3. Citizens of a free society obey laws—even bad ones—because they realize that laws are not necessarily permanent. Though it may take time, bad laws can be changed. Within the law, all citizens have the opportunity and the right to criticize the laws and to work toward improving them. As a result, most citizens of a democracy are not likely to despair. There is always hope that things will get better.
  - Can you think of any laws which have been or are being changed at the present time? Name some. What are some reasons for the change?
4. Citizens of a free government obey because they understand that laws represent the will of the majority of people. Because laws are made by representatives, elected by the people, all citizens have the opportunity to influence the

kinds of laws that are made. When a citizen believes in the democratic idea of majority rule, he must go along with the laws that the majority passes—even if he disagrees with some of them.

- In any case, the majority in the United States is not free to pass just any laws that the majority of the people want. We have many safeguards for individuals and minorities.
  1. What are some of these safeguards? Look up the Bill of Rights and Amendments XIII, XIV, XV in the Constitution of the United States.
  2. How does the Supreme Court of the United States serve as a check on majority tyranny?
  3. How does the separation of powers help to prevent abuse of lawmaking power?

### Are There Moral Laws of Nature?

We cannot leave this topic without mentioning a difficult but important point. Some persons believe that there are absolute moral laws of nature as well as absolute physical laws of nature. They say these moral laws are understood and obeyed by all truly reasonable men and women. They believe that a human law, no matter who makes it, ought not to go against these higher laws of nature.

- Here are some examples of moral laws of nature. Do you agree with them? Why or why not?
  1. Each normal, mature human being should be free to develop his or her own abilities and character.
  2. Human life should be respected and protected.
  3. Children should be cherished, especially by their parents. Parents should be respected by their children.

4. Cruelty is always wrong.
5. It is always wrong to harm other people intentionally.
6. Taking a person's property without a fair payment is wrong.

► Can you think of other similar moral laws of nature?

\* Read that part of the Declaration of Independence that begins,

"We hold these truths to be self-evident...."

What are these truths? Do you agree with them?  
What relation do they have to the moral laws of nature?

These moral laws play an important part in our behavior. We tend to follow them whether we are aware of it or not. It is very important for moral laws and human laws to be as close together as possible. Most of the time this is the case. Our written laws reinforce moral laws concerning responsibilities, murder, assault, robbery, and cruelty.

There have been times in history, however, when these two kinds of law have come into conflict. For example, during the period of slavery in America, before the Civil War, a federal law said that a person could be punished for helping a slave to escape. This human law obviously contradicted the moral law that all men have a right to be free.

- Do both moral laws and human laws have a punishment? Explain.
- If you had lived before the time of the Civil War, do you think you would have obeyed or disobeyed the federal law? Why or why not?

Another, more recent example, was the cruelty of Nazi Germany. Under Hitler's leadership, many people were ordered to do things that went against moral law. Some were told to execute men, women, and children because they belonged to a certain race. These people faced a great dilemma because they knew that if they disobeyed Hitler's orders they

might be executed themselves. On the other hand, a decent, reasonable person would suffer agonies of conscience if he or she obeyed the orders.

- The problem caused by conflict between moral law and the laws of the state is often extremely painful. It is also complicated. What would you do if the state had cruel, immoral laws, but did not make you personally enforce them? In Nazi Germany, most of the persons who carried out the torturing and murdering were "bad" persons—persons who were cold and cruel, persons who enjoyed the sufferings of others. What could an ordinary decent person do? Might the ordinary person, in a despotic state, not even know that horrible, mass cruelties were going on? What does your answer suggest about the importance of constitutional, limited government and of freedom of speech and information?

Slavery and mass murder are extreme examples. However, there are many times in our own lives when values and loyalties come into conflict. When this happens we are forced to make a choice.

Some choices are easy to make. In case of emergency, we would not hesitate to go beyond the speed limit in order to get to a hospital. Saving a life is more important than obeying a traffic rule. Unfortunately, however, many times we are forced to make very difficult choices. For example, what would you do if you discovered that a classmate is selling hard drugs at school? Most teenagers would face a conflict of loyalties. Should you be loyal to other students in the school who may be injured by these harmful drugs? Or should you be loyal to the code which says that you should never "fink" on a friend?

- This would be a tough dilemma for most students. Can you think of any other situations that would create a difficult choice?

Such situations force us to decide which values and which loyalties we think are the most important. Think about the following cases.

- a. Walking home from school, you meet a group of buddies who seem to be having a lot of fun. They are standing on an overpass, throwing rocks onto passing trains. They invite you to join in.

b. With a group of friends, you decide to wander through a large department store on the way home. One member of the group picks up a belt from one of the counters and hides it under his coat. He dares the rest to try their luck. Everyone else seems to be enthusiastic about the challenge. Then they look at you.

- In each case, which two values or loyalties are in conflict?
- Which loyalty do you think is the stronger?
- Finally, consider what you think you should do and what you think you would do:

walk away,

join in,

inform parents or authorities,

try to persuade your friends to change their behavior.

Give reasons for your choice.

#### WHY SHOULD I OBEY THE LAW?

So far in this chapter, we have discussed how important it is for men and women to live together under a set of written laws. But it is one thing to agree—or to understand—that society needs law, and another thing to say I will obey the law. Why should "I" obey this law, or that law, or any other law? At this point, let us quickly, and very personally, think about the consequences of breaking the law.

#### Predictability

Earlier we indicated that laws provide us with a framework of expectations. That is, when everyone obeys the same rules, we can count on...plan for...depend on...certain things to happen. Whenever you break the law,

however, you step outside of this framework. Then there is no way of knowing what will happen. When you break the law you can never "foresee" or "predict" the consequences of your actions. The unintended results can be tragic, as the following stories show.

1. A young boy thought it would be "harmless" fun to remove the receiver part of several public telephones. He never intended to hurt anyone. He never expected that an emergency would come up and that because one of "his" telephones did not work, a fire would burn out of control and destroy a man's home and all of his possessions.
2. Several members of a teenage gang needed some extra cash for a wine party. The old man who was walking along the dark street seemed a perfect target. They didn't wish to hurt the man—just take his money. How were they to know that the old gentleman would put up a fight and suddenly have a heart attack?
3. The young man never wanted to break into the house on Walnut Street. But he couldn't back down from a dare. And besides, the owner of the house was going to be away at a dinner-dance at a local country club. The boy never intended to use the gun he carried in his pocket; he just brought it along for security. How was he to know that the owner would return unexpectedly and find him hiding in the closet? The boy didn't want to shoot the man...the gun just went off...he must have panicked! And now, at the age of 14, he had killed a man.

### Injury to Innocent People

Almost all crime hurts people. This may seem obvious to you, but some people, especially when they are young, do not think about how their actions can hurt others. Shoplifting is a good example.

Who is hurt by shoplifting? In the first place the store owner is hurt. He is not a machine—he is a man who probably has a family and plenty of bills to pay. Though he may run a big store, chances are that his profit margin is thin and that he must work very hard to make his living.

- What if the store owner were a wealthy man?  
Is it less wrong to steal from a rich person than from a poor person? Explain.

Who else is hurt? Most probably your friends, your family, your neighbors, and the little old lady down the street; in fact everyone who shops in that store is hurt. Why? Because shoplifting raises prices by as much as 15 per cent, and this means that many innocent, hard-working people get less for their money. You know how hard most people have to work to make a living. You know, too, how high prices are these days.

- Have you ever forgotten (and this does happen) and walked out of a store without paying? Did the store owner believe your story? Why or why not?
- How many individual people might be hurt—either directly or indirectly—by the following offenses:
  - a. skyjacking an airplane
  - b. cheating on a final test
  - c. stealing an automobile to go for a joyride
  - d. breaking the windows of the chemistry lab
  - e. being a public nuisance by using foul language and obstructing the entrance to a neighborhood drugstore

### The Golden Rule

In a discussion about obeying the law there are a number of points of view that should be presented. There is the legal side—but there is also a philosophical and even a religious side to the issue. You may or may not agree with this next idea, but because it is a point of view that has been reached by all the world's great religions and by most of the world's great philosophers, it is worth careful consideration.

Very simply, it is the idea that people should behave according to the golden rule: "Do unto others as you would have them do unto you." Or,



in reverse language, never behave toward other people in a way that you would not want them to behave toward you. Thus if you feel that it is not right for others to steal or destroy your property, then you should feel that it is not right for you to steal or destroy the property of others. Looking at it from a different angle, if you believe that it is not wrong to shoplift from a department store, then you should feel that it is not wrong for someone to open your school locker and steal your wallet. If you see nothing the matter with breaking a few windows and damaging the property of others, then you should have no objections when someone slashes the tires of your bicycle.

If you want to have respect for yourself—and this is very important—then it would seem that you should follow the same standards of conduct that you expect other people to follow. If it is right for you, then it must be right for everyone. In practical terms, whenever you are in doubt about a course of action that you are considering, ask yourself what would happen if everyone acted in the same way. Should I steal this car? What would happen if everybody tried to steal automobiles?

- Do you agree with this point of view? Is the golden rule a good guide for personal behavior? Give some examples to support your answer.
- What would you do if a girl at the check-out counter accidentally gave you a five-dollar bill instead of a one-dollar bill in change?
  - ...What if you knew that at the end of the day the girl would have to pay for her mistake out of her own pocket?
  - ...What if the check-out girl were your sister or your girl friend? What would you expect a stranger to do if he received the extra money?
- Let's say for a minute that you decided to take the extra money that was given to you by mistake. Consider another girl at the next check-out counter. She has been secretly cheating her customers by shortchanging them and slipping the extra money in her purse.
  - ...Is there a legal difference between your action and hers?
  - ...Is there a moral difference between your action and hers? Explain.

CASE STUDY (The following is based on an actual case; the names, however, have been changed.)

In the late afternoon of Friday, January 27, 1956, two youths, Clive, 14, and Fred, 16, were walking past an automobile showroom. They paused to look at the new automobiles parked on the company's lots and along the curb and on the nearby parkway across the street. Clive noticed a new auto parked on the sidestreet with the keys in the ignition. The boys inspected the car for a few minutes and did not see anyone who appeared to be watching the car. Clive slipped into the car and started the engine. Fred got in next to him and Clive drove away, apparently unnoticed. Between 5 and 10 o'clock that evening, Clive drove the car about 30 miles, stopping at home for dinner, leaving the car on a nearby street. At 10 P.M. Clive parked the car for the night on a little-used street and returned home, keeping the keys in his possession.

The next evening, January 28, Fred, who had a driver's license and was driving his father's car, picked up Clive and they drove about for some time. Two friends joined them and Clive told them about the stolen car. One of the friends, 14-year-old Dennis, whose breath smelled of liquor, said that he had a bottle of whisky hidden in a nearby alley. He would trade the bottle for the keys to the stolen car. A bargain was made and the bottle was exchanged for the keys. Dennis was driven to the place where the stolen car was parked. Prior to this he had driven a car only once—when he took his father's car a distance of two blocks. Nonetheless, he got into the stolen vehicle and drove it away. At 10:30 P.M. he picked up a friend, Ralph, age 15, and around 11 P.M. drove north on Hamlin Avenue.

At this same time Walter Kane was driving his father's automobile east on 59th Street. He was accompanied by his wife, Jane, and his baby daughter, Katie. At the intersection of Hamlin Avenue the auto was struck by Dennis's northbound car—which did not stop for the stop sign protecting 59th Street traffic. The Kane auto was struck with such force that it careened across the intersection into the doorway of a building on the northeast corner. The auto caught fire and was so completely damaged that it was later sold for salvage. A resident of the neighborhood pulled the Kane family from their car with the assistance of Ralph, who got out of the stolen car and came to help. The fire and police departments responded to calls and the injured family was rushed to the hospital.

The Kanes were severely injured. Jane Kane did not regain consciousness for four or five days and during that time she was in danger of death. Many of her bones were broken and her lungs were so severely damaged



and her heart so endangered that pain-relieving drugs could not be administered. Her fractured bones could not be treated for five days and then only under local anesthetics. She remained in the hospital for four months, left it in a wheel chair, spent a year on crutches, and returned to the hospital six years later for an operation on her hip; she returned two more times for further treatments. Her left leg is much shorter than her right and she has other permanent disabilities. Eight-month-old Katie also suffered serious injuries, including broken legs and a fractured skull. At the time of the trial, one leg was a quarter of an inch shorter than the other, and her knees were still slightly bowed. Walter Kane lost consciousness in the accident and remained unconscious until the next day. His head, back, and legs were injured. He was in the hospital three and a half weeks and was away from work six weeks.

Walter Kane's medical expenses were \$547.75 and his lost wages amounted to \$450.00. Jane Kane's medical expenses up to the time of the trial (almost eight years after the accident) totaled \$10,516.79. Medical expenses for Katie and the cost of orthopedic shoes came to \$1,009.93.

- How many laws were broken in the events that led to the tragedy?
- Describe the full extent of the harm that was caused by this collision.

To Think About. When laws are broken, no one can predict or foresee what will happen. The two boys who stole the car from the auto dealer did not wish to harm anyone. Neither did the salesman who left the keys in the parked auto, nor the 14-year-old boy who was driving the car.

- Who do you think was most to blame? Why?

► What is the definition of vandalism?

\* Where does the word "vandal" come from? Find out who the Vandals were.

# Suburbs Launch War on Vandals

*Westlake church is vandalized*  
Scores of Solon Gravestones Wrecked  
5 Teens Face Cemetery Vandalism Quiz

Owner Cites Vandalism  
Arson Probe Set of \$200,000 Blaze  
*Vandals KO 300 Phones*  
Groza Field vandalism spurs July 2 benefit softball game  
Goodwill Boxes Are Vandalized  
CTS Studying Plan to Fence Out Vandals

Vandalism Problem for All  
*Vandals, thieves hit area schools*  
Pellet guns... Four Teens Are Charged tools of violence and vandalism  
Vandals vs. Art  
Teen Curfew  
Train Vandalists  
Stop Vandals

## CHAPTER 4

### Two Special Problems: Vandalism and Shoplifting

By now, you have discussed the reasons for having laws and the importance of obeying them. However, it is not always easy to put principles and theories into practice. Most people say that they believe in obeying the law, but in everyday life some are often tempted to break them.

For many teenagers, there are several especially strong temptations. In this chapter you will discuss two of these temptations—shoplifting and vandalism. You should try to discover why these crimes are so attractive to young people and also look to see what the consequences of these crimes can be. Even more important, you should have the opportunity to test your own beliefs about obeying the law. Be prepared to ask yourself how you will handle the temptations of vandalism and shoplifting.

#### VANDALISM

The teen-age vandal is a primary school child who breaks windows or a high school student who blows up mailboxes with a firecracker. He is a straight-A pupil or a consistent scholastic failure, police point out. He is the heir-apparent of a million dollars or the youngest of 13 poor children. He is sometimes a she.

—Herald Statesman  
Yonkers, New York<sup>6</sup>

What do you think this quotation means? Who are these young vandals? Are they rich or are they poor? Do they live in the big cities or in the wealthy suburbs? Do they go to elementary school, junior high, or senior high school? The answer is, of course, all of these. Vandalism is a widespread problem throughout our country and it appears to be growing worse. More and more headlines tell of the destruction and damage caused by reckless youths.

Almost everyone can think of examples of vandalism. It is found in every city and in every suburb; it is common to every railroad company, bus company, and telephone company; and it is seen along all of our nation's highways and in all of our national parks. It is estimated that America loses hundreds of millions of dollars each year as a result of vandalism—AND ALMOST HALF OF THIS VANDALISM IS DONE BY YOUTHS UNDER THE AGE OF 15.

- What examples of vandalism can you think of in your own community?
- Who was responsible? Can you think of any reasons for their behavior?
- Who was directly hurt by this destruction? Who was indirectly hurt? Did this vandalism in any way affect you?
- What did the police do? Why?
- Can you think of any way to prevent this type of destruction?

### Some Apparent Causes of Vandalism

Of all the problems we face in our communities, vandalism is one of the most frustrating. It is hard to understand the reason or the motive behind the destruction of property. For example, how do you explain the actions of the boy who strolled down Park Avenue in New York City not long ago. As he walked he systematically cut the telephone receivers on outdoor phones by melting the connecting cables with a cigarette lighter. He then placed the loose receivers back on their hooks in the booths. There was no property stolen—however, property was damaged. Or how can you make sense out of the destruction in Union Township, New Jersey, in October of 1969? One morning the residents of that city woke up to find that the windshields of 250 parked cars had been smashed with BB guns.

Why do boys, and sometimes girls, damage property that belongs to others? It is very difficult to get a simple, honest answer to this question. In fact, many youngsters themselves don't know the reasons for their actions. When frustrated policemen or parents ask the inevitable question, "Why?" the most common reply from a young vandal is a mumbled, "I don't know."

There are causes for everything that people do. If we look at the problem of vandalism closely, we should be able to identify two or three of the motives that lead some young people to acts of destruction.

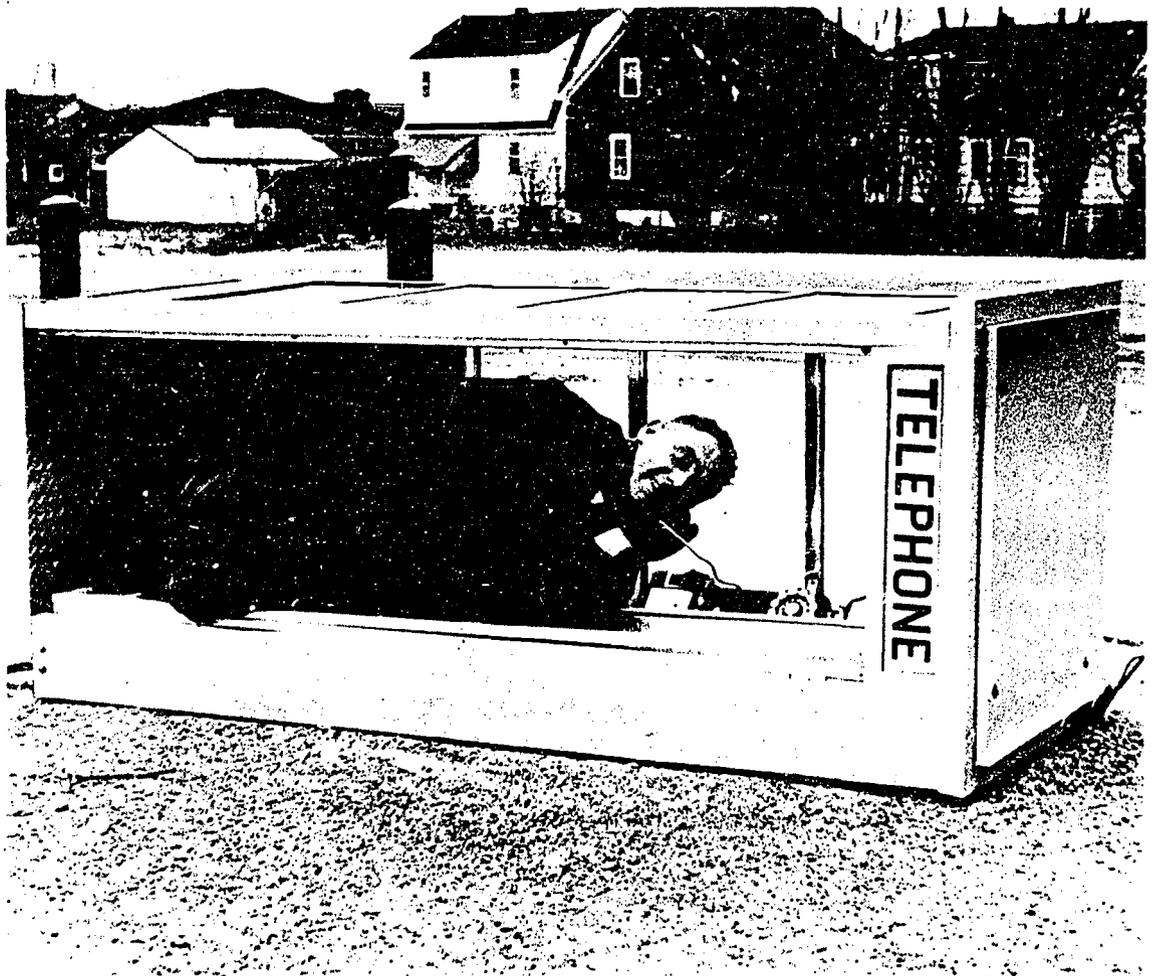
Fun and Vandalism. There is little question about the number one excuse given for teenage vandalism. You have probably guessed it; perhaps you have even used it yourself: "Oh...for kicks," "...for something to do," "...for some excitement."

There seems to be one complaint shared by most adolescents. Whether they live in the country, the city, or the suburb, the words are almost the same: "We don't have any fun. There's nothing to do in this dumb place!" Sound familiar? This is because even though your community may have a library, movie theater, bowling alley, and swimming pool, you probably find that there are times when you are bored. It seems likely, therefore, that much vandalism is caused by restless youths who are out looking for some fun and excitement.

One 16-year-old boy recently said: "Junior high! Those are your fun years. Really. Seventh, eighth, ninth grades. You go out, break windows, steal bicycle tires while the rest of the bicycle is chained to the rack, and when construction crews come around you let the air out of the big tires overnight, and they have to pump it up in the morning and they never get anything done. This is mostly in junior high. Then in high school it all simmers down."<sup>7</sup>

- Why do you think these kinds of things happen in junior high, but "simmer down" when the boys become older and go to senior high?

Another young man gave this example: "This last July my parents were out of town. Me and these other kids went on this hayride. We got home about eleven o'clock. Well, we were walking around; we were going to stay up all night—just something to keep us awake. We went out and broke windows and ran—just for excitement. We would just walk by and someone would pick up a rock and throw it and everyone would start running. We broke about fifty windows. We went around all night till it got light."<sup>8</sup>



- It has been said that no one really knows the cost of a broken window until he has had to work hard enough to pay for one. Do you think these boys had any idea of the amount of damage they had done? What do you think a good punishment might be? (What do you think Hammurabi might have done?)

In Houston, Texas, not long ago, two teenage boys did \$170,000 worth of damage to 153 new foreign cars in a distributors' parking lot. They figured out how to start the cars and then ran them into each other. When asked why, they said they wanted something exciting to do. They thought it would be "fun" to play around with the cars.

- Who do you think should pay for these damages? Should parents be responsible for the damage caused by their children? Why or why not?

A local community was debating whether to build a recreation center. At a rap session with the mayor, both parents and teenagers gave their opinions:

Speaking in favor of the recreation center, one ninth-grade student said: "We have nothing to do in this town. That's the reason why some kids hang around the street corner or drive around looking for trouble. There's nothing else to do. There wouldn't be any trouble if there was some place for kids to go and have a good time."

Speaking against the recreation center, one parent replied: "That's a cop-out. Some young people would enjoy a well-organized recreation center. But the gangs that destroy things and get into trouble with the police wouldn't come to a community center like this. They would continue to hang around street corners. 'Having nothing to do' is just a convenient excuse. Besides, we never had any kind of fancy center when I was a boy, and we never got into trouble."

- Which point of view do you agree with? Do you think that those teenagers who have a reputation for causing trouble would attend a recreation center? Explain.

# Pellet guns... tools of violence



- If a community wanted to provide activities for its young people, what kinds of programs or facilities would you recommend? Why?
- What activities would you like to see developed in your community? Do you think planned activities would help to reduce vandalism? Explain.

Anger and Vandalism. Of all the different buildings in a community, which one do you think gets "hit" the hardest by vandalism? Chances are you guessed correctly. The school. Our public schools are by far the most frequent target of teenage destruction. Throughout the nation as a whole, our schools lose more than a hundred million dollars each year as a result of vandalism. Why?

Are the young people who deface or destroy school property showing their anger at school administrators or teachers? This appears to be the way a few boys and girls try to "get back" or "get even." When they damage school property, some think that they are getting revenge: revenge against a school that forces them to sit in boring classes or in classes that are too difficult; revenge against teachers who expect too much from them, or who just don't care about them.

Perhaps "revenge" is a bigger cause of vandalism than we can imagine. We don't know for sure, but it could be that students have a good deal of anger—not just toward the school, but toward parents, police, neighbors, store owners...in fact toward the whole world. Because a group of boys smashed 250 car windows one night doesn't mean that they were angry at 250 car owners. But they may have been showing their anger at parents who criticize their hair or their clothes; they may have been striking back at police who always pick on "longhairs" or hustle them home abruptly at curfew; they may have been saying something, in the only way they knew how, to library officials, bowling alley supervisors, or store owners who don't want them around. It would be hard to estimate how much vandalism is the result of this kind of frustration and anger. What do you think? Listen to the words of several different teenagers:

"I and some of my friends went over to the school and we decided to break some of Mr. X's windows for the simple reason that we absolutely despise this teacher. There were about four or five of us."<sup>9</sup>

"That's why our big thing is egg throwing or tomato throwing. We used to pick people. Different days we used to hit different people. 'Cause, you know, it kept bugging us about not playing in the street if the ball goes on their lawn and stuff so we just pick them one night and the next night a different person. I mean...if they ask you to move down, I mean maybe we could move down for them...so anyway...they usually don't ask you to move... they just tell you don't play there any more."<sup>10</sup>

"Well, sometimes it gets to a point...like... you try to explain. And they don't let you. And you get madder and madder. And you start yelling at them. Because I know that happens with my mother. If something goes wrong, and I try to explain to my mother...if she's mad at me she just yells and doesn't let me explain. And I start yelling and my father gets aggravated because I'm yelling at my mother."<sup>11</sup>

"There's nothing to do in this town. Everybody's always kicking you out of places. You can't even stand on the street corner with your friends because the police are always telling you to break it up. Everywhere you go you're in the way. They just think we're a bunch of dumb longhairs."

- It was later discovered that the 14-year-old boy who made this last statement was part of a gang that had vandalized a newly constructed community center. Village officials couldn't understand why anyone would want to do harm to a center that was being built especially for the young people of the community. Can you?

Group pressure. Thus far, we have talked about two apparent causes of vandalism—excitement and revenge. There is at least one more important idea that should be discussed. This is the influence that companions have on our behavior.

A teenager doesn't usually get into trouble when he is alone. Most misbehavior, such as vandalism, results from groups of boys or girls. This is because an individual will often do something in a group that he would not ordinarily do.

Almost every human being wants to be popular. This is true of adults as well as of teenagers. However, the need to be well liked and admired seems to be strongest during adolescence. For some young people, the desire to be popular with the group is stronger than the desire to obey the law. How often do we "go along" because we don't want to be left out or thought of as cowardly? How often have you—have we all—done foolish things on a dare?

"Bet you can't shoot a hole in that upper window!"

"Come on...We're all going over to the school and mess up old man Benson's classroom."

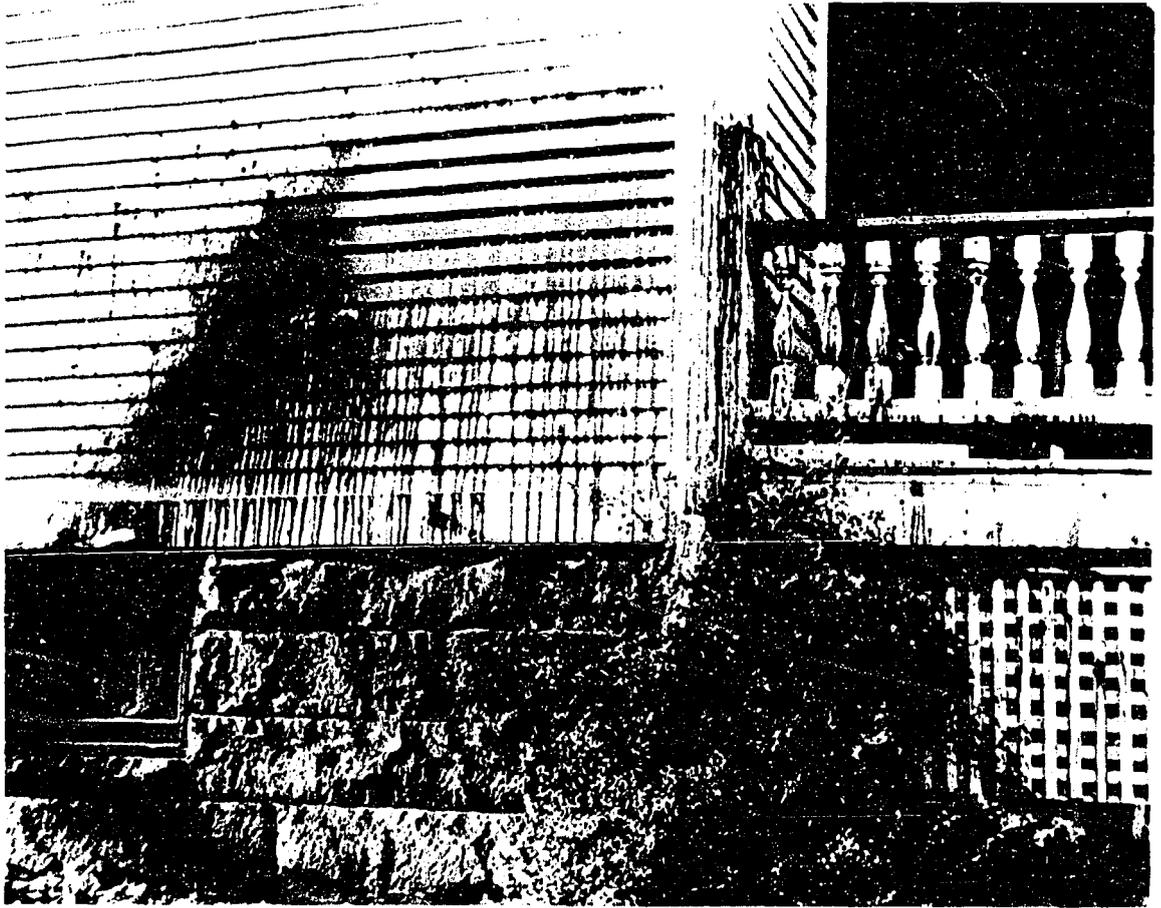
"Hey! Here's a car with the keys in it. What do you say we go for a little spin?"

"Bet you're too scared of your old lady to stay out all night!"

- Can you remember any personal experiences when you were tempted to do something wrong because of pressure from your companions? What did you finally decide to do? Why?
- Can you think of any examples of a person your age who refused to "go along" with the gang when it was decided to do something harmful? What happened? What was your personal reaction to this decision? Did you have more or less respect for this individual after his decision?

### Personal Consequences of Vandalism

Most of us think about the cost of vandalism in terms of dollars and cents. "How much was it worth?" "How much damage was done?" "What will it cost to repair?" We are continually shocked to read about how much money we pay for vandalism.



What might be a fitting punishment for this kind of vandalism?

Yet, as shocking as some of the figures are, dollars and cents do not represent the full cost of vandalism. There are other consequences besides the financial loss—some are far-reaching; some are tragic. In fact, if teenagers (and adults) were able to foresee the total consequences of their actions, there is strong reason to believe that most would not commit acts of destruction.

- Telephone companies estimate that because of vandalism 11,000 pay telephones are out of order each day. The damage report amounts to approximately \$10 million per year. Explain why the loss in dollars may not represent the full cost of telephone vandalism.
- The United States Office of Education estimates that vandalism cost the public schools of our country about \$100 million each year. In what other ways, besides money, do parents and school children pay for this vandalism?

To help you better understand the full effects of vandalism, a set of questions is listed below. These questions can serve as a guideline in helping you judge the seriousness of a specific act of vandalism by examining its effects on people.

1. How large a group of people is affected by this act of vandalism?
2. How deep an effect does this have on people? How much emotion and feeling are involved?
3. What risks are there of injury or loss of life from this action?
4. What is the financial cost for repair or replacement?
5. What does this loss of money mean to the victim? What services might be lost as a result of this financial drain?
6. What are the indirect financial costs involved and who will pay for them? Might this action have an influence on such things as insurance rates, size of staff, or taxes? Might this action result in higher prices?

7. How much time and effort will be required for repair?
8. What inconveniences might this cause to others while the damage is being repaired?
9. Does this action result in a permanent loss of beauty—either natural or man-made?

With these questions in mind, analyze and discuss the following examples of today's vandalism. Try to estimate as many possible consequences as you can in determining how serious they are.

One October evening in 1969, six boys, ranging in age from six to ten, broke into a scientific laboratory in Cambridge, Massachusetts. They sprayed the laboratory with a fire extinguisher, poured chemicals over valuable files, and released more than 2,000 specially bred hamsters. The animals were the result of years of planned breeding to aid research in the fight against cancer and heart disease. Hundreds of hamsters scurried through the streets, and the bodies of many others were found floating in the Charles River. Many other animals, stomped and mutilated, were scattered throughout the building. The director of the institute estimated that it would take two or three years to replace the destroyed hamsters at a cost of \$100,000 a year.

- What do you think the greatest cost of this act of vandalism might have been?

In the first six months of 1972, the junior high school in Garfield Heights, Ohio, suffered a loss of \$50,000 in destruction. Almost all of this destruction was broken windows. To safeguard against such tremendous losses in the future, the Garfield school board has decided to install an alarm system. Cost: \$6,600 per year.

- What is the cost per year of a qualified teacher?  
How much equipment (sports, music, vocational education, art, etc.) could be purchased for \$56,600?

- Who are the big losers here?

In July 1972, the Cleveland Transit System (CTS) announced plans to study the possibility of fencing 99 bridges that cross the 19-mile rapid transit route from Windermere Station to Cleveland Hopkins Airport. The fences, which would cost an estimated \$55,000, are under study because of the

menace of teenage vandals who throw debris from the overpasses onto the passing trains. Union leaders complain that two or three drivers a week are getting hurt by objects thrown at trains. (On the day following the CTS announcement, a 5-foot iron bar and a chunk of concrete were hurled from a bridge at West 44 Street; on the next day, a rapid transit car was damaged, and a motorman was taken to the hospital to have sprayed glass removed from one eye.) At the same time this fencing study was announced, CTS also announced that it was having financial difficulties and that bus service into several areas of the community such as Erieview and Garden Valley would be delayed.

- A father recently remarked, "I never thought very much about throwing snowballs at passing cars when I was a boy. It was fun...until I began to drive." What did he mean? Would a bus or a train make a good target if you knew that your family was riding on it?
- Name as many possible consequences of this type of vandalism as you can.

In Solon, Ohio, during the spring of 1972, police were questioning five youths—aged 14 to 16—in connection with the destruction of scores of gravestones in the historic Roselawn Cemetery: 67 stones were either broken or knocked over, including one stone that was over 169 years old. Flowers from many graves were pulled from the ground and scattered about the cemetery. Total damage was estimated at \$6,000. One woman told reporters that the hand-made wooden cabinet on the top of her father's grave could never be replaced.

- Explain why the cost of this vandalism was much more than \$6,000.
- If a loved one of one of these boys had been buried here, do you think this destruction would have occurred?

Because of the vandalism on our public roads, many states must employ full-time highway crews to repair and replace road signs. Many of these signs have been taken by teenagers to use as bedroom decorations. Others have been the targets of youths with pellet guns or spraypaint cans. It is not uncommon to see a 35 MPH street sign repainted to appear 85 MPH. The cost to replace road signs in the state of Oregon alone amounts to \$100,000 per year.

► Who will pay most for this vandalism?

At about 12:40 A.M. on the morning of March 24, 1970, residents of the University Circle area of Cleveland heard a loud explosion. Police quickly rushed to the scene and discovered that someone had exploded a bomb outside the Cleveland Museum of Art. The target of the blast was "The Thinker" a copy of the famous statue by the sculptor Auguste Rodin. The police determined that someone had placed a length of pipe containing an explosive at the base of the statue. A 10-foot fuse had allowed the bomber seven minutes to make his escape before the blast.

The hollow bronze statue had attracted countless thousands of visitors since it was first placed in front of the museum in 1917. The value of the statue, one of only 25 or 26 scale copies of "The Thinker," was estimated at between \$50,000 and \$100,000.

In mid-July 1970, officials of the museum announced that they would probably not repair the statue, since it could not be put back to its original condition. At that time, police were still looking for the vandal.

- How many people are affected by this act of vandalism?

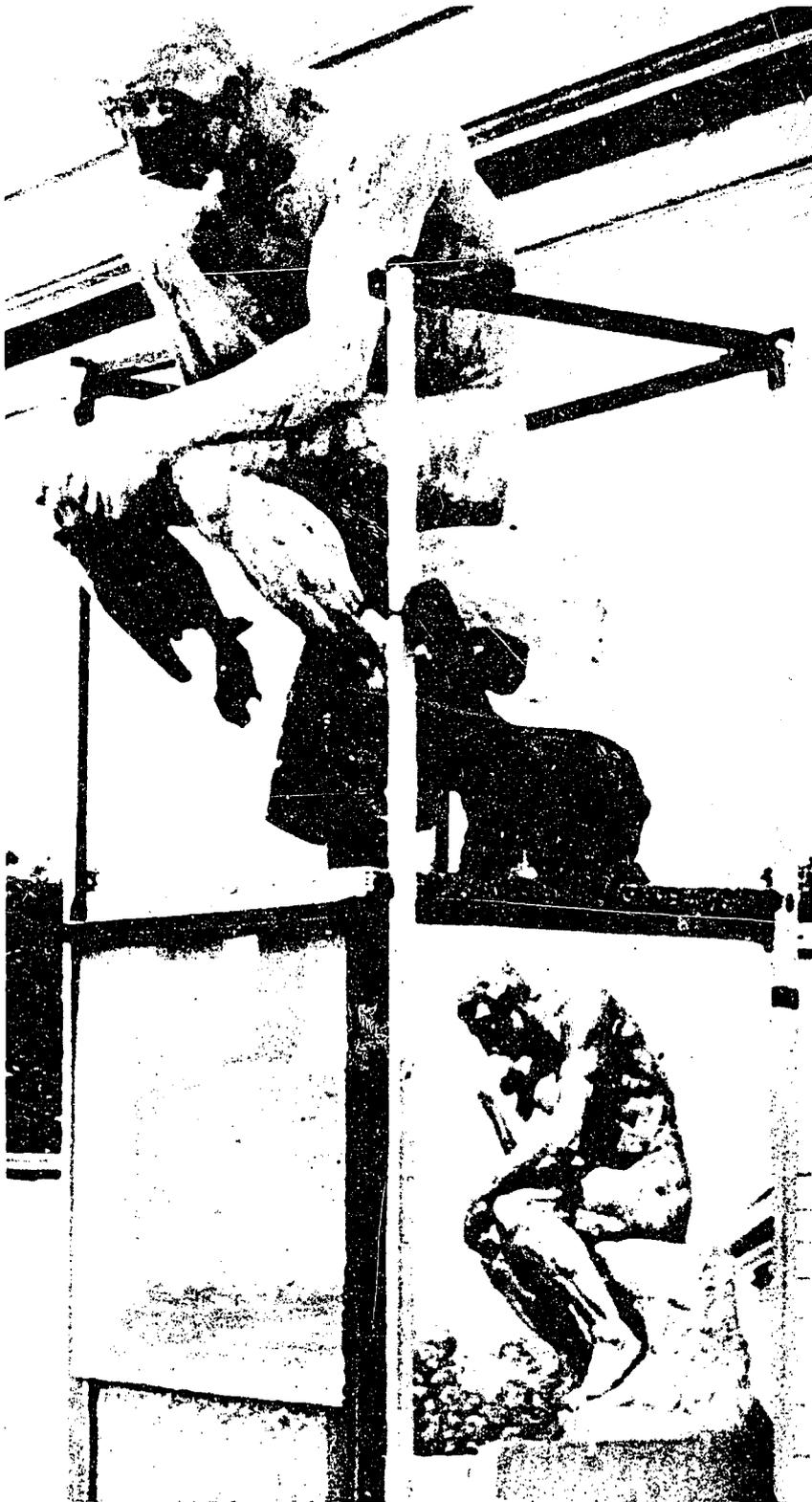
### Legal Consequences of Vandalism

Read the following law from the Ohio Revised Code, 1971.

**3109.09 Liability of parents for destructive acts by their children.**

Any owner of property is entitled to maintain an action to recover compensatory damages in a civil action in an amount not to exceed two thousand dollars and costs of suit in a court of competent jurisdiction from the parents having the custody and control of a minor under the age of eighteen years, who willfully damages property belonging to such owner. A finding of willful destruction of property is not dependent upon a prior finding of delinquency of such minor.

Such action shall be commenced and heard as in other civil actions for damages.



Rodin's famous statue of *The Thinker* was damaged by vandals in 1970. How can anyone estimate the cost of damage to great works of art?

- Do you understand the meaning of this law? Explain it simply in your own words.
- How do you feel about this law?
- ▶ Before September 1969, the limit of the parents' financial responsibility for vandalism by their children was \$800. Why do you think the amount was raised to \$2,000?
- In what other ways do you think parents are affected by acts of vandalism committed by their children?
- How do you think your parents would feel if you committed an act of vandalism? How would they react? Why?

## SHOPLIFTING

After he had been introduced by the teacher, the guest speaker began by asking the students a question. "Be honest," he said. "How many of you have ever stolen money from someone else?" The class remained silent. No one stirred. "Then how many of you have gone into a store and shoplifted?" Immediately, from all parts of the room, hands were raised.

The visitor in this incident was Julian McGill, formerly with the FBI, and currently working as the security director for Cleveland's Higbee's Department Store. Whenever he has a chance in his busy schedule, Mr. McGill tries to get away from his 9th-floor office and out into the schools. He wants to meet young people to talk to them about the problem of shoplifting.

### Shoplifting Is a Crime

Mr. McGill has two reasons for doing this. One reason is because it is his job to protect Higbee's from losing thousands of dollars each year in theft. The other is that he is also a parent, and he doesn't like to see teenagers get hurt. Too often, he says, young people today don't realize

that they are stealing when they take things from a store. "Is there any real difference," he asks, "between taking \$30 from the cash register and taking a sweater which is worth \$30?"

There seems to be a growing tendency today among older children to think of shoplifting as a fairly harmless "prank." A rather large number of usually well-behaved students no longer see anything wrong with stealing a few pieces of jewelry or a few record albums—especially if it is from a large department or chain store.

"They're so big, they'll never miss it....and anyway, it's they're fault for raising the prices.. so high."

It is quite a surprise for many young people when they get caught shoplifting. "Don't tell me I'm going to be arrested just for shoplifting!" exclaimed one young lady with a purse full of cosmetics. Another boy, whose light fingers had helped themselves to some radio batteries, said to his parents after he had been released by police, "They arrested me like I was a criminal!"<sup>12</sup>

The point is that shoplifting IS a crime. Ohio and other states are very clear on this point and provide stiff penalties for any adult who is convicted. For teenagers as well, the "harmless prank" of shoplifting can bring serious and tragic consequences.

The following law appears in the Ohio Revised Code, 1971.

**2907.20 Larceny. (GC 12447) No person shall steal anything of value.**

**Whoever violates this section is guilty of larceny, and, if the value of the thing stolen is sixty dollars or more, shall be imprisoned not less than one nor more than seven years. If the value is less than sixty dollars, such person shall be fined not more than three hundred dollars or imprisoned not more than ninety days, or both.**

### A Survey of Shoplifting

As with vandalism, some young people use shoplifting as a way of "getting revenge" or "getting even" with parents, teachers, or even with store owners. Others are pressured into stealing by their "friends." Most shoplifting is a group activity, and it is often hard for teenagers to accept the label of "chicken."

It is clear that many boys and girls steal out of desire for fun and excitement. This is not to say that young people do not take things that they think they need (most stores find the greatest amount of shoplifting occurs when a new fad is introduced or a new style becomes popular); but they are often tempted by a sense of adventure to steal "without being caught." Notice this sense of adventure in a description of a gang of shoplifting boys:

When we were shoplifting we always made a game of it. For example, we might gamble on who could steal the most caps in a day or who could steal in the presence of a detective and then get away. We were always daring each other that way and thinking up new schemes. This was the best part of the game. I would go into a store to steal a cap by trying one on, and when the clerk was not watching, walk out of the store, leaving the old cap. With the new cap on my head I would go into another store, do the same thing as in the other store, getting a new hat and leaving the one I had taken in the first place. I might do this all day and have one hat at night. It was the fun I wanted, not the hat.<sup>13</sup>

What about shoplifting in your own community? Is it a serious problem? Answer the following questions. Then come to some conclusions about the problem of shoplifting in your own area:

1. How common is shoplifting among the young people in your school? Is it more common among boys or among girls?
2. Do many of your companions shoplift? When did most of them begin taking things from stores?
3. Among your own friends, is shoplifting considered a serious offense? Explain.

4. What kinds of things are usually taken from the stores in your community? Which stores are the hardest "hit"? Why?
5. Do you think that most young shoplifters can afford to buy most of the things that they steal?
6. What do you think is the most important cause of shoplifting in your area: (a) fun—excitement; (b) anger—getting even; (c) poverty; (d) group pressure; (e) others?
7. Is most shoplifting done in a group of two or three (or more) or is it done alone by a single individual?
8. Do you think that many parents know that their children are shoplifting? How do you think they would react if they did know? How would your parents react if they were to discover you shoplifting?

### What Are the Facts ?

Now that you have discussed the issue of stealing in your area, compare your findings with some hard facts about shoplifting throughout the nation:

1. Throughout the United States, there are more than 15,000 shoplifters at work each day; this means that about one out of every ten shoppers is stealing. Altogether these shoplifters are responsible for 100,000 thefts per week.
2. It is estimated that of all shoplifters, 50 per cent are under the age of 18; fully one-half of all shoplifting is done by youths between the ages of 11 and 14.
3. The annual loss to merchants from shoplifting is estimated at about \$4 billion.
4. Shoplifting is on the increase. FBI figures show an increase of 150 per cent between 1960-70. Another study showed that from 1962-72, shoplifting went up by 220 per cent.

5. Shoplifters are more often girls than boys (perhaps because there are more girl shoppers); females steal twice as often as males, both as teenagers and adults.
6. Approximately 75 per cent of the shoplifters steal while part of a group.
7. Shoplifting appears to be as common in wealthy suburbs as it is in the inner city.
8. Only a few shoplifters are emotionally sick (kleptomaniac); only a few shoplifters are too poor to pay for the things that they steal.
9. Shoplifting is a crime. In Ohio, a theft of any article worth less than \$60 is called a larceny; anything over \$60 is called a felony.
  - a. The maximum adult penalty for larceny can be a \$300 fine and 90 days in jail.
  - b. The maximum adult penalty for a felony can be 7 years in prison.
10. Juveniles from ages 7-17 can be convicted of shoplifting; court judges usually place juvenile shoplifters on probation for a first offense.
11. It is also against the law to be in a group in which someone is shoplifting; even if you haven't taken anything yourself, you can be "guilty by association."

### "Gains" in Shoplifting

In spite of the stiff penalties, shoplifting is widespread among teenagers. To be completely fair, let us consider the shoplifters' side of the story. Teenage shoplifters believe they get certain rewards from stealing. Read the following list of what they consider "rewards" or "gains."

1. You get something for nothing.

2. You win popularity. Almost everybody does it. It's socially acceptable. No one in the "group" will think that you are a thief; in fact, they will probably think that you are a "square" (or even worse, "a chicken") if you don't.
3. You get excitement. There's a challenge in trying to take something without getting caught. There's adventure in trying to outfox the store owners and security guards.
4. It's a way to rebel. When you steal, you can show your parents and teachers that you're not going to obey their rules.
5. It's a way to embarrass your mother and father, because if you are caught and go to juvenile court, your parents must appear with you.
6. When you are under 18, the penalty for getting caught is less than if you were an adult. You may even be released by the store owner; but even if you go to juvenile court, you will probably only receive probation if it is your first offense.
  - What do you think of these "rewards"? Do you find any of them tempting? Can you explain why?
  - Can you think of any others?

### Losses and Risks

Now let's look at the other side of the coin—the losses and risks involved in shoplifting.

1. Stores lose up to \$4 billion each year from theft. Because of this and because of the extra money needed for security guards and equipment, prices are higher than they need to be. If shoplifting could be eliminated, most prices could be reduced as much as 15 per cent.

2. It is getting harder and harder to "get away with it." Stores are investing huge amounts of money to protect their goods and to apprehend thieves. Protective devices include:
  - a. Red Alert System—used by shopping malls and shopping centers with small stores. A suspicious person triggers a chain reaction. Each merchant calls another store, and a description of the suspected shoplifter travels from one shop to the next until all are notified.
  - b. Sensomatic System—used by large department stores. This is a good example of the increasing use of electronics in the fight against theft. If anyone attempts to take an article that has a hidden sensitized tag attached, an alarm bell rings automatically.
  - c. Closed-circuit television cameras on each floor, closely monitored by security guards who maintain contact with detectives by walkie-talkie.
  - d. Plain-clothes detectives, both men and women, who blend in with the crowd.
3. Store owners are getting tougher and tougher on those they catch stealing. A major department store executive said recently, "We were lenient with the 'first-time' offender in the past. It was a mistake...the shoplifters always returned with even bolder ideas. Now we will prosecute no matter what." A security director agreed. "Our aim is to catch the shoplifter and see that he is punished. His crime cuts into store profits, raises prices, and gives him a police record. Everyone suffers."<sup>14</sup>
4. Although teenage shoplifters under 18 are not convicted of a felony or a larceny and sent to prison, the results can be just as tragic. A young shoplifter with serious problems can be declared "delinquent" and taken away from home. Even first-time offenders who are placed on probation will have a court record. This record may



**"We were lenient with the 'first time' offender in the past. It was a mistake. Now we will prosecute no matter what."**

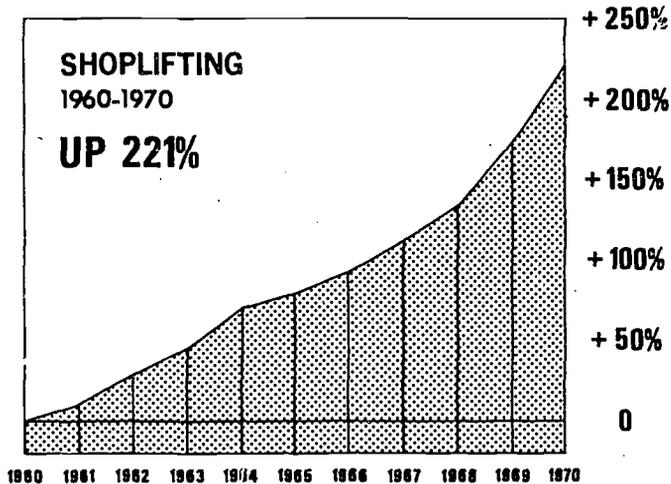
ruin their lives. Consider seriously what having a court record could do to YOU. It could

- (a) prevent your getting any civil service, state, county, or city job;
- (b) prevent your getting a job in security or law enforcement or any other work that requires a special clearance;
- (c) hurt your chances for being hired for any good job—especially one that requires the handling of money;
- (d) hurt your chances for getting into college;
- (e) prevent your becoming a doctor, lawyer, or any other licensed professional;
- (f) hurt your chances for getting into the armed services;
- (g) prevent your promotion to officer in the armed services or acceptance to a military academy;
- (h) hurt your chance for getting a driver's license.

5. If you believe that you have the right to steal from others, doesn't this mean that you also must admit that other people have the right to steal from you? If you believe that there is nothing wrong with taking things that belong to others (providing you don't get caught), then you have no right to complain if someone goes into your locker and takes something that belongs to you. Laws are made to protect everyone—including you. If you believe that it is right to disobey the law, then you can't expect the law to work for you.

- Which of these results of shoplifting seems to you the most serious? Why?

- Can you think of any other "disadvantages" of shoplifting?
- What effects might it have on you if word got around town that you had been caught shoplifting? What effects might it have on your parents? How long do you think it would take for people to forget what you did?



SOURCE: Uniform Crime Reports—1970, p. 24

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## CHAPTER 5

### Some Causes of Delinquency: Three Case Studies

Libraries are full of books about the causes of juvenile delinquency. It seems that everyone has a theory about WHY young people break the law. One man wrote a book saying that teenage crime was caused by the human body being "out of balance." He suggested that we could prevent 95 per cent of all juvenile delinquency by giving every boy and girl a pair of corrective shoes!

There are many causes of juvenile delinquency—some are obvious, many are not. In this chapter we will discuss only a few of the most important causes. As a teenager, your opinions will be very important to this discussion. You may wish to add some ideas of your own.

In order to investigate the causes of delinquency, let us use several of the tools of the social scientist. For example, we might approach the problem from the standpoints of economics, sociology, and history: Economics—Does poverty cause crime? Can wealth, or affluence, cause crime? Sociology—What part is played by the family, the church, and the school in creating or preventing juvenile crime? History—Will we find some clues about the causes of delinquency by comparing the way we live today with the way young people lived in the past?

We will begin by taking a quick look at a boy named Ricardo, a young Mexican about your age. Neither Ricardo nor any of his friends have ever been in trouble with the police. In fact, they live in an area that has almost no delinquency problems. Perhaps if we take a closer look at how Ricardo lives, we may get some ideas about what causes and, perhaps, what prevents juvenile delinquency.

#### A LOOK AT LIFE IN A RURAL VILLAGE

Ricardo lives in a small village about 60 miles southwest of Mexico City. The villagers have plenty of work to do. The nearby farmland is dry most of the year, and they must work long hours just to grow enough food to eat.

Not much has changed in Ricardo's town for many, many years. There are a few second-hand automobiles here and there, and quite a few people now have radios. But most of the villagers still make a living as farmers, just as they have for many centuries. Like their ancestors, they grow corn, raise a few chickens, and occasionally sell a few woven baskets to the markets in the big city. If Ricardo's grandfather were alive, he wouldn't find life much different today from what it was when he was a boy.

Ricardo's family, like most in the village, is quite large; it consists of his parents, four sisters, and two brothers. Also living with him are his grandmother and an unmarried aunt. With ten other people sharing the house, Ricardo doesn't have much privacy. He is not particularly happy about sharing his bed with his two younger brothers; however, he accepts this as necessary—just as he accepts his responsibility to help his mother take care of the younger children.

Almost all of Ricardo's relatives live nearby. One uncle lives right next door, and another uncle lives only a few houses away. Many of Ricardo's friends are also his cousins. Because the village is small, no one is a stranger. Some of the most familiar figures are Father Francisco, the village priest; Carlos, the grocery shop owner; and Benito, the only school teacher. Ricardo knows them all and they all know him.

At 14, Ricardo is no longer considered a child. His childhood ended abruptly last year when he left school and went to work in the fields with his father and the other men of the village. Now, like them, he rises at 5 o'clock in the morning, hurriedly eats a breakfast of tortillas, and walks to the church for morning mass. Then out under the hot sun for another day's battle with the stubborn earth.

When Ricardo first began working in the fields, he came home exhausted. His mother's eyes filled with tears when she saw the blisters on his hands. But that was all in the past. Ricardo has long since become used to the hard work, and his mother looks at him with a new pride and respect.

Not all of Ricardo's life is hard work. After the evening meal, the family gathers around the fire to share the day's activities. His father often plays the guitar while the family sings the old familiar songs. On special occasions, grandmother will retell her wonderful stories about the ancient Indians and the wondrous gods who once lived on earth. All the children have a special love for their grandmother and they respect her wisdom.



Although life in a rural village is hard, there are advantages, too. Can you name some ?

Ricardo often thinks about his future. He wonders whether he should spend his entire life in this valley, working the land like his father and grandfather before him. The living is poor and the work hard. On the other hand, the pace of life is slow and, if the rains are on time, can be free from worry. No one in Ricardo's village has ever complained of an ulcer or a tension headache.

But Ricardo has heard about the excitement of city life. Everything he hears sounds so strange and wonderful that he is tempted to go and see for himself. He has heard all about the fancy cars, the fine clothes, and the pretty girls. And he has also heard that in one month a city job pays more money than he could earn in a year's hard work in the fields.

Still he wonders. He knew of someone who did leave the village. This was Manuel, a boy two years older than Ricardo. Manuel had gone to seek his fortune in the city many months ago. Ricardo overheard some of the older men say that Manuel had gotten in trouble with the police and had been put in jail. Ricardo doesn't understand how this could be true. Certainly Manuel had never been a troublemaker when he lived in the village. Ricardo wonders.

### Consider

1. What kind of family life does Ricardo have? Do love and affection seem to be present? What about respect?
2. Does Ricardo have any responsibilities? Is his work important to his family?
3. If Ricardo got into trouble, he would bring shame to his family and other relatives. Who else would find out about his trouble? Can you give one reason why there is more crime in big cities than in small towns?
4. Does Ricardo see much of his father? Do you think this is important for a boy? Why?
5. Does poverty cause delinquency? Is Ricardo poor? Is he unhappy about being poor? Would he be happy if he lived in a city surrounded by things he couldn't afford? Explain.

6. Is the church important to the villagers? Do you think it might play a part in preventing delinquency in the village? Explain.
7. Few people have ever moved away from Ricardo's village. What effects might this have? What about the place where you live? Is there much change?
8. Is Ricardo often bored with nothing to do? Are you? If there is a difference, can you explain why?

### Discuss

- There are many differences between your life and Ricardo's. How many can you think of? What are the things that you notice about Ricardo's life that might help to prevent juvenile delinquency? Which do you think are the most important?
- Although in some ways Ricardo is poor, in many other ways he is rich. Can you explain why? List the different kinds of security that Ricardo has in the village. Would you say that he is financially secure? Is he emotionally secure? Which of the two do you think is more important?
- Manuel was never in trouble when he lived in the village. What things in the city might have played a part in his breaking the law?

### A LOOK AT LIFE IN THE INNER CITY

One afternoon in early spring, city police officers on patrol along the ghetto streets observed a small boy trying to hide a large, black box. The policemen became suspicious and, after a short chase, cornered the lad in a vacant lot. The boy angrily refused to hand over his box; the police had to take it from him for examination.

Across the top of the box was the word DEATH, printed in heavy black crayon. Inside the box there was a maze of copper wires wrapped around a small bottle that smelled of gasoline. Taped to the side of the box and connected to the bottle by a short fuse was a container of safety matches.

"What's this?" one of the policeman asked.

"None of your damn business!" the boy replied.

"Well, it looks like a bunch of junk to me," snorted the officer.

"It's the best atom bomb in the whole world!" the boy shot back. And with a glimmer of pride in his eyes, he added, "It can blow up the whole...world."<sup>15</sup>

We will call the angry young man in this true account Billy. Billy is nine years old and lives in the heart of a ghetto with his six brothers and sisters. Perhaps you may understand why Billy is so angry if you learn a little bit about his life.

Billy was born in South Carolina. When he was just a baby, his mother gathered her three children together and ran off with a man who was heading North in search of a job in the big city. Thus it came to be that Billy has spent most of his life in the ghetto.

Like his friends, Billy does not spend much time at home. It is easy to understand why. His home is not very pleasant. He lives with his family in a crowded, dirty apartment building. The plaster is falling down, the furniture is old and shabby, and the furnace does not provide enough heat in winter. Billy's mother tries to keep the rooms clean, but there is so much filth in the hallways and on the stairs that cockroaches and rats are a common sight.

As you can guess, Billy's family is very poor. His stepfather left the family after they had been living in the big city for five years. The court ordered him to pay \$20 per month for child support, but he has rarely paid. This makes life especially difficult because Billy's mother now has seven hungry mouths to feed.

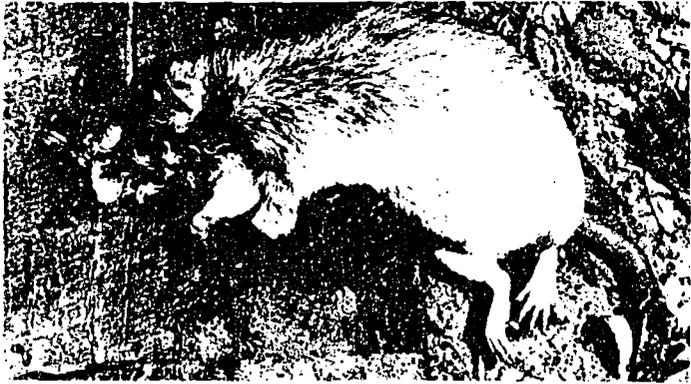
Actually Billy has never missed his stepfather. When his stepfather lived at home, he had a hard time finding a good job. Often when he was out of work, he came home drunk; on several occasions, he beat the children for no reason at all.

Billy's mother had to find work to support the family. She is now employed as a maid in a wealthy suburban community some ten miles away from the ghetto. She works hard, and so far has been able to feed and clothe her children. However, because of her job, she can't spend much time at home; therefore, during the day, Billy and his brothers and sisters are left pretty much on their own to do as they please. Several times the public school has called about Billy's poor grades, but his mother cannot take the time to go in for a conference.

With no adults around the house, Billy is free to come and go as he chooses. He has become so independent, even at age nine, that his mother no longer has any control over him. And so Billy spends most of his time in the streets—the only playground he has ever known. Because he grew up in this neighborhood, he no longer pays much attention to what he sees. He no longer notices the drunks sleeping in the alleys or on doorsteps surrounded by cheap wine bottles; he doesn't notice the trash and the dirt that never seems to get picked up; nor does he notice the broken-down buildings or the prostitutes and drug-pushers who stand outside. He grew up here and this is his world. He never thought much about it, nor did he have any reason to be unhappy...until about three months ago.

Three months ago, Billy took a trip that made a big impression on him. When his mother had to baby-sit for her employers, she took Billy with her. It was only ten miles away, but for Billy it was a different world: broad, tree-lined streets; neatly trimmed lawns; and large, well-kept homes. So much open space! Everything seemed so clean and fresh. From all directions came the sounds of happy children laughing and playing on their new bicycles and roller skates. And in the home where his mother worked, Billy was again impressed by what he saw. Imagine! Each child had his own room. (Billy shared his bed with two younger brothers.) The closets were packed full of fine clothes, sports equipment, and camping gear.

Of course, Billy had seen many of these fine things on television. But up until this moment, he had never thought much about having them for himself. For the first time in his life, Billy began to compare the way he lives with the way these children in the suburbs live. And the more he thought about it, the unhappier he became.



How might having to live  
in dirty, crowded places  
affect a child?



What chance did he have of ever living in a nice place like this? What hope was there for him ever to own a new bicycle or to wear fine clothes? He thought about some of his friends and neighbors in the heart of the city. Most of the people he knew were poor. They had grown up in the slums and remained in the slums. Even the lucky ones who had steady jobs were poor compared with these folks in the suburbs. (The best paying job he could think of was at a nearby car wash.) Could he expect to do any better?

His older brother Lester didn't seem to be making out very well. Like the majority of his classmates, Lester had dropped out of high school to look for a job. But it seemed that there were no jobs available to young men who had no special skills or training. Even the army wouldn't take Lester because of his police record. (Most of the boys who lived on the streets had some kind of police record. Even a few of the kids in Billy's gang were already in trouble with the law.) Could he expect to do any better?

The more Billy thought about his chances, the angrier and the unhappier he became. It was not long after this that Billy began to work on his "atom bomb."

### Consider

1. If Billy had invented and exploded an atom bomb, he would have killed himself as well as everyone else. Do you think he understood this? Do you think he cared?
2. When did Billy become unhappy with his life? Can you understand why?
3. What kind of influence do you think television might have on people who are very poor?
4. What are the chances that Billy would ever live in a wealthy suburban home? What obstacles lie in his path?
5. About 60 per cent of the children who live in the ghetto are reared in fatherless homes. What influence do you think this might have on a young boy?

6. Who do you think had a greater influence on Billy's life: his stepfather, his mother, or the members of his street gang? What kind of influence do you think this was?
7. Do you think the police would have been suspicious of Billy if he had been a well-dressed boy carrying his box along a quiet suburban street? Why might big-city policemen have different attitudes from those of small-suburb police?
8. A juvenile court judge decided to take Billy away from his ghetto home and place him in a correctional school "for his own good." Was this a good decision?
9. Might the decision have been the same if Billy's family were wealthy?

### Discuss

- Statistics say that 20 per cent of all the boys and girls who live in the inner city end up with a record of crime and delinquency. In many urban areas, 70 per cent of the boys are found delinquent at least once before they reach the age of 18. This is a much higher rate of delinquency than that in suburbs or in rural areas. What reasons can you think of for the high delinquency rate in cities?
- Some experts estimate that about 90 per cent of all children charged with delinquency are poor. Do you think poverty causes crime? Explain. Do you think that poor children are more likely than rich children to be taken into custody and brought before a judge? Explain.
- In what ways were the lives of Billy and Ricardo the same? In what ways were they different? Ricardo did not become a delinquent; Billy did. What do you think was the most important reason for this difference?

## SCANDAL IN THE SUBURBS

It had all begun as a joke. Sitting at the police station, awaiting the arrival of his parents, Steve tried to remember back 14 months ago to when it had all begun. The boys hadn't meant to harm anyone. It was supposed to be a gag.

As he recalled, he and several companions had been sitting around his house looking for something to do. They had just finished racing their motorcycles up and down the main drag—but on that particular evening, there wasn't any "action" and they were bored.

Finally someone—he couldn't remember who—suggested that it might be fun to make some anonymous phone calls.

"Good idea," someone said. "Who should we call? How about Mr. Crabbs, the assistant principal?"

"No, wait," someone else answered. "It would be more fun to call that old foggy who lives in the corner house. Remember how he's always yelling at us for making so much noise when we ride our motorcycles at night? He even called the cops once when we rode over his precious flower bed. I'll bet we could shake him up a bit. Who wants to go first?"

At first, the idea seemed a bit cruel to Steve. After all, the old couple must be at least in their 70's. But the other guys had been so enthusiastic, and Steve, a newcomer to the neighborhood, didn't want to be left out.

Steve and his parents had moved to this North Shore suburb of Chicago only several months earlier. It was the sixth such move that Steve could remember. Each move had meant advancement for his father—better salary, bigger home, wealthier community. But even though Steve enjoyed a larger allowance, he sometimes wondered whether it was worth it. For him, each move meant leaving old friends and starting all over in a new neighborhood and in a strange school.

This last change had been especially hard. Steve had been very lonely at first and slow to make friends. That was why these new companions were so important to him. They, too, were from wealthy families, and Steve wanted very much to be accepted as part of the group.

In the end, Steve had volunteered to make the first call. "It's just a prank," he told himself, "and besides, those old people don't belong in this

neighborhood anyway. Even my father says that. Why, they can't even afford a maid or a gardener!"

"That first call seems so long ago now," Steve thought. Yet, he could still remember the frightened voice of the woman at the other end. His imitation "mobster" voice was perfect; his friends, listening on the extension phone, had a hard time to keep from laughing out loud. Steve was surprised when the woman didn't hang up, especially when he began using obscene and threatening language. The longer he talked, the easier his impersonation became until the words just seemed to flow out naturally. It was evident from the fear in the woman's voice that the call had been a brilliant success.

"Why hadn't she just hung up?" Steve thought bitterly. Then the prank would have ended and the boys wouldn't be in all this mess. But after the first success, it was too late. Each boy wanted to try his luck in scaring the old couple. The next call reached the husband, who was told in gory detail what was going to happen to his cocker spaniel. Like his wife, the old gentleman didn't hang up, and from the sound of anguish in his voice, it was apparent that once again the boys had been effective.

This had been the beginning of a prank that had lasted for about 14 months. Each day the boys eagerly looked forward to calling the old couple and trying some new kind of impersonation or threat. With their fertile minds at work, and with such vulnerable victims, the prank soon extended to other areas. The boys had decided to carry out some of their threats. Homemade gunpowder was poured over the couple's car outside their home, and the car went up in flames. At other times, tires were slashed, paint was dumped along the walk, and a bullet was fired into the couple's window.

One "brilliant" idea was to make phone requests for various services, resulting in a steady stream of servicemen to the couple's home—cab drivers, restaurant delivery men, ambulance drivers, and television repairmen. And once, a hearse was directed to the couple's home. There were so many different possibilities that the boys could not see any end in sight for their marvelous scheme. Meanwhile, the helpless and innocent victims were so terrified that they barricaded themselves inside their home and were afraid to come out.

Up until tonight, when the police arrived on the scene, no one had any idea of what the boys were up to. Because there was rarely anyone around, Steve's house had become the perfect base of operations. His father, whom he seldom saw, left early in the morning to commute to Chicago and

often did not return until late at night. His insurance work was so demanding the he was just too busy to become interested in the day-to-day activities of his son. Further, now that Steve was older, his mother was seldom at home. Freed from the usual household chores by a full-time maid, she became involved in various women's groups. These and numerous charity benefits occupied much of her time. Neither she nor her husband had any idea that their home had become a base of operations for a campaign of terror.

"And now it's all over," thought Steve. "The old man is dead, and by morning the whole town will know about it. If the old guy hadn't been wearing that dark coat, I might have seen him before it was too late."

That night, the boys had been cutting across the old couple's lawn on their motorcycles—full throttle and without lights. The noise they made was terrific and the boys were exhilarated. They hadn't expected the old gentleman to come running out of his house like that. ("What made the guy so brave all of a sudden?") But on the third pass, there he was... right in front of Steve's hurtling motorcycle, and there was nothing Steve could do. Whether the old man died from the collision or from the shock of seeing the approaching bike, Steve wasn't sure. He had overheard someone at the police station say the man had had a heart condition for a number of years.

Steve's thoughts were interrupted by the familiar sounds of his father's voice from the next room. It sounded angry. Steve wondered if his mother were here. He guessed he might need some protection. He was in luck. His father and mother entered the waiting room where the boys had been placed for interrogation. Both parents were dressed in formal evening clothes; they must have come directly from the dinner party they were attending that night.

Steve's father was furious. "How could you do this to us!" "I've never been so embarrassed in my life. The police called us out right in front of our friends at dinner."

"Steve, dear," his mother was quick to intervene. "Are you all right? Are they treating you all right, my poor darling?"

His father interrupted. "What a stupid thing to do, Steve! Do you realize what this will mean? There are reporters all over the place out there. This scandal will be all over the morning newspapers. How could you do such a thing? What will our neighbors say?"

"Harry, don't shout at the boy. Can't you see how upset he is? You know he's a good boy, Harry. He never smokes or drinks."

Paying no attention to his wife, the man continued angrily, "How could you be so ungrateful! We've given you everything that money can buy. And look at the way you pay us back. What about the new sailboat we gave you for your last birthday? Wasn't that enough to keep you out of trouble? How will we ever live this down?"

Steve's mother shot back at her husband, "Stop feeling sorry for yourself, Harry. Think of the boy. Think of what this will mean for his future. What will happen to his plans for college and for a career? All down the drain." Turning to her son, she said in a soft voice, "Now don't worry, dear. Mama will fix everything up, don't you worry. You didn't mean to hurt that old man. It wasn't your fault. Maybe we can get away for a nice vacation to Europe and forget all about this nasty business."<sup>16</sup>

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The essential facts of this story are true; the names have been changed. Why did this senseless crime happen? The boys were from wealthy families living in a fine neighborhood. All of them were average or above-average students, and most had plans for college. Why did they do it? Or a better question might be: What led to the boys' cruel attitude? Can you suggest some possible explanations?

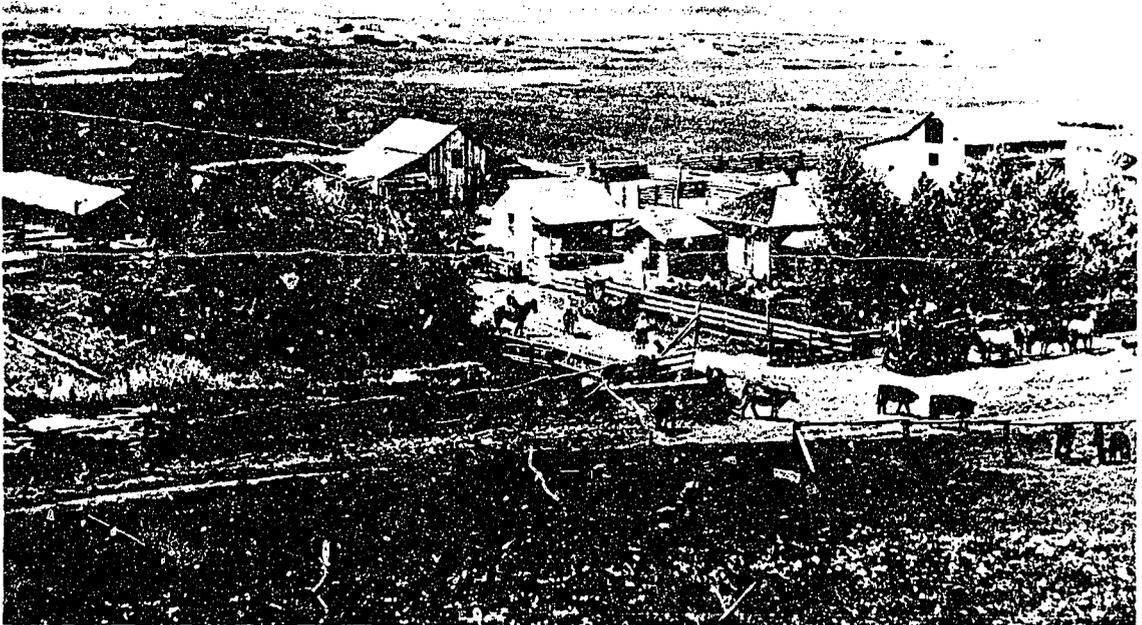
### Consider

1. Can you explain why Steve volunteered to make the first phone call?
2. Billy was very poor; Steve was quite wealthy. Yet, in many ways these two boys had a number of things in common. What were they?
3. Were Steve's parents in any way responsible for his behavior? Explain.
4. From the conversation at the police station, what can you tell about the parents' attitudes—toward themselves, toward Steve, and toward the couple?

5. What was Steve's attitude toward the old couple? What do you think had influenced this attitude? Did he feel superior to them? Why?

Discuss

- It is estimated that one out of every five Americans move to a new home every year. How many times have you moved? Is it hard? Why? What is left behind? What must be faced? What effects do you think all this moving around might have on our society?
- All of the boys in this story came from wealthy homes. Is it possible that affluence might be a factor in juvenile delinquency? If so, in what way?
- The wealthy community where Steve and his friends lived had many facilities for young people, including parks, playgrounds, a recreation center, a skating rink. All the boys owned motorcycles, and Steve even owned a sailboat. Yet the boys said they were bored. How can you explain this?
- Did any of the following facts influence Steve's behavior or attitude? Explain.
  - (a) His father was very ambitious and worked hard at his job.
  - (b) Steve and his parents had moved to six different locations.
  - (c) Steve was given a large allowance and "everything that money could buy."



In many ways, growing up  
was easier a hundred  
years ago than it is today.  
Why?



## TIMES PAST AND PRESENT

The Need for Physical Activity

The young have always been active and full of energy. However, in the past it was much easier for young people to "burn off" that energy without getting into trouble. When most Americans lived in the country and worked on farms, life was hard. People did not have much time to think about being bored because there was always plenty of work to do. Youngsters were expected to do their share.

But times have changed. In the last half of the twentieth century, because of advanced technology, teenagers are no longer required to spend hours every day doing family chores.

- ▶ Do you have any responsibilities at home? What chores do you do regularly? How much time per week do they take you?
- What has advanced technology to do with the amount of time many people spend doing necessary work? (Clue: Think of time- and labor-saving devices.)

Unfortunately, we pay a high price for our conveniences. How can young people today work off their energy and fight boredom? In school? Sitting in a classroom all day long may use up plenty of mental energy, but it doesn't require much physical energy. There are few chores to be done at home, and labor laws and union rules make it difficult for teenagers to find jobs. As a result, young people face a real challenge in finding constructive ways to use up energy. As we know, some teenagers seek fun and excitement in destructive activities, apparently with no thought about the mental and, perhaps, physical anguish their "fun" inflicts on the victims.

- What are some alternatives to destructive behavior? In what constructive (or at least, harmless) ways can you and your friends release physical energy?
- If a young man living 100 years ago felt frustrated or wanted adventure or excitement, what socially acceptable opportunities were open to him? Are these opportunities still open today? Explain.

### The Need for Privacy

One of the important changes that has occurred in our country during the twentieth century is the increasingly rapid growth of cities and suburbs. Most people today live bunched together in cities or towns, with neighbors on all sides. Many have no place to go for the quiet and privacy they need occasionally to try to put their lives in proper perspective—no place to think and reason alone, to exchange ideas with a special friend, or perhaps just to dream.

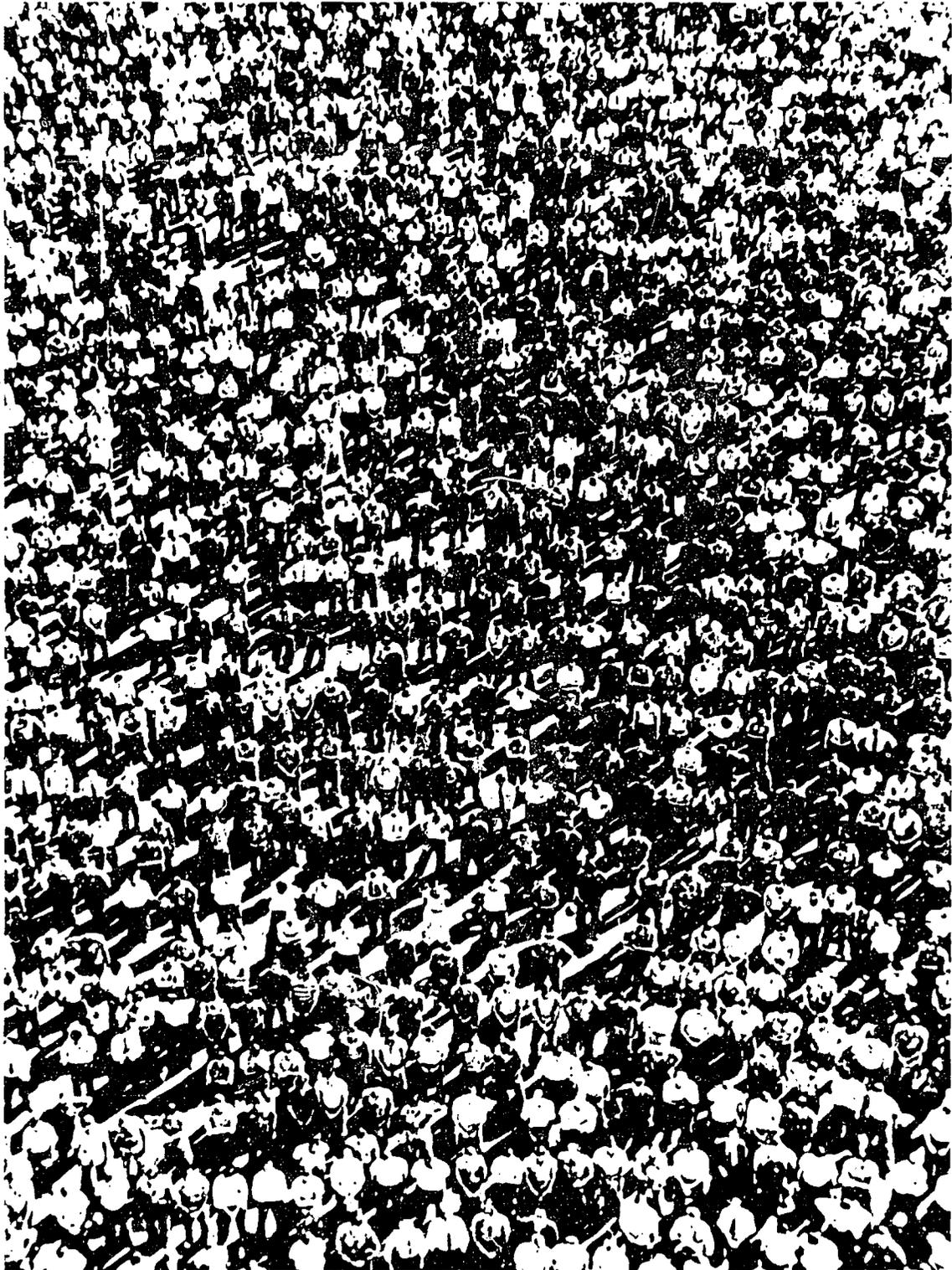
There was a time in the past when people had more elbow room. There were fields and woods, perhaps with streams, where one could hike or fish and be alone if he wished. In the 1970's, however, most of us live in spaces so crowded that we seem to be constantly bumping into others, getting on one another's nerves. Almost everything we do or say is seen or heard by others. This is true not only in big cities, but in suburbs as well. With a rising population, it becomes more and more of a challenge for us to get along well with others or at least to keep out of their way and off their property.

### The Importance of Self-Respect

Are the girls in your class getting a little bit bored with all of this talk about teenage crime? If so, it may be because a large majority of delinquents are boys. Statistics show that for every girl arrested for a crime, there are at least five or six boys taken into custody. There may be some special reasons why more boys get into trouble than girls.

In the past, the work that a boy did on the farm was not only hard—it was important. A farm boy was never "in the way" for the simple reason that his chores were extremely important to the survival of the family. The work that he did during harvest time or the food that he brought back from a successful hunt earned him both respect and admiration. The respect and admiration of others gave the farm boy a feeling of importance and of self-respect. His contribution to the family's well-being was proof that he was becoming a "man." He knew that he was needed and appreciated. Thus he grew up well prepared to take on the responsibilities of adulthood.

Thus there were constructive activities in the past which gave a boy the opportunity to build confidence and self-respect. Today's young people, however, face a much more complicated world. To prepare for the challenges of their world, children today need many years of formal education and special training.



What qualities do people need  
when they live in a crowded environment?

- How many more years of school do you think you will try to complete? Why?
- Most people of past generations had fewer years of formal education than people today. Can you give some reasons why?

In earlier times, the term "teenager" was not in our vocabulary. As soon as children were physically mature and old enough to assume responsibilities in the family, they became adults. There was no waiting. There was no "in-between." Today, however, young people are not usually considered "grown up" until they have completed their education and have jobs. For most young people the teenage, or "in-between," years can be happy and carefree—full of fun and excitement and free from responsibility. At the same time they can also be a long and frustrating period of waiting, especially for those young people who want to be independent, who want to be responsible, and who want to be "grown up."

- Is the waiting period between childhood and adulthood harder on boys or on girls? Why do you think so?
- The heading for this section is "The Importance of Self-Respect." What is self-respect? Where do you think it comes from? Some have said that teenage boys have a very difficult time building self-respect. Do you agree? Why?
- Does the school play an important part in the causes of juvenile delinquency? In what ways?

One final note for the boys. A young man who is a good shot on the basketball court or who is fast on the football field is likely to receive praise and earn respect. This is because he is demonstrating some of the qualities that are admired in men—qualities such as courage and strength.

- ▶ What other qualities are admired in men?
- ▶ Is getting good grades in school a good way of demonstrating these masculine qualities?
- Besides after-school sports, can you think of other constructive activities in which a boy can prove that he is becoming a "man"?

- A few boys who need to show off their "manhood" turn to activities which are destructive. Can you give examples of destructive acts in which boys might be attempting to show off such qualities as (a) daring (b) courage (c) skill and accuracy?

### SUMMING UP

It can be argued that growing up today is harder than ever before because our life is more complicated and our population is more crowded than it ever was in the past. And it can be claimed that the opportunities for young people to burn up physical energy and to win self-respect are fewer than ever before. Even if these statements are true, however, they must not be taken as excuses for breaking the law or engaging in destructive behavior. They should, instead, be a challenge to you and to your generation: a challenge to find constructive activities on which to spend your energy. It can certainly be done. In fact, it is being done every day by most teenagers, including young people who come from broken homes and poor families.

Accept this challenge, then, and give serious thought to these final questions:

- In what acceptable ways can teenagers today work off restless energy?
- In what constructive ways can boys demonstrate courage, strength, skill, and other masculine qualities?
- What activities are available to YOU in your community which are socially and legally acceptable?

## CHAPTER 6

### The Juvenile Court System

In the beginning of this unit, you were presented with a very real and serious problem: 12 per cent of the young people of this country will be brought before a judge and declared delinquent sometime during their juvenile years.

This book has been prepared so that YOU will not become one of these statistics. To help accomplish this objective, you have been asked to consider a number of things: (1) the importance of law in our society; (2) some reasons why people break the law; (3) some ways in which innocent people can be hurt by shoplifting, vandalism, and other crimes.

Now we will consider what can happen to the lawbreaker himself. What are the consequences of being a delinquent? As you learn about the special laws and the special courts that have been set up for young people, you will see that the results of stepping outside the law can be tragic.

#### A LEGAL LOOK AT JUVENILES

The laws of our country are written by elected representatives at three different levels. We obey not only the national laws but also the ordinances and statutes of our local and state governments. Altogether it has been estimated that there are more than one billion laws in the United States. However, only a small proportion of these laws deal with crime.

- \* As a class project, make a list of the laws (or crimes) that you would like to know more about. Write questions you would like to have answered about each law on your list. You may have questions concerning local ordinances, such as curfew and loitering. Or you might be interested

in more serious matters such as state laws concerning drugs or carrying concealed weapons.

When your list is complete, go to the public library and examine a copy of your local ordinances or the thick volumes of state statutes. Note that the laws prohibiting crime make up only a small part of these law codes. Answer your questions by finding out exactly what the law says and what the penalties are.

Most of the laws that prohibit certain crimes also contain the penalties for breaking those laws. In other words, a judge is not free to choose any penalty he wishes when he sentences a convicted lawbreaker. He must deliver the fixed penalty, which is stated in the law codes.

For example, the penalty in Ohio for larceny (theft of anything over \$60 in value) is a minimum of one year to a maximum of seven years in prison. A judge does have the freedom to decide what the penalty will be within these limits. (His decision depends on the circumstances of the case.) But he cannot give more or less than what is specifically stated in the Ohio Code.

According to the law, a juvenile is in a somewhat different category from that of an adult. Of course, both juveniles and adults must obey all the laws of society. However, if a young person breaks a law, he is not charged with a specific crime. Instead, he is charged with the general offense of delinquency. An adult who steals a car, for example, will be charged with larceny. A 16-year-old boy, on the other hand, will be charged with delinquency. Because there is no written penalty for delinquency, the juvenile court judge has much more freedom in making his final decision than does the judge of an adult criminal court.

The legal definition of a juvenile differs from state to state. In most states, including Ohio, a juvenile is any young person aged 7 through 17. Before the age of 7, a child is not considered responsible for his actions. When a person reaches the age of 18, he or she is legally an adult and is fully responsible. A few states extend the juvenile age limit to 21; several others set one age limit for girls and another age limit for boys.

## SPECIAL LAWS FOR JUVENILES

Some rules and laws are made especially for juveniles. Each state government and each local government makes laws that apply only to those persons under the age of 18. You are already familiar with a good many of these rules for juveniles: rules regarding curfew, truancy, alcoholic beverages, driving, running away from home, etc. All juveniles must obey these rules; if they do not obey, they can be declared delinquent.

The laws mentioned above are clear-cut and easy to understand. However, each state usually has several juvenile rules that are not so clear-cut. That is, some of the words in the rules can be interpreted to mean different things. For example, in many states, a juvenile may be declared a delinquent for being incorrigible, immoral, disorderly, or beyond the control of the parents. These terms are so general that they can include almost any kind of behavior that an adult might consider unacceptable.

Laws using general terms were written to protect young people from getting off to a bad start in life. If the behavior of a boy or girl indicates that he might harm himself or endanger his chances for future success, any adult may refer him to juvenile court. The juvenile court, then, will take authority and the responsibility to make whatever decisions it thinks are necessary to see that the young person is guided in an acceptable direction.

Note that there are really two kinds of juvenile delinquency. In one category there is the young person who commits any crime that an adult might commit. In the other category, there is the youth who has either broken a special juvenile rule or who is guilty of some type of unacceptable behavior. Of course, the type of delinquency in the second category is much less serious than in the first. To make this difference clear, some states have tried to find a word besides "delinquent" to describe those who break juvenile laws. In Ohio, such offenders are called "unruly."

Examine the table on the next page. Note the many referrals made by police to the Juvenile Court of Cuyahoga County. But notice, too, how many referrals were made by teachers, parents, and private citizens who were concerned over some young person's behavior.

- Aside from the police, where do most of the court referrals for boys and for girls originate? Can you guess why there is a difference?
- ▶ What is the next largest source of referrals for both girls and boys?

## Source of Referral - Delinquency and Unruly Cases, 1971

<u>SOURCE OF REFERRAL</u>	<u>Boys</u>	<u>Girls</u>	<u>Total</u>
Cleveland Police Department	2,454	226	2,680
Other County Police Departments	1,986	275	2,261
Other Police (State, Private, etc.)	77	4	81
Railroad Security Officers	71	—	71
Fire Departments	24	7	31
Store Security	443	359	802
Other Courts	54	7	61
Department of Liquor Control	24	6	30
Cleveland Board of Education	274	105	379
Other County School Boards	182	85	267
Public Social Agencies	55	41	96
Private Social Agencies	3	2	5
Parents, Relatives	473	747	1,220
Citizens	813	228	1,041
Other Sources	46	27	73
<b>TOTAL</b>	<b>6,979</b>	<b>2,119</b>	<b>9,098</b>

SOURCE: The Juvenile Court of Cuyahoga County, Cleveland, Ohio, Annual Report, 1971, p. 22.

## THE POLICE

A number of court complaints are filed by teachers, parents, and neighbors. Yet, the fact remains that 70 per cent of all juvenile cases are referred to court by the police. This should not be surprising. The policeman is in most cases the first one to make contact with most youthful offenders. Because his judgment is so crucial, and because his actions are so often

the target of teenage criticism, it is important that we take a brief look at the role of the policeman in our society.

Last summer a Peoria, Illinois, grade school teacher was familiarizing a class of tots with the duties of various city agencies. The instructor held up pictures of several employees and asked the children what each man did.

The kids said the fireman "put out fires." The engineer "built roads." The animal welfare man "caught stray dogs." The sanitation worker "picked up the garbage."

And what about the police officer? "He's dumb," one child said. "He hurts you," another commented. "He shoots you," added a third.<sup>17</sup>

- How do you think most people get their opinions about the police? How did you form your opinion?

The policeman has often been called the "man in the middle." He is the one who stands between you and the lawbreaker. A policeman must protect your life, your property, and your legal rights. In order to do this, he must enforce the laws and try to catch those who break them. Most people agree that this is not an easy task.

Often the policeman must risk his life in order to bring a criminal to justice. Between 1960-70 more than 600 police officers in America were killed while performing their duties. A policeman's work is not only dangerous, but often frustrating. While a suspected criminal might break any and all rules in order to avoid capture, a policeman does not have the right to break a single law. Our courts have made this very clear in recent years. Thus the police have to play by the rules, even though lawbreakers do not.

And yet, of all public servants, the police are probably the most criticized. If they are too rough in doing their job, they are charged with "police brutality." And if they do not immediately solve a crime, they are called "stupid" and "incompetent." In the slums they are often looked on as the enemy; in the rich suburbs they are regarded by some as clowns.

One parent in a wealthy Cleveland suburb had been complaining for many weeks about the



## Law Enforcement Code of Ethics

*As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.*

*I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confidentially entrusted to me, I will keep ever secret unless revelation is necessary in the execution of my duty.*

*I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my actions. To maintain the highest integrity and with relentless prosecution of criminals and offenders, I will not tolerate injustice or discrimination. I will be courteous, firm, tactful and appropriately without fear or favor, and will use no unnecessary force or violence and never accept bribes.*

*I recognize the badge of my office as a symbol of public trust, and I accept it as a public trust to be held in service to the community. I will constantly strive to uphold the highest standards of the police service. I will constantly strive to improve myself by dedicating myself before God to my own spiritual and physical development.*



Much of a policeman's work goes unnoticed. Do you know some of the many services the police provide in your community? How do you think the policeman's image might be improved?

"stupid cops" who couldn't catch the vandals who were continually causing damage to a brand new library. When this man's son was finally apprehended as one of the vandals, he immediately changed his complaint, and charged the police with "...roughing up young children, instead of doing their job catching criminals."

- Can you give any reasons why so much criticism is directed toward the police?
- Would you consider becoming a policeman or a policewoman? Why or why not?

When teenagers violate the law, the police are usually the first to hear about it. Therefore, it is up to a police officer to make the first important decision about what should happen to a boy or a girl in trouble. Sometimes it is a hard decision to make. Should the offender be given a warning and sent home? Should the parents be notified to come to police headquarters? Or should the youth be referred to juvenile court?

In the majority of cases, the policeman's decision will be based on (1) how serious the offense is and (2) how often the offender has been in trouble. But keep in mind that the police have feelings like any other human beings. Their judgment about whether to issue a warning or whether to take a youth into custody may be influenced by the teenager's attitude or behavior. If a juvenile is rude or disrespectful, there is a greater chance that he will be taken into custody.

- What other things might tend to influence a policeman's final decision?
- Nationwide, it is estimated that only 50 per cent of all juveniles handled by the police are taken into custody. In some areas, this percentage is much higher; in some areas, much lower. Who would be more likely to take a boy to the police station, rather than give him a warning—police in the suburbs or police in the large cities? Why do you think so?

## PHILOSOPHY OF JUVENILE COURT

Criminal penalties in the past were severe—both for adults and for children. In the nineteenth century, a 12-year-old boy was tried for murder in New Jersey. He was found guilty and sentenced to death by hanging. (Earlier, in England, a 9-year-old lad was put to death for stealing a letter from a mailbox!) Before 1900, there was no difference between an adult trial and a juvenile trial. As far as age was concerned, Justice wore a blindfold.

As time went on, many people began to feel that children in trouble need help, not punishment. Especially important in fighting for this idea was the crusader Jane Addams. With her help, a separate court for children was created in Chicago in 1899. Since that time, the idea of "juvenile justice" has spread throughout the country. Today every state has two separate court systems: one for adults, which is concerned with punishing those who break the laws; and the other for juveniles, which is concerned with rehabilitating children and helping them to lead healthy, successful lives.

It is surprising to learn how many young people—as well as adults—do not understand the philosophy of juvenile court. To many boys and girls in trouble, the judge represents some kind of enemy who has the power to limit their freedom and even take them away from home. Many do not realize that juvenile court exists in order to help and not to punish. This is important to understand because, as you know, no one can be helped unless he wants to be helped.

There are many differences between juvenile court and adult criminal court. For adults, Justice is blind: each offender is judged on the basis of the crime he committed, regardless of his age, sex, race, or religion. However, in juvenile court it is the individual who is important and not the crime. In the words of Judge Walter Whitlatch of the Cuyahoga County juvenile court, "We're not going to make the punishment fit the crime. It would make us less effective. . . . We only want to help these boys and girls."<sup>18</sup>

Judge Whitlatch gave two cases as examples. One boy had stolen a car and the other boy was not able to "get along" at home or at school. The first boy was found guilty of delinquency, but the judge felt that he had been tempted to steal the car. He was doing well in school and had a "good attitude toward the court." Therefore, he was placed on probation. However, the second boy was sent to Cleveland Boys School. He had not been declared delinquent, but the judge felt that the boy needed more control.<sup>19</sup>

- Do you agree with this kind of individual justice for juveniles? Do you think it is fair? Why or why not?

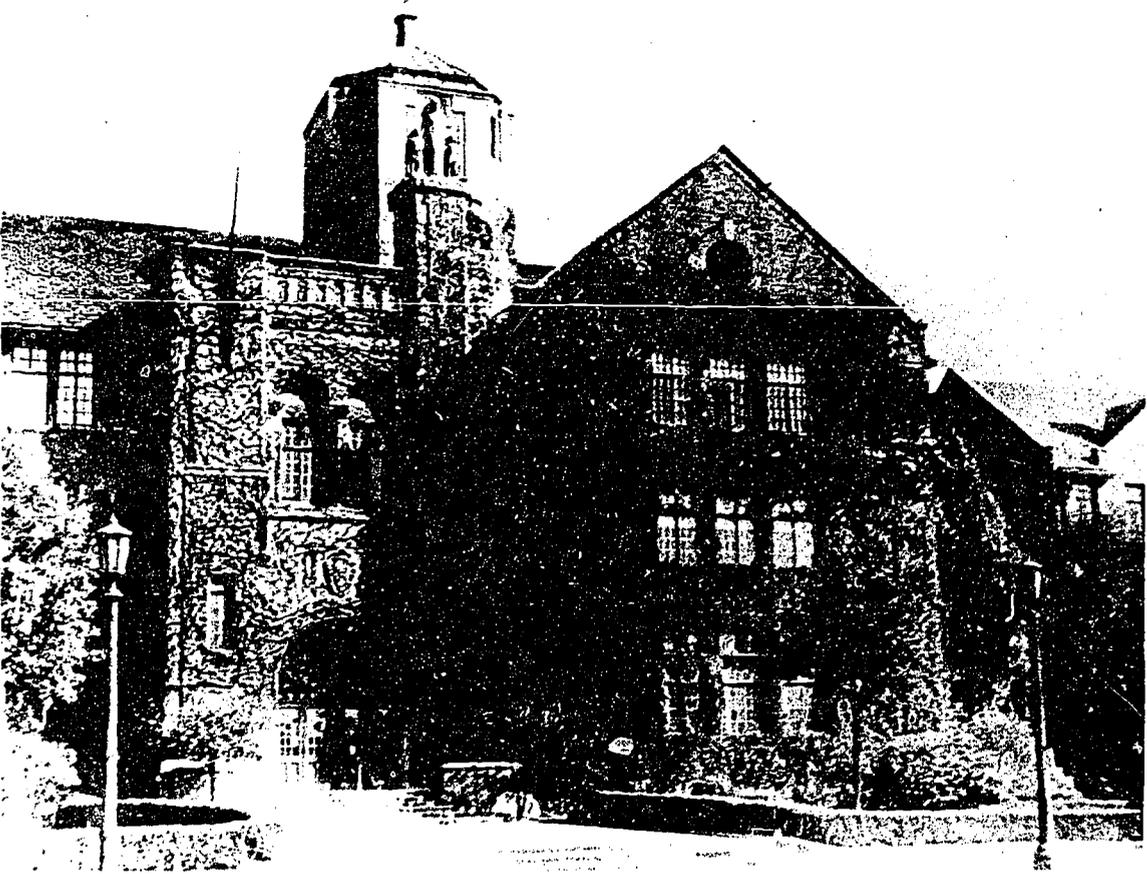
Officials use special terms in connection with juvenile lawbreakers. This is because they want to emphasize that most young people in trouble with the law are not criminals, but rather individuals in need of guidance. Thus a juvenile is never charged with a crime; he is charged with delinquency. A juvenile is not "arrested"; rather he is "taken into custody." There is not a "complaint" filed against a juvenile; there is a "petition." A juvenile is never "convicted"; instead, he is "adjudged"; and instead of a "sentence," he receives a "disposition."

#### "COURT IS NOW IN SESSION"

The following eyewitness account of a court hearing will give you a clearer picture of how a juvenile court operates. The case involves a Cleveland youth who was found in possession of marijuana. The hearing was held in the Cuyahoga County Juvenile Court Building in March 1972.

#### Scene

"Hear ye, Hear ye. This court is now open and in session. All persons having business before the court come to order." With these words, the few people in the small courtroom rose and silently watched as the judge and his secretary made their entrance. Not until the judge had settled himself into a chair overlooking the courtroom did everyone else sit down. Only those persons directly involved with the case were present. Seated on one side of the room were an elderly high school principal and a middle-aged policeman. In the middle of the room, seated at a long narrow table, was a young probation officer, hurriedly glancing through a folder of official papers and forms. Opposite him sat the defendant—a thin young man with shoulder-length blonde hair. He looked uncomfortable in his sports coat and tie. Seated behind him were his mother and father. They looked embarrassed, perhaps more uncomfortable than their son. Two men were seated at the back of the room: the bailiff, by the locked door, and an officer from the sheriff's department. The officer had a pair of handcuffs at his hip, but his holster was empty. Apparently the young man had waived his right to counsel, for there was no lawyer present.



**During 1971, the four judges of  
the Cuyahoga County Juvenile Court handled  
more than 9,000 cases.**

### Testimony

There was silence in the courtroom as the judge began to read through the pile of papers and records on his desk. He read for about five minutes, until everyone in the room became a bit restless. At last the judge felt that he was sufficiently familiar with the case and asked the probation officer to introduce those who were present. When this had been done, the judge turned to the high school principal and asked him to tell very simply what had happened.

The principal, standing at the side of the room, briefly described what he had seen. He said that the defendant, along with several other boys, had been caught smoking in a nonsmoking area of the high school. When the boys were sent to the office, they were asked to empty their pockets. Because the defendant hesitated, the principal became suspicious. Finally a small plastic bag of "tobacco" was produced. The principal immediately called the police.

The arresting officer then testified briefly. He said that he had responded to the call from the school and had taken the boy into custody. The evidence in question was sent to the laboratory and positively identified as marijuana.

The judge was apparently satisfied with the facts of the case. He then leaned forward and asked the probation officer to give the boy's case history.

NOTE: To the observer, the difference between this hearing and the trial of an adult became clear. If the boy had been 18 years old, his trial would now be over. He had not denied the charges against him and the judge was obviously convinced of his guilt. Any adult would have automatically received the specific punishment for first offenders as set down in the Ohio Code:

- (a) a fine of not more than \$1,000
- (b) or imprisonment of not more than one year
- (c) or both

But a juvenile hearing has two parts. A juvenile judge must do more than decide guilt or innocence. He must also decide upon a course of treatment that he feels will help a juvenile become a well-adjusted adult. The best action for this boy might be a simple warning; on the other hand, the best action might be a period of time away from home in a state institution.

To make so important a decision, the judge must know a great deal more about a youngster than merely the facts of the case. He must know as much as possible about the youth's background and history. For this information, the judge relies heavily on the probation officer.

### Case History

The probation officer spoke for 20 minutes. He included details of the defendant's family situation, social activities, school record, and police history. According to the probation officer, the defendant was not getting along with his parents. Both mother and father complained that they had no control over their son. They said he left home whenever he wanted to—sometimes for three or four days at a time. They were worried that he was becoming a bad influence on the younger children of the family.

At school, the boy was doing poorly. He claimed that he had no interest in the courses he was taking. Although IQ tests had shown that he was above average in intelligence, he had been receiving failing grades. Attendance records showed a long history of truancy. School officials suspected that he used drugs, but this had not been proved. The school psychologist had reported talking to the boy several times. He didn't think he could be of any help at the present time. The psychologist said that the boy had admitted to smoking "pot" because it "made him feel free."

The judge sat in stony silence during this report. His only show of emotion came when the probation officer failed to mention that the youth had been in juvenile court once before—on a traffic violation. He criticized the probation officer sharply for forgetting this.

- It was now time for the judge to decide the best course of action for the boy. What do you think would be most helpful for this young man under the circumstances? What would be your "disposition" if you were the judge? Why?

### Disposition

The judge turned to the boy and his parents and asked them if they had anything to say. The boy did not. The father stood stiffly and said that he hoped that the court could help. He stated again that neither he nor

his wife could control the boy and that their son was becoming a bad influence on his younger brothers and sisters.

With a sigh, the judge turned to the boy and began to talk about the dangers of taking drugs. Sensing perhaps that a lecture would do no good in this case, he stopped abruptly and reached his decision. He assigned the youth to the Ohio Youth Commission for placement in an institution for an indefinite period of time. After a short pause the judge looked directly at the boy and added one possible choice. He said that if the boy would cooperate with the court and tell where he received his drugs, the court's decision would be suspended and he would be placed on probation.

There was complete silence. At last the judge looked to the bailiff and the deputy and announced that the boy was to be taken to the detention home and held for three days. This would give him a chance to think over the court's offer. If, at the end of three days, the boy refused to cooperate he was to be transferred to Columbus to the Ohio Youth Commission.

Both the bailiff and deputy rose and escorted the youth to the detention admitting center located downstairs in the juvenile court building. Neither parent made any attempt to say good-bye. Their eyes were glued to the floor as they left the courtroom.

- Do you agree with the judge's decision? Why or why not?
- Was it fair of the judge to give the boy a choice between going to the Ohio Youth Commission and telling where he got his drugs? Explain.
- If you had been given this choice by the judge, what do you think you would have done? Why?

## JUVENILE RIGHTS

As you have seen, a juvenile court hearing tends to be a rather informal affair—more like a conference than a trial. The judge often takes the role of a concerned parent as well as that of a court administrator. In this Cleveland case, there was no lawyer, no jury, no testimony under oath, and no cross-examination of witnesses.

In such a hearing, the sole responsibility for deciding whether a juvenile is innocent or guilty rests with the judge. So also does the responsibility for deciding what to do with a youth if he has been found guilty.

This is a great deal of power for any one person to have. A juvenile court judge is given this heavy responsibility in order to serve the best interests of the juvenile. Yet power can be abused. A number of people have criticized the juvenile courts of our country for being too informal. They say that many young people have not been given the constitutional rights that are guaranteed to all adults.

Recently, the Supreme Court agreed with this criticism. In two decisions (1967 and 1970), the Supreme Court confirmed that certain legal rights could not be denied to minors. As a result, any juvenile (including the young man who was found guilty of possessing marijuana) is guaranteed the following legal rights in court:

- (1) the right to be notified of a court hearing in time to prepare for a defense;
- (2) the right to have a lawyer present in court (if the family wants a lawyer but cannot afford one, a lawyer must be appointed by the court);
- (3) the right to remain silent;
- (4) the right to confront witnesses under oath;
- (5) the right to have a written record of the hearing and the right to appeal.

\* One of the most important Supreme Court cases involving juvenile rights was the case of young Gerald Gault. At the age of 15, Gault was arrested and sent away for up to six years in the Arizona State Industrial School. Do some research into this important case (Gault/Gault v. Arizona, 1967) and find out:

- a. Why was Gault arrested and sent away to industrial school?
- b. Find out what the adult penalty in Arizona would have been for the same offense, and compare it to the penalty that Gault received.



Cartoon on this page removed from copyright reasons. Its omission does not detract from the usefulness of this document.

- c. What rights were denied to Gerald Gault that are guaranteed to any adult?
- d. Summarize what the Supreme Court decided about the Gault case in 1967, and explain its significance for juvenile justice.

## DISPOSITION

It should be clear by now that a trip to juvenile court doesn't mean that a teenager will "get off easy." In fact, as a juvenile, a boy or girl may stay under court supervision and control longer than an adult who committed the same crime. For example, a juvenile might be sent to a correctional institution for a year or more for a certain offense, whereas an adult might receive a 30-day sentence for the same offense. This again emphasizes the tremendous responsibility and power in the hands of a juvenile court judge. Notice the wide range of choices open to him in selecting the best treatment for a delinquent youth.

He may: suspend a youth's driving license,  
return him to his parents,  
place him on probation,  
place him in a hospital or institution for medical  
treatment,  
transfer him to a youth correctional facility,  
transfer him to an adult criminal court.

## Probation

The decision that a judge makes is called a disposition. By far the most frequent disposition given by juvenile judges is probation. Probation is a period of treatment under the watchful eye of a probation officer. Usually the length of time of probation is left open and depends upon the attitude and the progress of the youth.

During a time of probation, a youth is expected to keep in close contact with his probation officer and to follow a strict set of rules and conditions. Most important, he must attend school, follow all local and state laws, and obey his parents and teachers. The court may assign additional responsibilities to fit specific cases. For example, a boy or girl may be required to pay for the cost of damages, to follow special curfew rules, or to attend special guidance and counseling sessions.



### Correctional School

In serious cases, and in situations in which an offender has been repeatedly in trouble, the judge may decide to send the youth to a correctional institution. There are more than 200 of these state training schools throughout our country with a population of about 40,000 young people. None of the schools are exactly the same. Some have many strict rules; others allow a great deal of freedom. Following is a description of the daily schedule at Fricot Ranch School for Boys in California.

The following excerpt from Don Gibbons' Delinquent Behavior (Englewood Cliffs, New Jersey: Prentice-Hall, 1970) p.28. has been removed in compliance with copyright regulations. Its absence does not detract from the usefulness of this document.

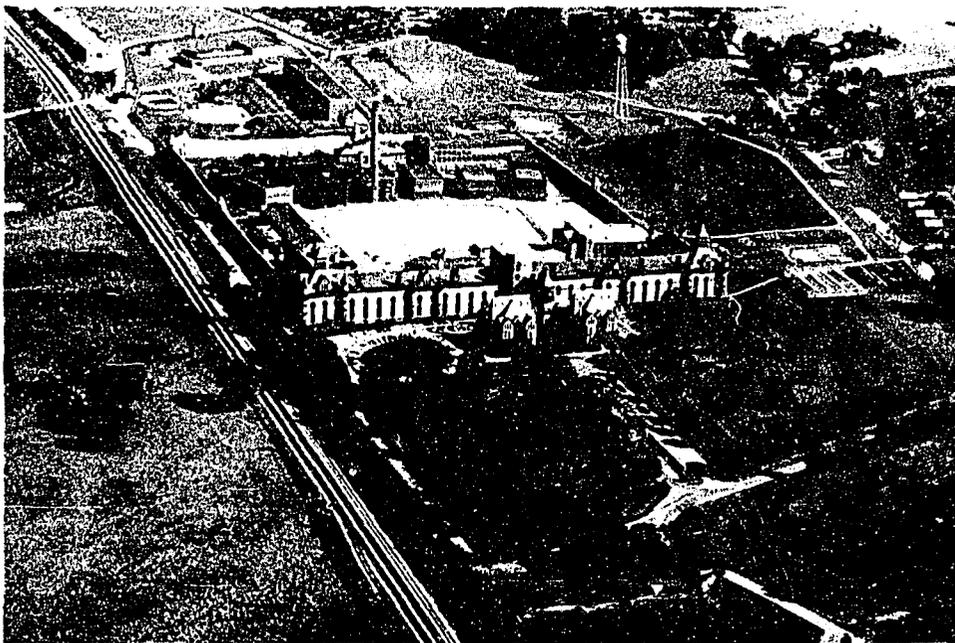
- Do you think this kind of daily schedule is helpful to young people at the school? Explain.

As in the case of probation, the length of time a youth spends in a correctional school is left open. A delinquent is supposed to stay in the school until his progress and attitude indicate that he is ready to return to society. If no improvement is made, he may be kept under state jurisdiction until he is 21.

Some experts believe that young delinquents in the United States are not kept in reform schools long enough. Because of overcrowded conditions, the average length of commitment is less than one year. (In some countries a delinquent remains in an institution for at least two or three years.) This may be one reason why American reform schools do not seem to be very successful helping delinquents become well-adjusted citizens. Some statistics show that as many as 50 to 80 per cent of those who have been

in corrective camps or schools become involved in some kind of crime within five years of their release.

- Is it possible that a reform school could increase, rather than decrease, delinquency? Explain.
- What kinds of programs, services, and opportunities do you think a good correctional facility for young people should provide? Why?



**This Ohio State Reformatory at Mansfield once received juvenile delinquents with serious criminal records. No longer. A new facility in Stark County is now nearing completion. The new \$4.5 million Indian River Rehabilitation Center will be a maximum security area, but its primary emphasis will be on rehabilitation.**

## CHAPTER 7

### Case Study: Cuyahoga County Juvenile Court

#### THE OHIO JUVENILE COURT ACT

In November 1969, the Ohio Juvenile Court Act was changed. Before that time, any child aged 7-17 who got into trouble was called a delinquent. This was very confusing because there is a big difference between an 11-year-old girl who runs away from home and a 17-year-old boy who shoots his father with a shotgun. Yet, before the law was changed, both might have been declared delinquent.

At the present time, however, the courts have two categories for juveniles instead of one. Now the term delinquent is used only for youths who have been found guilty of committing adult crimes. For example, shoplifting and auto theft are adult crimes. Ohio has specific penalties for these offenses. Acts of this kind, when committed by individuals under 18, are acts of delinquency.

On the other hand, children who are brought into court for such things as truancy, running away from home, or disobedience to their parents will not be declared delinquent but rather will be called unruly.

Following are the definitions of delinquent and unruly, as they appear in the Ohio Revised Code, 1971.

**§ 2151.02 "Delinquent child" defined.**

As used in sections 2151.01 to 2151.54, inclusive, of the Revised Code, "delinquent child" includes any child:

(A) Who violates any law of this state, the United States, or any ordinance or regulation of a political subdivision of the state, which would be a crime if committed by an adult, except as provided in section 2151.021 [2151.02.1] of the Revised Code;

**[§ 2151.02.2] § 2151.022 Unruly child defined.**

As used in sections 2151.01 to 2151.54, inclusive, of the Revised Code, "Unruly child" includes any child:

(A) Who does not subject himself to the reasonable control of his parents, teachers, guardian, or custodian, by reason of being wayward or habitually disobedient;

(B) Who is an habitual truant from home or school;

(C) Who so deports himself as to injure or endanger the health or morals of himself or others;

(D) Who attempts to enter the marriage relation in any state without the consent of his parents, custodian, legal guardian, or other legal authority;

(E) Who is found in a disreputable place, visits or patronizes a place prohibited by law, or associates with vagrant, vicious, criminal, notorious, or immoral persons;

(F) Who engages in an occupation prohibited by law, or is in a situation dangerous to life or limb or injurious to the health or morals of himself or others;

(G) Who has violated a law applicable only to a child.

- Among the definitions of unruly, do you find any that are general or vague? Which ones? Why do you think they are vague?
- Do you think these rules give a juvenile court judge much freedom in dealing with cases of unacceptable behavior? Explain.

## FACTS AND FIGURES

During 1971, more than 9,000 juvenile complaints were filed in Cuyahoga County juvenile court. Almost 7,000 petitions were delinquency complaints; the remainder were unruliness complaints. The following tables give further details about these Cleveland area petitions.

- ▶ Look at Table 1. Does it seem that delinquency is rising or falling in the Cleveland area?
- ▶ In 1971, what was the approximate ratio of boys to girls in delinquency complaints? In unruliness complaints?

- ▶ Have unruliness complaints been increasing or decreasing? By what per cent? Who are primarily responsible for this change—boys or girls?
- ▶ Is delinquency or unruliness the more common complaint against boys? Against girls?

TABLE 1  
Total Complaints, 1971 Compared with 1970

<u>CHILDREN'S CASES</u>	<u>1971</u>	<u>1970</u>	<u>AMOUNT CHANGE</u>	<u>% CHANGE</u>
Delinquency: Boys . . . . .	5,900	5,917	-17	
Girls . . . . .	1,048	1,026	+22	
TOTAL DELINQUENCY . . . . .	6,948	6,943	+5	
Unruliness: Boys . . . . .	1,079	1,364	-285	-21%
Girls . . . . .	1,071	1,056	+15	
TOTAL UNRULINESS . . . . .	2,150	2,420	-270	-11%
TOTAL DELINQUENCY and UNRULINESS . . . . .	9,098	9,363	-265	-2.8%
Juvenile Traffic Offenders: Boys . . . . .	8,234	8,362		
Girls . . . . .	1,069	977		
TOTAL TRAFFIC OFFENDERS . . . . .	9,303	9,339	-36	

SOURCE: The Juvenile Court of Cuyahoga County, Cleveland, Ohio, Annual Report, 1971, p. 24.

- ▶ Study Table 2. List the three most frequent complaints filed against boys in 1971. Then compare these with the three most frequent complaints filed against girls.
- ▶ In which category are the number of complaints for boys and girls about the same? Are there any areas in which the girls outnumber the boys?
- ▶ Which of the offenses above do you think would be termed delinquent? Which would be termed unruly?

TABLE 2

Delinquency and Unruly Complaints, 1971 Compared with 1970

Complaint	Boys		Girls		Total	
	1971	1970	1971	1970	1971	1970
Auto Theft . . . . .	106	192	7	3	113	195
Auto Trespassing . . . . .	1,072	1,235	84	58	1,156	1,293
Unlawful Entry and Stealing . . . . .	941	1,041	42	41	983	1,082
Other Theft . . . . .	581	465	102	121	683	586
Shoplifting . . . . .	396	489	365	402	761	891
Theft from Person . . . . .	423	353	29	17	452	370
Other Property Offenses . . . . .	91	115	18	42	109	157
Act Resulting in Death . . . . .	19	19	1	3	20	22
Injury to Person . . . . .	714	662	209	171	923	833
Destruction of Property . . . . .	430	378	33	15	463	393
Disorderly Conduct . . . . .	256	207	35	51	291	258
Possession of Weapons . . . . .	127	188	6	9	133	197
Fire Setting . . . . .	56	29	7	0	63	29
Trespassing on Property . . . . .	172	123	12	11	184	134
Glue Sniffing . . . . .	61	66	6	9	67	75
Drug and Narcotic Violation . . . . .	149	159	35	30	184	189
Liquor Violation . . . . .	190	236	36	29	226	265
Sex Offense . . . . .	47	92	41	60	88	152
Incorrigibility . . . . .	544	584	697	650	1,241	1,234
Truancy . . . . .	247	240	160	154	407	394
Running Away . . . . .	43	59	113	135	156	194
Curfew Violation . . . . .	148	153	42	28	190	181
Other Complaints . . . . .	166	196	39	43	205	239
<b>TOTAL COMPLAINTS</b>	<b>6,979</b>	<b>7,281</b>	<b>2,119</b>	<b>2,082</b>	<b>9,098</b>	<b>9,363</b>

SOURCE: The Juvenile Court of Cuyahoga County, Annual Report, 1971, p. 25.

Tables 3 and 4 show, by location, the young people in Cuyahoga County who were brought to juvenile court during 1971. Notice that unruly and delinquent categories have been combined.

- ▶ Compare the number of complaints from the suburbs with the number from the city of Cleveland. Which is higher? Which is increasing?
- ▶ Find your own community. Do the 1971 figures show an increase? Compare your local area with several others with which you are familiar.
- What must we keep in mind when trying to decide whether youngsters in certain areas are "more criminal" than those in other areas?

TABLE 3

Area of Residence, Minors Filed as Delinquents, Unruly  
1971 and 1970

AREA OF RESIDENCE

City of Cleveland By Social Planning Areas	BOYS' CASES		GIRLS' CASES		TOTAL CASES	
	<u>1971</u>	<u>1970</u>	<u>1971</u>	<u>1970</u>	<u>1971</u>	<u>1970</u>
Central	123	142	45	38	168	180
Central - East	186	235	47	74	233	309
Central - West	188	200	48	59	236	259
Clark - Fulton	111	101	46	17	157	118
Corlett	307	323	85	86	392	409
Denison	106	87	39	22	145	109
Downtown	3	6	4	5	7	11
Edgewater	15	17	13	2	28	19
Glenville	627	738	231	248	858	986
Goodrich	56	88	21	23	77	111
Hough	514	618	139	176	653	794
Jefferson	73	83	24	20	97	103
Kinsman	108	153	45	77	153	230
Lee - Miles	219	206	58	44	277	250
Mt. Pleasant	235	259	61	70	296	329
Near West Side	513	421	129	84	642	505
North Broadway	87	71	29	20	116	91
North Collinwood	66	74	9	10	75	84
Norwood	144	123	48	28	192	151
Purtis - Bellaire	99	76	29	19	128	95
Riverside	53	74	27	28	80	102
South Broadway	96	125	28	28	124	153
South Brooklyn	108	81	22	15	130	96
South Collinwood	178	159	54	35	232	194
Tremont	169	261	55	44	224	305
University	42	57	7	17	49	74
West Side	128	103	37	21	165	124
Woodland Hills	158	168	44	38	202	206
<b>TOTAL, City of Cleveland</b>	<b>4,712</b>	<b>5,049</b>	<b>1,424</b>	<b>1,348</b>	<b>6,136</b>	<b>6,397</b>

SOURCE: The Juvenile Court of Cuyahoga County, Annual Report, 1971,  
p. 19.

TABLE 4

Area of Residents, Minors Filed as Delinquents, Unruly  
1971 and 1970

AREA OF RESIDENCE

Municipalities, Villages & Townships	BOYS' CASES		GIRLS' CASES		TOTAL CASES	
	<u>1971</u>	<u>1970</u>	<u>1971</u>	<u>1970</u>	<u>1971</u>	<u>1970</u>
Bay Village	63	64	13	13	76	77
Beachwood	31	25	8	13	39	38
Bedford	38	65	19	16	57	81
Bedford Heights	36	19	14	14	50	33
Berea	80	53	10	10	90	63
Brecksville	14	17	2	2	16	19
Broadview Heights	17	32	5	12	22	44
Brooklyn	20	24	7	3	27	27
Brook Park	94	74	19	15	113	89
Cleveland Heights	190	169	72	42	262	211
East Cleveland	224	205	73	79	297	284
Euclid	138	161	25	44	163	205
Fairview Park	31	35	10	6	41	41
Garfield Heights	73	58	15	17	88	75
Independence	15	21	2	6	18	27
Lakewood	217	192	89	86	306	278
Lyndhurst	24	30	7	7	31	37
Maple Heights	68	77	12	32	80	109
Mayfield Heights	44	50	5	3	49	53
Middleburg Heights	18	24	3	6	21	30
North Olmsted	120	83	24	34	144	117
North Royalton	23	20	6	5	29	25
Parma	116	120	52	41	168	161
Parma Heights	29	36	15	11	44	47
Richmond Heights	15	12	1	-	16	12
Rocky River	50	45	19	26	69	71
Seven Hills	22	21	2	7	24	28
Shaker Heights	67	49	21	21	88	70
Solon	9	13	3	3	12	16
South Euclid	42	48	12	8	54	56
Strongsville	45	24	3	6	48	30
University Heights	36	26	12	11	48	37
Warrensville Heights	23	28	14	9	37	37
Westlake	46	38	14	20	60	58

TABLE 4—Continued

AREA OF RESIDENCE

Municipalities, Villages & Townships con't.	BOYS' CASES		GIRLS' CASES		TOTAL CASES	
	<u>1971</u>	<u>1970</u>	<u>1971</u>	<u>1970</u>	<u>1971</u>	<u>1970</u>
Bentleyville	-	1	-	-	-	1
Bratenahl	-	-	1	-	1	-
Brooklyn Heights	1	2	-	-	1	2
Chagrin Falls	13	26	5	1	18	27
Cuyahoga Heights	-	1	-	-	-	1
Gates Mills	3	6	1	1	4	7
Glenwillow	1	-	1	-	2	-
Highland Heights	14	12	4	3	18	15
Hunting Valley	-	-	-	-	-	-
Linndale	-	-	-	-	-	-
Mayfield	8	10	1	2	9	12
Moreland Hills	4	2	2	-	6	2
Newburgh Heights	3	11	3	2	6	13
North Randall	-	-	-	-	-	-
Oakwood	19	11	4	7	23	18
Olmsted Falls	7	8	4	5	11	13
Orange Village	-	4	-	1	-	5
Pepper Pike	4	12	3	4	7	16
Valley View	5	7	-	1	5	8
Walton Hills	3	2	1	-	4	2
Westview	7	6	4	-	11	6
Woodmere	1	2	-	-	1	2
Chagrin Falls Township	-	-	-	-	-	-
Olmsted Township	18	7	3	7	21	14
Riveredge Township	1	1	-	1	1	2
Warrensville Township	2	-	1	1	3	1
<b>TOTAL SUBURBS</b>	<b>2,193</b>	<b>2,089</b>	<b>646</b>	<b>664</b>	<b>2,839</b>	<b>2,753</b>
Agency Residents	22	58	16	34	38	92
Out-of-County Residents	49	74	31	33	80	107
Area Designation Unknown	3	11	2	3	5	14
<b>GRAND TOTAL</b>						
Delinquency & Unruly Cases	<b>6,979</b>	<b>7,281</b>	<b>2,119</b>	<b>2,082</b>	<b>9,098</b>	<b>9,363</b>

SOURCE: The Juvenile Court of Cuyahoga County, Annual Report, 1971, pp. 20-21.

Another interesting way to look at these court figures is to study the ages of delinquent and unruly children. Perhaps you can decide what age seems to be most troublesome for girls and for boys.

TABLE 5  
Ages of Individual Delinquent and Unruly Children, 1971

<u>AGE</u>	<u>BOYS</u>	<u>GIRLS</u>	<u>TOTAL</u>
Eight and under	32	4	36
Nine	52	11	63
Ten	105	18	123
Eleven	181	36	217
Twelve	312	122	434
Thirteen	522	243	765
Fourteen	980	398	1,378
Fifteen	1,227	467	1,694
Sixteen	1,386	437	1,823
Seventeen	1,353	276	1,629
Eighteen	29	3	32
Unknown	57	23	80
TOTAL	<u>6,236</u>	<u>2,038</u>	<u>8,274</u>
Repeaters during the year	743	81	824
(TOTAL)	<u>6,979</u>	<u>2,119</u>	<u>9,098</u>

SOURCE: The Juvenile Court of Cuyahoga County, Annual Report, 1971, p. 23.

DISPOSITION

There are four judges who are elected to the Cuyahoga County juvenile court. These four handled more than 9,000 delinquency and unruly petitions during 1971. Table 6 is a summary of their dispositions (decisions).

Note the two categories of cases: Official and Unofficial. If a court petition is not serious, the intake officer or the probation officer may work out an informal or voluntary plan of treatment with the child and his parents. Almost four out of every ten cases were handled voluntarily—without an official court hearing.

TABLE 6  
Dispositions Made in Delinquency and Unruly Cases, 1971

Official Cases	Boys	Girls	Total
Placed on Probation . . . . .	1,781	606	2,387
Placed in Private Treatment Centers . . . . .	142	72	214
Committed or Returned to Public Institutions:			
Ohio Youth Commission . . . . .	656	122	778
Mansfield Youth Center . . . . .	46	-	46
Cleveland Boys' School - Blossom Hill . . . . .	144	83	227
TOTAL Committed or Returned to Institutions . . . . .	846	205	1,051
Transferred to Common Pleas Court . . . . .	27	-	27
Continued Under Supervision of Parole Officer . . . . .	33	8	41
Continued Under Supervision, County Welfare Department . . . . .	21	12	33
Committed to Parents or Relatives . . . . .	193	53	246
Order Made in Other Cases . . . . .	535	38	573
Other Disposition . . . . .	123	27	150
Dismissed by the Court . . . . .	514	99	613
Withdrawn by Complainant . . . . .	225	162	387
Continued, or Set for Hearing in 1972 . . . . .	256	59	315
<b>TOTAL OFFICIAL DISPOSITIONS * . . . . .</b>	<b>4,696</b>	<b>1,341</b>	<b>6,037</b>
Unofficial Cases	Boys	Girls	Total
Adjusted by Referee . . . . .	1,907	701	2,608
Community Based Corrections Program . . . . .	114	46	160
Probation Officer to Supervise . . . . .	121	65	186
Referred to Agency . . . . .	42	23	65
Made Official . . . . .	47	29	76
Other Disposition . . . . .	25	7	32
Dismissed by Referee . . . . .	132	35	167
Withdrawn by Complainant . . . . .	95	36	131
Continued, Held Open . . . . .	51	8	59
<b>TOTAL UNOFFICIAL DISPOSITIONS . . . . .</b>	<b>2,534</b>	<b>950</b>	<b>3,484</b>

\* Discrepancy between the amount of official dispositions and the number of filings results from multiple dispositions made regarding children returned to Court during the year.

SOURCE: The Juvenile Court of Cuyahoga County, Annual Report, 1971, p. 26.

- ▶ What was the most frequent disposition made in official cases? What was the second most frequent disposition?
  
- ▶ In extreme cases, and only when a juvenile is 15 years old or over, the judge may decide to transfer a youth to a criminal court for an adult trial. Out of a total of 6,037 official dispositions, how many youths were transferred to Common Pleas Court?

Probation

About 40 per cent of all young people who were brought to official court hearings during 1971 were placed on probation. This represents almost half of the dispositions given by juvenile court judges. The philosophy of probation, along with several of the specific rules for Cuyahoga County are shown below. As you can see, the probation program aims at treating a youth's problem and making him a respectable member of society.

**RULES OF PROBATION**

The Judges of the Court have ordered that your probation shall have certain rules and conditions. They have extended this privilege to you because they believe that supervision will help you stay out of trouble and avoid another appearance in Court. They want the Probation Officer to help you respect other persons, their rights and their property. Any violations of the rules of probation or the conditions of probation - or further misbehavior - may subject you to the revocation or loss of your probation. The result might be that you would be committed to a correctional or training school. Therefore, observe the following:

1. Conduct yourself according to the laws of this State, the United States, and any ordinances of the City or Village in which you live.
2. Obey your parents, teachers, guardians, or custodians.
3. Attend school regularly and on time.
4. Choose your friends carefully and keep busy in wholesome activities. Help in any way with chores at home and in your neighborhood.
5. Conduct yourself in such a way as not to injure the morals or health of yourself or others.

6. Do not leave your parents' or guardians' home and attempt to live elsewhere without specific permission to do so from the Court.
7. Keep appointments with your Probation Officer and be on time. He will always take time to talk over your plans and problems with you.
8. You are on probation for an indefinite time. The manner in which you comply with these rules will determine the length of your probation.
9. In addition to the above rules you are ordered by the Court to observe the following conditions of probation.

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JUVENILE COURT CUYAHOGA COUNTY  
 2163 East 22nd Street  
 Cleveland, Ohio 44115  
 Court Telephone No. 771-8400

When a boy or girl is placed on probation, he or she is assigned to one of the 70 probation officers who work for the juvenile court in Cleveland. These officers play a key role in juvenile court—both in the court proceedings themselves and in the area of probation supervision.

Recently, Cleveland's probation officers were divided into two groups in order to make their work more effective. One group now concentrates on the pre-hearing case history. Their job is to get a complete background of each youth to present to the judge during the hearing.

Officers in the second group are responsible for the supervision of boys and girls after the judge has made his decision. Their job is twofold. First, they are responsible for contacting each individual every month. During interviews, the probation officer offers whatever guidance and counseling he can to a boy or girl and to the parents. The officers try to make these contacts in the home or local neighborhood rather than at the court building. However, because each carries an average caseload of 50-60 youths, this is sometimes difficult.

The probation officers' second responsibility is to keep the court informed on the youths' progress. As of 1971, the average length of probation was nine months.

### The Ohio Youth Commission



When a juvenile is in serious trouble and probation doesn't seem to offer an adequate solution, it may be necessary to separate the youth from his parents and place him in a correctional institution. In Ohio, such action is required in about one out of every five official court hearings. In these cases, the courts commit the youths to the Ohio Youth Commission (OYC).

The Ohio Youth Commission was established by the Ohio Legislature in 1963 in order "to retrain, educate, and treat children in an attempt to help them live more productive lives." Today there are 12 institutions maintained by the OYC with an approximate population of 3,500 youths. (There are two facilities for girls and nine for boys, plus the co-ed Diagnostic Center in Columbus; one more institution for boys will be completed in 1973.)

<p>JAMES A. RHODES GOVERNOR</p> <p>DANIEL W. JOHNSON DIRECTOR</p>		<p>WILLIAM HILLIS Deputy Director CORRECTIONAL SERVICES</p> <p>JOSEPH L. WHITE Active Deputy Director COMMUNITY SERVICES</p>
<p><b>OHIO YOUTH COMMISSION</b> 2280 West Broad Street COLUMBUS OHIO 43223</p>		

Dear Parents:

The Juvenile Court has determined that your child needs help in solving the problems which have resulted in his present difficulty. Permanent commitment to the Ohio Youth Commission means that your child will now be under the jurisdiction of the State of Ohio, until such time as the Commission believes that further acts of delinquency are unlikely.

While they are with us, boys and girls will live in our institutions, camps and schools. They will be well cared for and will receive the best possible training for returning home as useful and constructive citizens. When they are ready, they will be placed back in the community under supervision, so that they may re-enter school, find jobs, enter military service and otherwise begin again to live in an open and democratic society.

Certainly, we cannot do this alone. Your child will continue to need your love and faith during this period of institutionalization. We have prepared this pamphlet as a guideline to assist parents in helping their child.

DANIEL W. JOHNSON  
Director

The OYC accepts boys aged 10-17 (average age is 16) and girls aged 12-17 (average age is 15). The length of commitment is not specified; a youth will remain under state jurisdiction "until such time as the commission believes that further acts of delinquency are unlikely." In practice, the average length of stay is 11 months, although it is possible for a youth to remain until he or she is 21.

## NOTES

<sup>1</sup>Leontine R. Young, "Delinquency from the Child's Viewpoint," Focus, XXX (May 1951) pp. 69-74. Reprinted in Clyde B. Vedder, Juvenile Offender (Garden City, New York: Doubleday, 1954), p. 62.

<sup>2</sup>Fredrick Sussman, Law of Juvenile Delinquency (2d ed. rev.; New York, Oceana, 1959), p. 21.

<sup>3</sup>Based on interview conducted by Charles S. Adams, 1972.

<sup>4</sup>Idem.

<sup>5</sup>Based on a case cited in North Eastern Reporter, 2d series.

<sup>6</sup>Arnold Madison, Vandalism: The Not-So-Senseless Crime (New York: Seabury Press, 1970), p. xi.

<sup>7</sup>Ibid., p. 103.

<sup>8</sup>Carl A. Bersani (ed.), Crime and Delinquency (London: Macmillan, 1970), p. 271.

<sup>9</sup>Ibid., p. 279.

<sup>10</sup>Madison, op. cit., p. 105.

<sup>11</sup>Ibid., p. 104.

<sup>12</sup>Saturday Evening Post, May 18, 1968.

<sup>13</sup>Clifford Shaw, Delinquency Areas (Chicago: University of Chicago Press, 1929), quoted in Clyde B. Vedder, Juvenile Offenders (Springfield, Illinois: Charles C. Thomas, 1963), p. 107.

<sup>14</sup>From an editorial by Wendy Feldman, Sun Papers (Ohio).

<sup>15</sup>Adapted from an account in Lisa A. Richette, The Throwaway Children (Philadelphia: Lippincott, 1969), pp. 29-35.

<sup>16</sup>Adapted from a report in Grace and Fred M. Hechinger, Teen Age Tyranny (New York: William Morrow, 1963), pp. 201-03.

<sup>17</sup>Geraïd Leinwand (ed.), Problems of American Society: Crime and Juvenile Delinquency (New York: Washington Square Press), p. 105, quoted in Tom Tiede, "Why Do People Hate Cops," Trenton Evening Times, July 6, 1967, p. 6.

<sup>18</sup>David G. Molyneaux, "'Unruly' Youths at Mercy of Juvenile Court Judge," Cleveland Plain Dealer, July 10, 1972, p. 1.

<sup>19</sup>Ibid.

<sup>20</sup>Don Gibbons, Delinquent Behavior (Englewood Cliffs, New Jersey: Prentice-Hall, 1970), p. 238.



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