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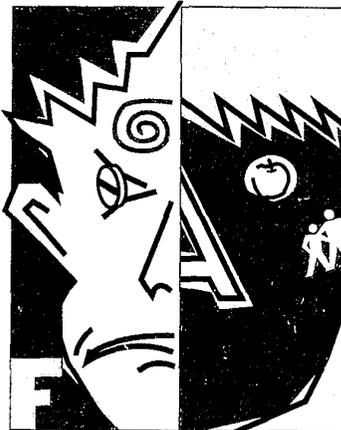
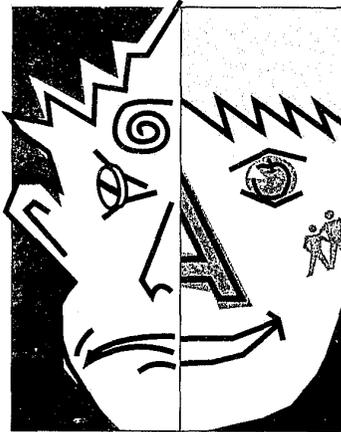
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About the cover:

What causes a youth to become delinquent? New research links drug use, education, peer networks and family relationships as factors contributing to juvenile delinquency. Artwork by Tackett and Barbara Design.

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BY DAVID HUIZINGA AND FINN ESBENSEN

Successfully handling chronic offenders is an enormous challenge. New research examines the effectiveness of current juvenile justice policies and practices in Denver, Colorado.

An arresting view of juvenile justice

During the past three decades, differing opinions regarding the value and outcome of the arrest and incarceration of juveniles have flourished. One view, the labeling perspective, focuses on the effect of arrest and juvenile justice processing on the future behavior of juvenile offenders. It has been suggested that following arrest and processing, the way others perceive offenders, as well as the way others respond to them, is changed.

As a result of being identified by arrest and processing, youths are labeled or tagged as being "bad kids." Because of the label, reactions to the youths by parents, teachers, friends and others may change and alter normal social activities. The end result is a perception of themselves as "bad kids."

The act of official sanctioning thus produces a label that hinders normal prosocial development. It causes youths to identify themselves as bad, seek out other "bad" kids, and become the very thing that they have been called. This, together with learning experiences and new friends, leads to an escalation of future illegal behavior (Paternoster and Giovanni 1989).

A different perspective concerns not

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only the effect of arrest and official processing on the future behavior of the offender but also the effect of the official sanctioning on the behavior of others. In this concept, arrest and processing are considered negative experiences that serve to deter the offender from future illegal behavior. By way of example, it also inhibits others from engaging in this behavior. This deterrence perspective suggests that arrest and official processing are important not only for reduction of future illegal behavior, but also for reinforcement of belief in the rules and laws of society within others (Smith and Gartin 1989).

A third view is based upon a doctrine of incapacitation — protecting society from future illegal behavior by identifying, arresting and incarcerating offenders early in their criminal career. Based on a "get tough" arrest orientation and incarcerating offenders so that they are removed from society, incapacitation serves to protect others from future victimization by these offenders.

A lack of consensus

Each of these three viewpoints have advocates and opponents. While each view may have merit, and descriptions of particular youths exist to illustrate each view, the appropriateness of each point of view can be questioned. Currently, there is a lack of consensus regarding the effect of arrest on future delinquent be-

havior, though both the labeling and deterrence perspectives have some research support. The research, to date, however, has not been supportive of the incapacitation perspective.

Three reasons for the failure of incapacitation to have a major impact on juvenile crime rates are often given. First, as evidenced by the FBI's Uniform Crime Reports and by supporting, attendant data, only a fraction of all offenders are arrested or are brought to the formal attention of the police. Thus only a small subset of the offending population will ever be prevented from offending during a period of incapacitation.

Second, a continuous and relatively unlimited supply of individuals is available to replace those who do get caught and/or incapacitated.

Third, as evidenced by past research, a number of offenders are essentially "experimenters" and will not repeat their offenses after the first time, without any form of official intervention. For this rather substantial group, incapacitation seems an unnecessary, and perhaps, unproductive policy (Wolfgang and others 1972).

Federal and state policy differ

Against this background, it is interesting that federal and state policies appear to reflect adherence to somewhat different philosophies. The federal juvenile justice policy, as epitomized by the 1974 Juve-

nile Justice and Delinquency Prevention (JJDP) Act, has been one of removing status offenders from the justice system and of reducing reliance upon committing youth to training schools.

In contrast, the states have been more adherent to a deterrence/incapacitation model. This has resulted in a drastic increase in the number of juveniles confined in both public and private detention facilities. The increase is especially marked in private facilities; between 1975 and 1987, private facilities experienced an increase of 122 percent in total admissions (Thornberry and others 1991). Yet, this increase in juvenile confinement has not resulted in any commensurate decrease in the juvenile crime rate (Schwartz 1989).

The Denver Youth Survey

Data from the Denver Youth Survey are used to examine who gets arrested, what kinds of offenses are committed, and the effect of arrest on a youth's subsequent delinquent behavior.

The Denver Youth Survey is a study of child and youth development sponsored by the Federal Office of Juvenile Justice and Delinquency Prevention. It involves both boys and girls who were 7, 9, 11, 13 and 15 years old at the start of the survey in 1987.

To understand their development, these youths and one of each of their parents have been followed and interviewed annually over the past five years, providing information about psychological and social development, families, friends, school, neighborhoods, as well as their involvement in pro-social activities, delinquency and drug use. Some information was provided by the youth of the study when they were 11, 13, 15 and 17 years old. It includes their involvement in delinquent behavior and their contacts with the police and other juvenile justice agencies. Arrests include citations for delinquent behavior, since citations are issued as an alternative to arrest for some offenses. (Traffic offenses are excluded from the data given in this article).

Who gets arrested?

To provide a description of the youth that are arrested, the proportions of various demographic groups arrested in 1989 were examined. Males have a higher probability of being arrested than do females; about 19 percent of the boys and 10 percent of the girls were arrested. Given the greater involvement of boys in delinquency more frequently reported, this is not too surprising. Of those arrested, about half of both boys and girls are arrested more than once during the year.

Differences in arrest rates for different race/ethnic groups were not found in the Denver neighborhoods surveyed. Although there were some differences, with Caucasians having somewhat lower arrest rates, statistically these differences were not significant. The age of juveniles, however, appears to be highly related to the probability of arrest, with older youths having higher arrest rates. Approximately one-fourth of the two oldest cohorts (25 percent of the 17-year-olds and 24 percent of the 15-year-olds) were arrested during 1989. This contrasts with 10 percent of the 13-year-olds and 3 percent of the 11-year-olds reporting an arrest during the year.

Types of offenses

Of additional interest are the types of delinquent behavior of the youths who are arrested. Are all the arrested youths serious delinquents? What proportion of the more serious offenders are arrested? What proportion of minor offenders are arrested?

To answer these questions, youths were categorized on the basis of the most serious type of offense they had committed during the year. The categories included (1) "street offenders" who are involved in offenses such as robbery, aggravated assault, auto theft, theft over \$100 and gang fights; (2) "other serious offenders" who are involved in other offenses such as theft between \$50-\$100, minor assault and damaging property; (3) "minor offenders" who are involved in generally less serious behaviors and

status offenses; and (4) "non-offenders" who are involved in no offenses or in trivial unrecorded behaviors. In this sequence of types, street offenders are the group most frequently involved in all kinds of delinquency, both serious and minor.

Given the greater involvement of street offenders in delinquency, is a greater proportion of these individuals arrested than that of the other groups?

The answer is yes. During 1989, 38 percent of the street offenders were arrested, while 17 percent of the other serious offenders, 14 percent of the minor offenders, and 4 percent of the non-offenders were arrested. Thus, in the mix of individuals coming to the attention of the police, roughly two-thirds of the arrestees are street or other serious offenders.

It is important to note, however, that although a greater proportion of street offenders are arrested and, together with other serious offenders, make up the majority of all arrestees, less than half of these active street offenders and about one-fifth of the other serious offenders are arrested in a given year. The majority are not arrested.

Although a good proportion of street and other serious offenders are arrested, they were not necessarily arrested for a serious offense. Because these individuals are also very frequently involved in minor offenses, they have a high probability of being arrested for a less serious offense. Examination of the most serious offense for which these individuals were arrested indicates that more than half of the arrested street and other serious offenders are arrested only for a minor delinquent act.

Effects of arrest on future behavior

As noted earlier, there is some debate about whether arrest deters or increases future delinquent behavior, or whether it has any effect at all. To examine this issue, changes in the level of delinquency involvement from 1988 to 1989 were examined for both arrested and non-arrested individuals. There is little indica-

tion that being arrested has had a deterrent effect on most of the individuals that were arrested.

Of the street and other serious offenders, 74 percent of the arrested and 61 percent of the non-arrested maintained their level of delinquency involvement in the following year. Additionally, most of the minor offenders and non-delinquents remained in the same low-level delinquency category the following year. However, within this low-level group, a greater percentage of the arrestees increased their delinquent behavior to more serious forms of offenses in the following year than did their counterparts who were not arrested.

It would be difficult to predict the effect of an arrest on any one particular adolescent, since the effect may not be similar for individual persons. However, considering the arrestees as a group, it appears that arrest has little overall effect on subsequent delinquent behavior, and may, in fact, have some tendency to increase the level of involvement in future delinquency for some youth. It clearly does not appear to have a deterrent effect for most of the individuals who are apprehended.

What happens to arrested youth?

As described previously, street offenders have a higher probability of being arrested than do other offender types. Because only 16 percent of cases were handled in an informal manner, there was a high probability that any individual case would go to court once arrested. Of those cases proceeding to court, most (82 percent) resulted in a fine in addition to some other punitive measure, including:

- probation (17 percent);
- restitution (18 percent);
- community service (34 percent); or
- commitment to a juvenile facility (10 percent).

(These categories of disposition are not mutually exclusive, since a case can receive multiple penalties. Hence the totals add to more than 100 percent.)

An additional question about the kind of treatment received by different types of offenders is also of interest. Are the more serious street offenders treated more severely by the justice system?

The answer appears to be yes. Separate flow charts for each of the delinquent types were constructed and results indicate that street offenders did receive more severe treatment by the justice system than did other offender types. Although street offenders comprise only 38 percent of youth appearing in court, they account for 55 percent of probation cases, 63 percent of restitution cases and 67 percent of youth committed to a training center.

Arrest is relatively common

These findings suggest that arrest is a relatively common occurrence for youth in the neighborhoods included in the Denver study. For the older youth, almost half are arrested before they become adults, most likely because of a minor offense. Arrest rates increase with age. Males are substantially more likely to come to the attention of the police, which is consistent with their differential rate of involvement in delinquency. No substantial racial differences were found.

The more serious street offenders have a higher probability of being arrested than do other types of youth, and these offenders are also the recipients of harsher sanctions following a court appearance. The findings also suggest, however, that the majority of street and other serious offenders do not get arrested. Among those arrested, the arrest had little effect in deterring most individuals from future delinquent behavior.

As a result, it seems that, in addition to good law enforcement, it is necessary to pay greater attention to prevention strategies to successfully reduce involvement in delinquent behavior. Although successfully handling known offenders is an enormous challenge, simply responding to delinquent acts, trying to apprehend and sanctioning active serious offenders is not enough. Programs that prevent delinquent behavior are needed

for both the large number of active offenders that are not apprehended and those who have not yet begun their delinquent career.

The potential importance of prevention programs has implications for both the juvenile justice system and for schools. Schools can play a central role in preventing delinquency. School is a major part of the lives of our youth. However, not only are safe, orderly and secure schools needed, but also management, teaching and extracurricular practices that lead to success for all children — not just some of them. Some innovative programs in this direction have been designed.

In addition, schools often are seen as the first source of help sought by parents of troubled youth, and schools could provide an important function in this regard. Under these circumstances, a consideration of opportunities for schools and the expansion of school activities in delinquency prevention strategies and programs seems clearly warranted.

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