

**Chapter 1 - Childhood and Delinquency**

1. The effects on children's cognitive achievement, educational attainment, nutrition, physical and mental health, and social behavior due to poverty are

- a. minimal.
- b. limited.
- c. long-lasting.
- d. insignificant.

ANSWER:

c

2. In which case did the Supreme Court rule that juveniles cannot be subject to the death penalty?

- a. *Tennessee v. Garner*
- b. *Miller v. Alabama*
- c. *Roper v. Simmons*
- d. *In re Gault*

ANSWER:

c

3. What, if any, change has occurred in teenage birth rates nationwide during the past decade?

- a. They have increased.
- b. They have stayed stable.
- c. They have decreased.
- d. They have gained increased nationwide attention.

ANSWER:

c

4. What process is used to move a juvenile accused of being a delinquent from juvenile to adult court?

- a. Waiver
- b. Diffusion
- c. Primogeniture
- d. *Parens patriae*

ANSWER:

a

5. What present-day term refers to young people who are extremely vulnerable to the negative consequences of school failure, substance abuse, and early sexuality?

- a. At-risk youth
- b. Juvenile delinquent
- c. Wayward minors
- d. Role diffused youth

ANSWER:

a

6. Who were the nineteenth-century reformers who developed programs for troubled youth and influenced legislation creating the juvenile justice system?

- a. The chancery
- b. The Johns Hopkins University
- c. The children's defense fund
- d. The child savers

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ANSWER: d

7. School failure, substance abuse, and early sexuality may all be indicators that a youth is a(n) \_\_\_\_\_?

- a. at-risk youth
- b. juvenile delinquent
- c. wayward minors
- d. role diffused youth

ANSWER: a

8. What actions are only considered illegal for juveniles?

- a. Status offenses
- b. Deviant offenses
- c. Non-violent offenses
- d. Drug-related offenses

ANSWER: a

9. In what system were children placed in the care of adults who trained them to discharge various duties and obtain skills?

- a. Chancery
- b. Child savers
- c. Juvenile court
- d. Apprenticeship

ANSWER: d

10. The colonies adopted laws similar to those in England to deal with destitute and neglected children. What is the name of those laws?

- a. Chancery
- b. Poor
- c. Juvenile
- d. Apprentice

ANSWER: b

11. Johns Hopkins University found that the homicide rate for young people was higher than the national average. How much higher did they find it to be?

- a. Twice the national average
- b. Three times the national average
- c. Four times the national average
- d. Five times the national average

ANSWER: a

12. What federal law sought to formally limit the number of hours children were permitted to work?

- a. Factory Act
- b. Illinois Juvenile Court Act
- c. Juvenile Justice Reform Act

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- d. *Parens Patriae* Act

ANSWER:

a

13. Early English jurisprudence held that children under what age were legally incapable of committing crimes?

- a. 7
- b. 8
- c. 9
- d. 10

ANSWER:

a

14. During the Middle Ages, what group of children were bound out by parents or guardians who wished to secure training for their children?

- a. Neglected children
- b. Involuntary apprentices
- c. Voluntary apprentices
- d. Needy children

ANSWER:

c

15. Western culture did not have a sense of childhood as a distinct period of life until the end of what century?

- a. Seventeenth
- b. Eighteenth
- c. Nineteenth
- d. Twentieth

ANSWER:

c

16. What current legal status refers to a minor child who has been found to have violated the penal code?

- a. Status offender
- b. Juvenile delinquent
- c. Chronic delinquent
- d. At-risk child

ANSWER:

b

17. What process transfers legal jurisdiction of the most serious and experienced juvenile offenders to the adult court for criminal prosecution?

- a. Waiver
- b. Chancery court
- c. Adult court
- d. Juvenile transfer

ANSWER:

a

18. Changes in the treatment of status offenders began more than 40 years ago as a result of which agency's attempts to remove juveniles from secure lockups and detention centers?

- a. Office of Juvenile Justice and Delinquency Prevention
- b. Federal Bureau of Investigation

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- c. Circuit Court
- d. National Institute of Justice

ANSWER:

a

19. If being detained, a juvenile delinquent would be held in secure detention. Where would a status offender be held?

- a. Jail
- b. Nonsecure detention
- c. Halfway house
- d. Nonsecure shelter care

ANSWER:

d

20. Which generation of Americans was born after World War I and raised during the Depression?

- a. Baby boomers
- b. Greatest generation
- c. Gen X
- d. Gen Y

ANSWER:

b

21. Which generation of Americans was born between 1980 and 2000?

- a. Baby boomers
- b. Greatest generation
- c. Gen X
- d. Gen Y

ANSWER:

d

22. Which of the following Supreme Court cases found that mandatory life sentences without the possibility of parole are unconstitutional for a youth under the age of 18?

- a. *Tennessee v. Garner*
- b. *Miller v. Alabama*
- c. *Roper v. Simmons*
- d. *In re Gault*

ANSWER:

b

23. Which generation is described as technology savvy, patriotic as a result of the 9/11 attacks, self-centered, and irresponsible as well as having an unrealistic view of how the work world functions?

- a. Generation Alpha
- b. Generation X
- c. Generation Y
- d. Generation Z

ANSWER:

c

24. What is the single most effective preventive strategy against adult poverty?

- a. Avoid gangs

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- b. Earn a college degree
- c. Avoid substance abuse
- d. Graduate from high school

ANSWER:

d

25. Which of the following refers to youths who are spread too thin, experience personal uncertainty, and place themselves at the mercy of people who promise to give them a sense of identity they cannot develop for themselves?

- a. Ego identity
- b. Role diffusion
- c. Status offenders
- d. Wayward minors

ANSWER:

b

26. According to Erik Erikson, what is formed when a person develops a full sense of self?

- a. Personality
- b. Id
- c. Ego identity
- d. Role diffusion

ANSWER:

c

27. According to the Census Bureau, what percent of children of color live below the poverty line?

- a. More than 25%
- b. More than 35%
- c. More than 45%
- d. More than 55%

ANSWER:

a

28. Which of the following terms refers to the practice of setting up a fictitious online profile, most often for the purpose of luring another into a fraudulent romantic relationship?

- a. Phishing
- b. Cyberbullying
- c. Cyberstalking
- d. Catfishing

ANSWER:

d

29. A recent analysis by Johns Hopkins University found what to be the leading cause of death for children and teens ages 1–19?

- a. Knives
- b. Suicide
- c. Stalking
- d. Guns

ANSWER:

d

30. It was reported that nationwide teenage birthrates have declined substantially during the past decade. Which of the

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following groups has seen the largest decline?

- a. African American girls
- b. Asian girls
- c. Hispanic girls
- d. Caucasian girls

ANSWER:

a

31. What term is used to describe the reduction in frequency of offending among youths as they age?

- a. Evolutionary growth
- b. Maturation cycle
- c. Learning curve
- d. Aging-out process

ANSWER:

d

32. The process by which juvenile offenders continue with their delinquent careers rather than aging out of crime is referred to as:

- a. Delinquency
- b. Persistence
- c. Rebellion
- d. Primogeniture

ANSWER:

b

33. What was created in the British legal system of the Middle Ages to oversee the lives of minor children who were orphaned or unable to care for themselves?

- a. Juvenile justice system
- b. Chancery courts
- c. Apprentice system
- d. The Dower System

ANSWER:

b

34. How was the rule of *parens patriae* first used by English kings?

- a. To intervene in the lives of children whose parents were peasants and unable to care for them
- b. To intervene in the lives of children who engaged in criminal acts
- c. To intervene in the lives of children whose position and property were of direct concern to the monarch
- d. To intervene in the lives of children who were intellectually challenged and could not care for themselves

ANSWER:

c

35. Which English laws allowed the courts to appoint overseers to destitute and neglected children and to allow placement of these children as servants in the homes of the affluent?

- a. Chancery
- b. Refuge
- c. Juvenile
- d. Poor

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ANSWER: d

36. Which term refers to the requirement that the oldest surviving male child inherit lands and titles?

- a. Paternalism
- b. Chancery
- c. Persistence
- d. Primogeniture

ANSWER: d

37. Which philosophy stressed a humanistic view of life, freedom, family, reason, and law?

- a. Renaissance
- b. Middle Ages
- c. Enlightenment
- d. *Parens patriae*

ANSWER: c

38. What was the practice during the Middle Ages of completely wrapping newborns in long, bandage-like cloths to restrict their movements and make them easier to manage?

- a. Persistence
- b. Primogeniture
- c. Swaddling
- d. Waiver

ANSWER: c

39. What legal act was enacted to alleviate the problems of child labor in the early nineteenth century by limiting the hours children were permitted to work as well as the age at which they could begin to work?

- a. *Parens Patriae*
- b. Status
- c. Factory
- d. Child Labor and Education

ANSWER: c

40. The best interests of the child philosophy argues that children who commit crimes should receive which of the following?

- a. Community incarceration
- b. Treatment
- c. Fines
- d. Labeling

ANSWER: b

41. What term refers to youths who have been arrested four or more times during their minority and perpetuate a striking majority of serious criminal acts?

- a. Status offender
- b. Wayward child

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- c. Chronic delinquent
- d. At-risk child

ANSWER:

c

42. What philosophical viewpoint encourages the state to take control of wayward children and provide care, custody, and treatment to remedy delinquent behavior?

- a. Best interests of the child
- b. Paternalism
- c. Primogeniture
- d. Waiver

ANSWER:

a

43. Under which doctrine are delinquent acts not considered criminal violations nor are delinquents considered criminals?

- a. *Prima facie*
- b. *In re Gault*
- c. *Parens patriae*
- d. *Corpus delicti*

ANSWER:

c

44. In what case did an appellate court hold that some juvenile defendants may simply be too young to stand trial?

- a. *Miller v. Alabama*
- b. *In re Gault*
- c. *Timothy v. Superior Court*
- d. *Roper v. Simmons*

ANSWER:

c

45. Which of the following best defines the term “waiver”?

- a. The juvenile court equivalent of a guilty plea
- b. The dismissal of all charges that have been brought against a juvenile
- c. A judgment made by the juvenile court to imprison a delinquent
- d. The transferring of legal jurisdiction of juveniles from the juvenile to the adult court

ANSWER:

d

46. What term refers to youth who are caught smoking?

- a. Status offender
- b. Chronic delinquent
- c. Delinquent
- d. Waivers

ANSWER:

a

47. State control over a child’s noncriminal behavior is believed to support and extend which philosophy?

- a. Chancery
- b. Paternalism

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- c. *Parens patriae*
- d. Child-saving

ANSWER:

c

48. The federal government's National Advisory Commission on Criminal Justice Standards and Goals suggested that the nation's juvenile courts confine themselves to controlling five status offenses: habitual truancy, repeated disregard for parental authority, delinquent acts by youths under the age of 10, repeated use of intoxicating beverages, and \_\_\_\_\_.

- a. curfew violations
- b. drug use
- c. tobacco use
- d. repeated running away

ANSWER:

d

49. One way jurisdictions have attempted to maintain greater control over wayward youth has been the implementation of what type of laws?

- a. Drug and alcohol
- b. Curfew
- c. School truancy
- d. Vandalism

ANSWER:

b

50. The early legal term used to describe status offenders was:

- a. Insolvent children
- b. Corrupted adolescents
- c. Destitute youth
- d. Wayward minors

ANSWER:

d

51. What term is defined as the oldest age at which a juvenile court has original jurisdiction over an individual for law-violating behavior?

- a. Adult waiver
- b. Aging out
- c. Upper age of jurisdiction
- d. Primogeniture

ANSWER:

b

52. Why is delinquent behavior sanctioned less heavily than criminality?

- a. Juvenile ego development is not complete.
- b. The law considers juveniles as being less responsible for their behavior than adults.
- c. The law holds that parents must pay for the behaviors of their children.
- d. Role diffusion is a common cause of delinquency.

ANSWER:

b

53. Research shows that kids who engage in what type of behavior are much more likely to engage in precocious sex?

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- a. Listen to music with sexual content
- b. Play violent video games
- c. Watch violent movies
- d. Watch movies with sexual content

ANSWER:

a

54. Family structure and the role of children began to change following what time period?

- a. Middle Ages
- b. Colonization
- c. Civil war
- d. Abolition

ANSWER:

a

55. What term refers to court proceedings created in fifteenth-century England to oversee the lives of highborn minors who were orphaned or otherwise could not care for themselves?

- a. Juvenile justice system
- b. Chancery courts
- c. Apprentice system
- d. *Parens patriae*

ANSWER:

b

56. Which of the following is an improvement for juveniles in the last decade?

- a. Lower suicide rates
- b. Lower abortion rates
- c. Lower rates of gun violence
- d. Lower rates of bullying

ANSWER:

b

57. What is another term for the aging out process?

- a. Persistence
- b. Continuance
- c. Desistance
- d. Recidivism

ANSWER:

c

58. According to the U.S. Census Bureau, what increased during the COVID pandemic?

- a. Pregnancy rates
- b. Abortion rates
- c. Poverty rates
- d. Homicide rates

ANSWER:

c

59. According to recent national estimates, what percent of adolescents eat five or more servings of fruits and vegetables

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per day?

- a. 20
- b. 30
- c. 40
- d. 50

ANSWER:

a

60. How does the U.S. infant mortality rate compare to other similar countries?

- a. Much higher
- b. Somewhat higher
- c. Much lower
- d. Somewhat lower

ANSWER:

a

61. What family style was predominant during the Middle Ages?

- a. Feudalism
- b. Chancery
- c. Paternalism
- d. Apprenticeship

ANSWER:

c

62. Which of the following makes adolescents particularly vulnerable to stress?

- a. Income inequality
- b. Poor diet
- c. Lack of health care
- d. Poor self-image

ANSWER:

d

63. Today, the legal status of “juvenile delinquent” refers to a minor child who has been found to have violated what?

- a. Penal code
- b. Juvenile code
- c. Civil code
- d. Status code

ANSWER:

a

64. Separate status offense categories may avoid some of the stigma associated with what?

- a. Delinquency label
- b. *Parens patriae*
- c. Chancery
- d. Apprenticeship

ANSWER:

a

65. Which of these has increased since the 1990s?

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- a. Teen pregnancy
- b. Abortion
- c. Childhood immunizations
- d. Smoking

ANSWER:

c

66. Although all young people face stress in the education system, the risks are greatest for what group?

- a. Males
- b. Females
- c. Middle class
- d. Children of color

ANSWER:

d

67. What federal agency was created to identify the needs of youths and fund policy initiatives in the juvenile justice system?

- a. FBI
- b. CODIS
- c. OJJDP
- d. NIJ

ANSWER:

c

68. What term refers to a child subject to state authority for committing actions that would not be considered illegal if perpetrated by an adult?

- a. Juvenile delinquent
- b. Criminal
- c. Status offender
- d. Adult

ANSWER:

c

69. The failure of curfews to control crime and their infringement on civil rights has prompted opposition to the practice by which agency?

- a. NAACP
- b. ACLU
- c. SPLC
- d. UN

ANSWER:

b

70. Juveniles who were once referred to as wayward children are now called what?

- a. Criminals
- b. Juvenile delinquents
- c. Delinquents
- d. Status offenders

ANSWER:

d

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71. Explain ego identity and role diffusion. Why would you consider these concepts important to understand? Do you believe these concepts to be related to delinquency and/or problems faced by youth today? Support your views.

*ANSWER:*

- Erik Erikson stated that youths may experience a life crisis in later adolescence, at around ages 16 to 18.
- Erikson labeled this as a struggle between identity and role diffusion.
- Ego identity is formed when youths develop a full sense of the self, combining how they see themselves and how they fit in with others.
- Role diffusion occurs when youth experience personal uncertainty, spread themselves too thin, and look to others to give them a sense of identity they cannot create for themselves.
- Psychologists also find that late adolescence is a period dominated by the yearning for independence from parental domination.
- The mixture of biological change and desire for autonomy during the teenage years creates a time of rebelliousness and conflict with authority at home, at school, and in the community.
- Such feelings can overwhelm young people and lead them to consider suicide as a “solution.”
- Although most young people do not take their own lives, millions are left troubled, disturbed, and at risk for delinquency, drug use, and other forms of antisocial behavior. Acting out or externalized behavior that begins in early adolescence may then persist into adulthood.
- Student answers will vary.

72. What group of juveniles are called at-risk youth? How do substandard living conditions contribute to this problem? Besides those listed in the text, what other factors put youth at risk? Provide a rationale for your view.

*ANSWER:*

- Troubles in the home, the school, and the neighborhood, coupled with health and developmental hazards, have placed a significant portion of American youth at risk.
- Youths considered at risk are those dabbling in various forms of dangerous conduct such as drug abuse, alcohol use, and precocious sexuality.
- They are living in families that, because of economic, health, or social problems, are unable to provide adequate care and discipline.
- Millions of children now live in substandard housing—high-rise, multiple-family dwellings—which can have a negative influence on their long-term psychological health.
- Adolescents living in deteriorated urban areas are prevented from having productive and happy lives.
- Many die from random bullets and drive-by shootings.
- Some are homeless and living on the street, where they are at risk of drug addiction and sexually transmitted diseases (STDs), including AIDS.
- Today, about one-third of U.S. households with children have one or more of these three housing problems:
  - physically inadequate housing
  - crowded housing
  - housing that costs more than 30% of the household income
- Despite the increasing minimum wage, the poor can barely afford to live in even the lowest-cost neighborhoods of metro areas such as Chicago, New York City, and Washington, DC.
- Student answers will vary.

73. Describe the life of children during feudal times for the lower classes and for the nobility. Compare and contrast how their lives were different and how they were similar.

*ANSWER:*

- For peasant children, the passage into adulthood was abrupt.
- Children of all classes were expected to engage in adult roles as soon as they were physically

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capable.

- Among the working classes, males engaged in farming and/or learning a skilled trade, such as masonry or metal-working; females aided in food preparation or household maintenance.
- Some peasant youths went into domestic or agricultural service on the estate of a powerful landowner or into trades or crafts, perhaps as a blacksmith or farrier (horseshoer).
- Though their lives were quite different, children of the affluent, landholding classes also assumed adult roles early.
- Girls born into aristocratic families were educated at home and married in their early teens. A few were taught to read, write, and do sufficient mathematics to handle household accounts in addition to typical female duties such as supervising servants and ensuring the food supply of the manor.
- At age 7 or 8, boys born to landholding families were sent to a monastery or cathedral school to be trained for lives in the church, or they became a member of the warrior class and served a term as a squire—an apprentice and assistant to an experienced knight.
- At age 21, young men of the knightly classes completed their term as squire, received their own knighthood, and returned home to live with their parents. Most remained single because it was widely believed there should be only one married couple residing in a manor or castle.
- To pass the time and maintain their fighting edge, many young knights entered the tournament circuit, engaging in melees and jousts to win fame and fortune. Upon the death of their fathers, young nobles assumed their inherited titles, married, and began their own families.
- Student answers will vary.

74. Explain how recent social improvements have positively impacted American youth. What, in your view, is the single most important social improvement that affected children and teenagers? Support your view.

ANSWER:

- Teenage birth rates nationwide have declined substantially during the past decade, with the sharpest declines among African American girls. In the same period, the teen abortion rate has also declined. These data indicate that more teens are using birth control and practicing safe sex, a welcome circumstance considering the legal limits now being placed on abortion availability.
- Fewer children are being born with health risks today than in 1990. This reduction probably means fewer women are drinking or smoking during pregnancy, and fewer are receiving late or no prenatal care. In addition, since 1990, the number of children immunized against disease has increased.
- College enrollment is now at more than 20 million. Among recent high school graduates, college enrollment rates for men (55%) and women (70%) have increased substantially during the past 20 years; today, more than 60% of high school graduates attend college.
- Student answers will vary.

75. Summarize the system of chancery courts and the concept of *parens patriae*: their development, relationship, and connection to the best interests of the child. Do you believe the concept of *parens patriae* is viable today? Support your view.

ANSWER:

- A system of chancery courts became a significant arm of the British legal system after the fifteenth century.
- Originally established as “courts of equity” to handle matters falling outside traditional legal actions, these early courts were based on the traditional English system in which a chancellor acted as the “king’s conscience” and had the ability to modify the application of legal rules and provide relief considering the circumstances of individual cases.
- The chancery courts dealt with the property and custody problems of the wealthier classes.
- They did not have jurisdiction over children charged with criminal conduct.
- The chancery courts dealt with issues of guardianship of orphaned children born to wealthy parents.

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- A guardian was appointed to look after the property and inheritance rights of these children until they reached the age of majority and could care for themselves.
- Chancery court decision making rested on the proposition that children and other incompetents were under the protective control of the king; thus, the Latin phrase *parens patriae* was used.
- *Parens patriae* referred to the role of the king as the father of his country.
- The concept was first used by English kings to establish their right to intervene in the lives of the children whose position and property were of direct concern to the monarch.
- The concept of *parens patriae* became the theoretical basis for the protective jurisdiction of the chancery courts acting as part of the crown's power.
- Over time, the monarchy used *parens patriae* more and more to justify its intervention in the lives of families and children by its interest in their general welfare.
- The concept of *parens patriae* grew to refer primarily to the responsibility of the courts and the state to act in the best interests of the child.
- Student answers will vary.

76. What are some reasons why the study of juvenile delinquency is important? What are your views? Explain why you believe these areas are important.

ANSWER:

- The problems of youth in modern society are a major national concern, especially when they are linked to juvenile delinquency or criminal behavior committed by minors.
- About 480,000 American youths are now arrested each year for crimes ranging in seriousness from loitering to murder. While this number seems high, juvenile arrests have been in decline; more than a million youths were arrested annually just a few years before. Though most juvenile law violations are minor, some young offenders are extremely dangerous and violent.
- There is an urgent need for strategies to combat such a complex social phenomenon as juvenile delinquency; formulating effective strategies demands a solid understanding of delinquency's causes and prevention.
- The study of delinquency involves such issues as devising programs to reduce the dropout rate and determining what effect dropping out of school has on delinquency.
- More than 1.1 million youths are arrested each year for crimes ranging in seriousness from loitering to murder; while most juvenile law violations are minor, some young offenders are extremely dangerous and violent.
- About 800,000 youths belong to more than 30,000 gangs in the United States; violent street gangs and groups can put fear into an entire city.
- Youths involved in multiple serious criminal acts—lifestyle, repeat, or chronic delinquent offenders—are now recognized as a serious social problem.
- Treating the most chronic offenders is expensive, with estimates ranging from 1.5 to almost 2 million dollars by the time these high-rate offenders reach their legal majority.
- Student answers will vary.

77. Discuss childhood in the American colonies. How was childhood in the colonies similar to childhood in England? What reasons does the text offer to explain why there were so few cases of reported child abuse during this time? Would you consider any of the reasons that were offered similar to those offered today? Support your view.

ANSWER:

- The American colonies developed similar concepts as the English chancery courts and Poor Laws to care for orphaned or abandoned children. Poor Law legislation requiring poor and dependent children to serve apprenticeships was passed in Virginia in 1646 and in Massachusetts and Connecticut in 1673.
- Involuntary apprenticeship, indenture, and binding out of children became integral parts of

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colonization in America.

- The master in colonial America acted as a surrogate parent, and in certain instances, apprentices would actually become part of the nuclear family structure.
- If they disobeyed their masters, apprentices were punished by local tribunals; if masters abused apprentices, courts would make them pay damages, return the children to the parents, or find new guardians.
- Maryland and Virginia developed an orphan's court that supervised the treatment of youths placed with guardians and ensured that they were not mistreated or taken advantage of by their masters.
- These courts did not supervise children living with their natural parents, leaving intact the parents' right to care for their children.
- In the colonies, as in England, moral discipline was rigidly enforced.
- "Stubborn child" laws were passed that required children to obey their parents.
- It was not uncommon in the colonies for children who were disobedient or disrespectful to their families to be whipped or otherwise physically chastised.
- Children were often required to attend public whippings and executions because these events were thought to be important forms of moral instruction.
- Parents often referred their children to published works and writings on behavior and discipline and expected them to follow their precepts carefully.
- Because community and church leaders frowned on harsh punishments, child protection laws were passed as early as 1639.
- These laws were generally symbolic and rarely enforced; they expressed the community's commitment to God to oppose sin; offenders who abused their children usually received lenient sentences.
- Although most colonies adopted a protectionist stance, few cases of child abuse were actually brought before the courts. The absence of child abuse cases may reflect the nature of life in what were extremely religious households. Children were productive laborers and respected as such by their parents.
- Large families provided many siblings and kinfolk who could care for children and relieve stress-producing burdens on parents.
- Another view is that though many children were harshly punished in early American families, the acceptable limits of discipline were so high that few parents were charged with assault.
- Any punishment that fell short of maiming or permanently harming a child was considered within the sphere of parental rights.
- Student views will vary.

78. Who were the child savers? What influence did they have on the creation of separate juvenile courts? Do you feel separate juvenile courts are viable today? Support your views.

*ANSWER:*

- The child savers were nineteenth-century reformers who developed programs for troubled youth and influenced legislation creating the juvenile justice system; today, some critics view them as being more concerned with control of the poor than with their welfare.
- Before the twentieth century, little distinction was made between adult and juvenile offenders.
- Although judges considered the age of an offender when deciding punishments, both adults and children were often eligible for the same forms of punishment—prison, corporal punishment, and even the death penalty.
- Beginning in the mid-nineteenth century, as immigrant youth poured into America, there was official recognition that children formed a separate group with its own separate needs.
- The "child savers" created community programs to serve needy children and lobbied for a separate legal status for children, which ultimately led to the development of a formal juvenile justice system.

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- The current treatment of juvenile delinquents is a by-product of the developing national consciousness during the nineteenth century.
- The designation “delinquent” became popular at the onset of the twentieth century when the first separate juvenile courts were instituted.
- The child savers believed that treating minors and adults equivalently violated the humanitarian ideals of American society.
- The newly emerging juvenile justice system operated under the *parens patriae* philosophy.
- Minors who engaged in illegal behavior were viewed as victims of improper care, custody, and treatment at home. Dishonest behavior was a sign that the state should step in and take control of the youths before they committed more serious crimes.
- The state, through its juvenile authorities, should act in the best interests of the child.
- This means that children should not be punished for their misdeeds but instead should be given the care and custody necessary to remedy and control wayward behavior.
- It makes no sense to find children guilty of specific crimes, such as burglary or petty larceny, because that stigmatizes them and labels them as thieves or burglars. Instead, the catchall term juvenile delinquency should be used because it indicates that the child needs the state’s care, custody, and treatment.
- Student answers will vary.

79. Explain parental responsibility laws. What are some of the main criticisms of these laws? Do you agree or disagree with such laws? Provide a rationale for your view.

ANSWER:

- Since the early twentieth century, there have been laws aimed at disciplining parents for contributing to the delinquency of a minor.
- The first of these was enacted in Colorado in 1903, and today, all states have some form of statute requiring parents to take some responsibility for their children’s misbehavior.
- All states make it either mandatory or discretionary for the juvenile court to require a parent or guardian to pay at least part of the support costs for a child who is adjudicated delinquent and placed out of the home.
- Even when the payment is required, however, it is based on the parent’s financial ability to make such payments. During the past decade, approximately one-half of the states have enacted or strengthened existing parental liability statutes that make parents criminally liable for the actions of their delinquent children.
- These laws can generally fall into one of three categories:
  - Civil liability: An injured party may bring a case against the parents for property damage or personal injury caused by one of their children.
  - Criminal liability: The guardian or other adult may be held criminally responsible for contributing to the delinquency of a minor. These laws apply when an adult does some action that encourages delinquent behavior by a child.
  - General involvement: These statutes are based upon legislative efforts to make parents more involved in the juvenile court process and include requiring the parents to pay for court costs, restitution, and treatment, and to participate in the juvenile’s case.
- Within this general framework there is a great deal of variation in responsibility laws.
- All states have incorporated parental liability laws in their statutes, although most recent legislation places limits on recovery.
- Since 1990, there have been at least 18 cases in which parents have been ordered to serve time in jail because their children have been truant from school.
- Some critics charge that these laws contravene the right to due process, because they are unfairly used only against lower-class and minority parents.

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- Imposing penalties on these parents may actually be detrimental.
- Forcing a delinquent's mother to pay a fine takes money from someone who is already among society's poorest people.
- If a single mother is sent to jail, it leaves her children, including those who are not delinquent, with no parent to raise them; the children may become depressed, lose concentration, and be unable to sleep.
- Even if punishment encourages the parent to take action, it may be too late, because by the time a parent is charged with violating the statute, the child has already committed a crime.
- Responsibility laws may not take the age of the child into account, leaving important questions unanswered:
  - Are parents of older offenders equally responsible as those whose much younger children violate the law?
  - Does an adolescent's personal share of responsibility increase with age?
  - Student answers will vary.

80. What is meant by the term *status offense*? Summarize the history of status offenses. What are your views on status offenses? Do you believe status offenses should be abolished, or do you view these offenses as a gateway to delinquency? Support your position.

ANSWER:

- A child becomes subject to state authority for committing status offenses—actions that would not be considered illegal if perpetrated by an adult; such conduct is illegal only because the child is underage.
- Typically, youth who commit status offenses are defined as children, who fall under the state's statutory age limit, who, without cause: has run away either from their parents' home or some other authorized living condition; has continued and unexcused absences from school; has been drinking while underage; has been caught violating curfew; has purchased, used, or possessed tobacco products; or is ungovernable, incorrigible, and beyond the control of the child's parents.
- These statutes impose a variety of sanctions, including a monetary fine, suspension from school, and denial of a driver's license.
- A historical basis exists for status offense statutes—it was common practice early in the nation's history to place disobedient or runaway youths in orphan asylums, residential homes, or houses of refuge.
- State control over a child's noncriminal behavior is believed to support and extend the *parens patriae* philosophy because it is assumed to be in the best interests of the child.
- Typically, status offenders are petitioned to the juvenile court when it is determined that their parents are unable or unwilling to care for or control them and that the offender's behavior is self-destructive or harmful to society.
- At first, juvenile codes referred to status offenders as wayward minors, sometimes failing to distinguish them in any significant way from juvenile delinquents.
- Both classes of children could be detained in the same detention centers and placed in the same youth correctional facilities.
- A trend begun in the 1960s has resulted in the creation of separate status offense categories—children, minors, persons, youths, or juveniles in need of supervision (CHINS, MINS, PINS, YINS, or JINS)—which vary from state to state.
- The purpose of creating separate status offender categories was to shield noncriminal youths from the stigma attached to the label "juvenile delinquent" and to signify that they were troubled youths who had special needs and problems.
- Legally, delinquents and status offenders are considered independent concepts, but the distinction between them has become blurred.

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- Some noncriminal conduct may be included in the definition of delinquency, and some less serious criminal offenses occasionally may be included within the status offender definition.
- Student answers will vary.