

Chapter 2 History of the Juvenile Justice System

Test Questions

Multiple Choice

1. The juvenile court system in the U.S. has been in existence since _____.
a. 1776
b. 1791
c. 1899
d. 1941
e. 1960

Answer: c

2. Before the 20th Century, juveniles were essentially _____ or property.
a. chattel
b. children in need of supervision
c. indentured servants
d. cattle
e. little people

Answer: a

3. According to this text, the legal term for property is _____.
a. juvenile
b. parens patriae
c. assets
d. chattel
e. ownership

Answer: d

4. The author of *Oliver Twist* is _____.
a. William Shakespeare
b. James Joyce
c. Charles Dickens
d. Helen Savage
e. Christopher Marlow

Answer: c

5. The practice of selling children into service to a business person or wealthy person was called _____.
a. slavery
b. involuntary servitude
c. the caste system
d. the estate system

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e. the trading system

Answer: b

6. A religious group in early America who believed that through hard work, religion, and education a person could get closer to God was called _____.

- a. the Buddhists
- b. the Baptists
- c. the Puritans
- d. the Republicans
- e. the Muslims

Answer: c

7. The first American penal institution to address juvenile issues specifically was _____.

- a. the Boston Juvenile House
- b. the New York Home for Boys
- c. the Walnut Street Jail in Philadelphia
- d. the Western Penitentiary in Pittsburgh
- e. the Elmira Reformatory

Answer: c

8. The first jail in the United States that separated inmates and sought to reform their behavior rather than just punish them was _____.

- a. the Boston Juvenile House
- b. the New York Home for Boys
- c. the Walnut Street Jail in Philadelphia
- d. the Western Penitentiary in Pittsburgh
- e. the Elmira Reformatory

Answer: c

9. The idea that juvenile correctional ranches, camps, and outdoor programs can cure juvenile delinquents is based on _____.

- a. traditional agrarian values
- b. the farm effect
- c. the separation hypothesis
- d. better living through farming
- e. the "good life"

Answer: a

10. The Society for the Prevention of Pauperism focused on the plight of _____.

- a. unwed mothers
- b. dirty, foul-mouthed children who thronged the city streets and subsisted on picking pockets
- c. unemployment during the depression
- d. black migration from the south to the north as a cause of poverty
- e. dead beat dads

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Answer: b

11. The legal concept of allowing the state to “act in place of the parents” is called _____.
- a. *mens rea*
 - b. *actus reus*
 - c. Divine Right of Kings
 - d. *in loco parentis*
 - e. ex Parte Crouse

Answer: d

12. The legal acceptance of *parens patriae* was established in the case of _____.
- a. *In re Gault*
 - b. *Ex Parte Crouse*
 - c. *McKeiver v. Pennsylvania*
 - d. *In re T. Sawyer*
 - e. *Pennsylvania v. Quakers*

Answer: b

13. The first reform school for boys was _____.
- a. The Lyman School for Boys
 - b. The Society for the Prevention of Pauperism House of Refuge
 - c. The Elmira Reformatory
 - d. The Chicago House of Refuge
 - e. The Davenport Boys Home

Answer: a

14. A group of progressive reformers in the late 1800s who were responsible for the creation of the juvenile justice system in the United States were called _____.
- a. Mothers Against Crime
 - b. The Child Savers
 - c. The Progressives
 - d. The Welfare Women
 - e. The Angles of Mercy

Answer: b

15. In 1899, the first formal juvenile court was open in _____.
- a. New York, New York
 - b. Philadelphia, Pennsylvania
 - c. Chicago, Illinois (Cook County)
 - d. Los Angeles, California
 - e. London, England

Answer: c

16. The _____ was the first legislation in the United States to specifically provide for a separate system of juvenile justice.

- a. The Child Savers Act
- b. The Reformatory Act
- c. The Juvenile Justice Act of 1901
- d. The Illinois Juvenile Court Act of 1899
- e. The Juvenile Delinquency Act of 1891

Answer: d

17. A law passed by Congress in 1996 that embraces the punitive and accountability assumptions advocated in the late 1970s and 1980s was called _____.

- a. The Balanced Juvenile Justice and Crime Prevention Act
- b. The Reformatory Act
- c. The Juvenile Justice Act of 1901
- d. The Illinois Juvenile Court Act of 1899
- e. The Juvenile Delinquency Act of 1891

Answer: a

18. *Mens rea* means _____.

- a. the guilty act
- b. the criminal act
- c. the guilty mind
- d. the criminal evidence
- e. the law of evidence

Answer: c

19. The traditional model of juvenile justice assumes that:

- a. juveniles are not capable of forming the same *mens rea* as adults because they are not as intellectually, socially, or morally developed as adults.
- b. that adhering to legal due process is more important in the juvenile system due to the need to protect juveniles from abuses in the system.
- c. certain juveniles, especially violent or multiple offenders, are just as culpable as adults.
- d. juvenile crime is increasing.

Answer: a

20. Current practices in juvenile justice assume that:

- a. juveniles should be treated differently depending on their intellectual development.
- b. punishment and accountability are rehabilitative.
- c. socially inept youth should receive the heaviest penalties.
- d. none of the above.

Answer: b

True/False

1. At the center of the teaching of the houses of refuge was the belief that humans were inherently evil and must be taught to be good.

Answer: True

2. The State does not have the right to take away parental custody of children even when it is in the best interest of the child.

Answer: False

3. The first documented case where the concept of *parens patriae* was questioned in a legal setting in the United States was the case of *Ex Parte Crouse*.

Answer: True

4. Juveniles have always had the same rights in delinquency proceedings as adults have had in criminal proceedings.

Answer: False

5. National trends indicate that juvenile justice systems are growing more formal, restrictive, and punitive.

Answer: True

6. Offenders cannot be rehabilitated; instead they commit more and more crimes.

Answer: False

7. The juvenile court system started in the United States in New York in 1844.

Answer: False

8. Before the 20th Century, juveniles were essentially chattel or property.

Answer: True

9. During the colonial era in the United States, parents were free to sell their children into slavery.

Answer: True

10. The author of *Oliver Twist* is William Shakespeare.

Answer: False

11. The practice of selling children into service to a business person or wealthy person was called the estate system.

Answer: False

12. A religious group in early America who believed that through hard work, religion, and education a person could get closer to God was called the Puritans.

Answer: True

13. The court has ruled, "The right of parental control is a natural, but not an inalienable one."

Answer: True

14. Chief Justice Earl Warren, in writing about juveniles, said that juvenile often have "the worst of both worlds."

Answer: False

15. The idea that juvenile correctional ranches, camps, and outdoor programs can cure juvenile delinquents is based on traditional agrarian values.

Answer: True

16. The first American penal institution to address juvenile issues specifically was the Walnut Street Jail in Philadelphia

Answer: True

17. The Society for the Prevention of Pauperism focused on the plight of dirty, foul-mouthed children who thronged the city streets and subsisted on picking pockets.

Answer: True

18. The juvenile justice system continues to give juveniles lighter and lighter sentences for their crimes.

Answer: False

19. Juvenile crime, like other forms of crime, increased dramatically during the Clinton Administration.

Answer: False

20. *Mens rea* means the guilty mind.

Answer: True

Short Answer

1. What is the significance of the case of *Ex Parte Crouse*?
2. Do you think we need a separate court for juveniles accused of delinquency? Why or why not?
3. Who were the Child Savers and what role did they play in the development of the juvenile justice system?
4. What are the differing opinions given as to why the juvenile justice system was created in the United States?
5. What was the Illinois Juvenile Court Act of 1899?
6. What is Anthony Platt's alternative view of the juvenile court and the child savers?
7. Describe the difference between the determinate sentence and the indeterminate sentence as it relates to juveniles.
8. What was the Balanced Juvenile Justice and Crime Prevention Act?
9. Historically, how were juveniles treated before the juvenile justice system was created?
10. Explain the concept of *parens patriae* and *in loco parentis*.

Essay Questions

1. Explain the traditional model of juvenile justice from 1899 to 1960.
2. Explain the due process model of juvenile justice from the 1960s to the 1980s.
3. Explain the punitive model of juvenile justice from the 1980s until today.

Describe some of the effects of moving from an *offender*-based to an *offense*-based juvenile system.

5. Explain how the best interest of the child versus the best interest of society clash within the juvenile justice system.

6. Explain the Juvenile Justice and Delinquency Prevention Act.