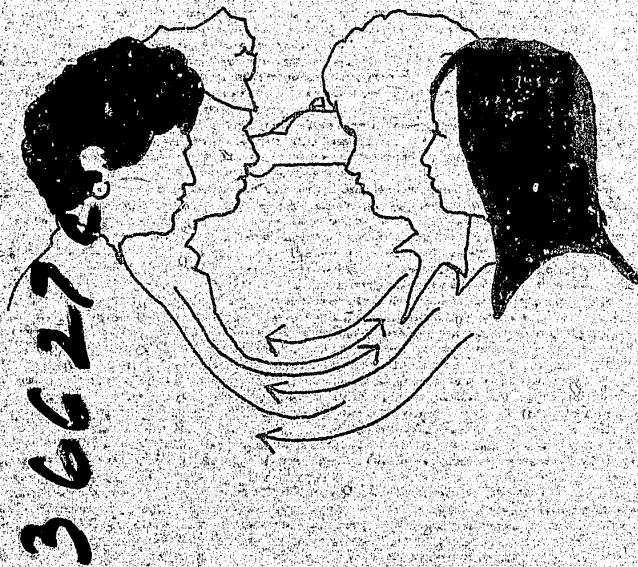


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Juvenile delinquency: a basic manual for county officials

Edited by Aurora Gallagher



National Association of Counties Research Foundation

JUVENILE DELINQUENCY:
A BASIC MANUAL FOR COUNTY OFFICIALS

Edited by Aurora Gallagher

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Preface

Juvenile delinquency increases rapidly: at twice the rate for adult crime the past 15 years.¹ Since states and counties share responsibility for the juvenile-justice system, concerned county officials wonder what to do. They hear contrary answers: "lock more kids up to teach them a lesson," "don't lock so many of them up—it teaches them to be worse."

County officials want facts. How many delinquents learn a lesson from being locked up? How many learn to be worse? What else can be done?

This book attempts to set out, as briefly as possible, the facts about delinquency and examples of county efforts to do something about it.

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The Facts Point To New Directions

SOME FACTS ABOUT JUVENILE DELINQUENCY

Delinquents

We often hear that few kids are delinquent, and make trouble for the rest, who are basically good. This is true, if by "delinquent" we mean "judged to be delinquent by a juvenile court." Kids judged delinquent by the courts constitute only 3 per cent of the total population between 10 and 17 years old.²

But delinquency is common. When researchers ask kids themselves whether they've committed delinquent acts, most say they have.³ They commit one or two offenses and stop. A few become habitual offenders.

This pattern can also be seen in official records. One study searched out all the official records of boys who were born in Philadelphia in 1946, and who lived there from their 10th to 18th birthdays. Of 9,945 boys, 3,475 (35 per cent) were picked up by police at least once. Of this group, 54 per cent were picked up again, and 19 per cent a third time. Those who were picked up four times constitute just 6 per cent of the entire age group, but account for more than half its total offenses.⁴

Another researcher found close to the same percentages in a rural Oregon county.⁵ Investigators find strikingly similar patterns of delinquency throughout the United States.⁶ If we can generalize these results, half or more of all juveniles commit one offense and stop. Another third stop after their second offense. Whether caught by the police or undetected, around 80 per cent of juveniles commit a couple of offenses and stop. Few become habitual offenders, but these few commit more than half the offenses. *Most kids are delinquent, but grow out of it. A few become habitual offenders.*

Obviously, our crime rate would be intolerable if most kids committed one or two *serious crimes*. Then what do we mean by "delinquent acts"? Under the laws of various states, young people can be judged delinquent for:⁷

- leading an immoral life;
- swearing, wandering at night;
- being found near trucks or trains;
- cutting classes;
- hanging around pool halls;
- idle roaming;
- begging or using obscene language, and

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trying to marry without permission.

These are offenses only juveniles can commit: since they depend on the age of the offender, they are called *status offenses*. Juvenile courts apparently hold double standards: half the boys confined in correctional facilities in 1971 had committed felonies, but 70 per cent of the girls had committed status offenses. Only 23 per cent of the boys were confined for status offenses.⁸

On the other hand, youth 17 years old and under (who make up just 16 per cent of the population) commit 42 per cent of the crimes that cause injury or loss of property.⁹ Should status offenders and young criminal offenders both be locked up?

Juvenile-Justice System

No evidence has yet been produced that juvenile court, detention, and probation prevents or controls delinquency. Any experience a juvenile has with the system increases the probability of future delinquency. The more constraining the experience—court-ordered therapy, confinement in an institution—the more prompt and severe the next offense will be.¹⁰

Most juveniles who repeatedly commit delinquent acts but stay out of court keep within the range of their first offense. That is, if they start with shoplifting they stick to petty larceny and rarely move on to robbery. But juveniles who pass through courts and corrections tend to move on to more serious offenses.¹¹

Some argue that courts and corrections take juvenile offenders out of circulation and prevent their criminal activity at least while they're behind bars. But this time out of circulation is short: an average of two weeks in temporary facilities; an average of 8.7 months in state training schools.¹²

How did the juvenile-justice system arrive at this point? State laws created juvenile courts to be informal, helpful agencies. Juvenile courts were never intended to function as trial courts. But the possibility of a sentence—being locked up, fined, or sent away—lurked behind all the court's proceedings. So the juvenile court developed into both a provider of social services to errant youth, and a trial court without the usual rights and safeguards for the accused.

In 1967, the Supreme Court of the United States began introducing formality and safeguards into the juvenile court's proceedings (in a series of decisions summarized in Appendix A). And juvenile courts tried to improve their social services. But

court-ordered social services yield no benefits. Youth who involuntarily receive diagnosis, group or individual counseling, and social casework become more delinquent than similar juvenile offenders who receive none.¹³

Alternatives to the Juvenile-Justice System

Juvenile court judges themselves are looking for alternatives. In 1973, the National Council of Juvenile Court Judges surveyed its membership. Judges of both urban and rural counties agreed the subject they wanted to know more about was "alternatives to institutions."¹⁴

What about these alternatives? Communities must decide for themselves what combination of programs would be most suitable and workable. Among those that other communities have tried, some have proved unsuccessful; others show promise.

The following programs, according to a recent assessment of 95 evaluations, have proved unsuccessful:¹⁵

- social case work imposed on children, their families, schools, and other institutions;
- official juvenile-court probation;
- court-ordered individual or group counseling;
- detached street-worker programs dealing with gangs (gang involvement with crime generally became more serious, but in one case, the program reduced delinquency by breaking up gangs), and
- recreation projects that are not part of a comprehensive program for youth.

The same assessment concludes that the following programs show promise:

- vocational training (the evidence seems both positive and negative. Some programs show little effect, but one that tried to develop dependable performance at a part-time job did seem to reduce delinquency);¹⁶
- community corrections—keeping youthful offenders in small, home-like facilities, rather than sending them away to state training schools, or holding them in jails or detention centers. These facilities include foster homes, group homes, residential care, drop-in (non-residential) centers, and informal probation;
- use of volunteers, and
- youth service bureaus—agencies that encourage services to assist youth, and collaboration between youth-serving agencies.

“The juvenile-justice system neither prevents nor controls delinquency. It seems to make kids worse.”

Why are some alternative programs more successful than others? Experts advance some tentative reasons. First, programs that single out delinquents or potential delinquents for special treatment seem to intensify the very behavior they want to change. The traditional juvenile-justice system serves as a striking example. Perhaps kids identify with the negative label that sets them apart, and determine to live up to it.

Second, successful programs manifest adult acceptance of youth, even of youth in trouble.¹⁷ Without adult influence and example, the young cannot develop the qualities necessary to become adults. Youth in trouble often cannot find a suitable place in school, in the working world, in community service, or in their own families. Because these adult institutions reject them, acceptance by individual adults becomes particularly important.¹⁸

Third, youth themselves plan and carry out successful programs. Each participant in a program needs a say in it. For example, kids and their advisers may sit down to draw up and sign individual contracts that make clear their respective responsibilities and expectations.

Programs that work are voluntary. Delinquents who participate in programs under court orders, or under threat of incarceration if they fail, become more delinquent.

NEW DIRECTIONS

Gathering together the facts presented so far, what do they mean to county policy makers?

Juvenile-Justice System

The consequence for kids who experience the juvenile-justice system seems to be that their delinquent behavior gets worse. This warns us away from sending them through the system unless the community's safety requires it. The juvenile-justice system should deal only with criminal behavior. Status offenses—running away from home, staying out after curfew, cutting classes—should be eliminated from the court's area of concern. This could mean rewriting state juvenile codes. Can county governments influence state codes? Perhaps they can, working through their state association of counties and other groups. An example is presented in "Changing State Legislation," pages 12 to 14.

Second, with or without changes in state juvenile codes, counties can investigate keeping youth at home in the com-

munity rather than sending them to state training schools, and helping them work out programs of adjustment in the community, rather than relying on the juvenile court.

Community

The facts indicate that most adolescents experiment with delinquency once or twice and stop. This probably cannot be prevented. What can be prevented is sending disproportionate numbers of them to juvenile court because the community offers no other alternative. Juvenile courts release more than half the children they see without taking action.¹⁹ Should so many be sent there in the first place?

A program of alternatives for youth in the community needs support. This can best be provided by the community itself, through, for example, ad hoc groups of interested citizens. The work of one of these groups is presented in "The Task Force," pages 9 to 12.

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Youth

The most crucial support for a new program of alternatives comes from youth themselves. Youth, especially delinquent youth, are also an excellent source of program ideas. For ways to involve young participants in planning and carrying out programs, see "Youth Involvement," pages 6 to 9.

Coordination, Evaluation, and Advocacy

Policy makers will want to know if programs supported by the county and community deliver the services they promise. Considerable coordination between programs may be required.

Policy makers will also want to ensure that youthful county residents have a say in the programs set up for them. Either a youth service bureau, a special adviser for youth affairs, or advisory committee (or some combination) can be designated to serve as the advocate for county youth. Rensselaer County, New York, for example, hires a Commissioner for Youth (please see pages 14 to 18).

A model for rural counties is described in "The County Agent for Youth," pages 18 to 20.

Counties Have Explored Some New Directions

YOUTH INVOLVEMENT

For those counties that never, or only infrequently, ask youth to help plan the programs that serve them, Augustine Chris Baca,

a youth appointed to the National Advisory Committee for Juvenile Justice and Delinquency Prevention by President Ford, explains how his program works.

What Can Youth Do for Themselves?

by Augustine Chris Baca
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Six or seven years ago, citizens of the South Valley in Albuquerque surveyed their needs—with the help of the South Area Economic Opportunity Board. The survey found a high crime and drop-out rate among Valley youth, an appalling lack of services, no recreational facilities or meeting places, and few alternatives to jail. Of all the arrests made by the Bernalillo County Sheriff's Department, 80 per cent were from the South Valley. Most of the people arrested were under 25 years old.

Board members worked for three years on these and other problems, and came up with a program they thought would serve the community's youth. This program was finally funded in December, 1971.

At first, Valley youth looked at the Southwest Valley Youth Development Project with suspicion. They thought the youth counselors were "narcs" who would turn their names over to the police if they admitted, say, using drugs. With time and effort, however, the counselors won their confidence. We started with a 5-member staff, and we're now up to 20.

We have been able to change the relationship our community has with police and probation through the Project. The juvenile justice system now trusts us to keep young offenders at home. We have a 22-year-old worker who sees each offender twice a day for six months. He tries to help them find a way to cope with their own environment. We also operate our own foster and group homes in the Valley, and the court uses them as alternatives to the detention center. We're planning to open a house for runaways soon.

One approach that we use to keep up with changing needs is to let the kids themselves decide what they want. We help those who want to start a club, for example. They can post a sign-up sheet at our facility, and meet there.

The community itself elects our board of directors. Thirty days

“Successful programs for youth are voluntary; show adult acceptance and give youth themselves a say.”

7

before an election, we put notices in the paper, in community centers, schools, and county office buildings. And of course, we post notices in our facility. Any South Valley resident can run for the the board by submitting a letter of intent. We print all the names on the ballot, and residents come to our facility to vote. The League of Women Voters helps us with the election, and a youth monitors the process.

Last year, we decided not to specify a minimum age to run for the board, or to vote in the election. At least 51 per cent of our voters were under 21.

Five appointed members also sit on the board: one from the New Mexico Council of Churches, one from the Bernalillo County Sheriff's Department, one adult and two youth from the Valley. The Valley representatives are appointed by the board. Youth groups submit names for their two appointments.

We also have a Youth Council to advise the board and keep an eye on our recreational program.

Because South Valley kids plan and operate the programs, we know the programs will reach them, and provide the help they need most. Although we used to feel that we should concentrate on kids headed for trouble, we find our programs work best if they are not perceived as being just for one group. We try to include all youth of the Valley, and offer them a broad range of services.

We now offer, for example, job placement and free legal services. I feel that youth trust the Project more, knowing that it's for all of us, not just "delinquents" or "straights." We have a very high rate of walk-in referrals.

Our biggest challenge is to find satisfying roles for youth who want to do something useful, but just can't find opportunities. We keep working to meet this challenge in the following ways:

- First, if a student is having trouble in school, we refer him or her to an alternate school. One of these, School on Wheels, trains and certifies students as teacher's aides.
- We operate a "peer" tutoring and counseling program. High-school students tutor and counsel junior-high school students who then tutor and counsel grade-school students.
- We try to win policy-making positions for youth in other agencies. We were able to get two appointed to the New Mexico Commission on Children and Youth. Some of our neighborhood young people also serve on the Bernalillo County Youth Council.

**“The best way
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is to help youth
develop their
potential.”**

- We look for ways to encourage youth self-help—paying youth to learn, for example, so they can teach others. We sent two young people from this neighborhood to be trained in drug awareness and community development. Then they came back to the community as facilitators.

We think our programs have made a difference in the lives of Valley kids. Our re-arrest rate for young offenders who stay in their own homes or in one of our group homes is only 3.5 per cent for our four years of operation. We found jobs for 54 per cent of the kids who came to us for help. We turned the drop-out rate for Valley youth around—70 per cent of the drop-outs are now back in school, in an alternate school, or in a training program.

I want to share what I have learned from experience in the Southwest Valley Youth Development Project, and it is just this: the best way to prevent delinquency is to help youth develop their potential. And to know how to do that, ask the youth themselves.

TASK FORCE

Many county officials feel that a working group of informed, interested people could really help them come to grips with problems of juvenile delinquency. They consider appointing a task force, but they wonder what they can legitimately expect from such a group. What happens after a task force is assembled? This chapter illustrates some realistic expectations with the experience of San Diego County, California.

Mr. Scherer, who served on the task force he describes, directs a program to provide friendship, counseling, and adult companionship to children who have social problems.

The Juvenile Justice Task Force—Still a Force After the Task

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In 1974, the San Diego County Probation Department requested approximately \$8 million in county revenue-sharing funds to expand the capacity of Juvenile Hall by 100 beds. This request prompted controversy. Some members of the com-

community felt the probation department failed to plan programs for youth in trouble and concentrated instead on facilities. Others argued that large institutions had never proved to be effective.

Concerned members of the community began to agree on the need for a number of small home-like facilities located in neighborhoods.

The San Diego County Board of Supervisors and Chief Administrative Officer set up a Juvenile Justice Task Force to examine the county's need for juvenile detention. The board sized up the controversy as one of adequate social services for youth, rather than one of law and justice, and assigned responsibility for the task force to the Human Resources Agency, one of the County's four super departments.

Equitable representation proved difficult to achieve. A natural sorting-out process, complicated by considerable jockeying for position, finally ended in the appointment of a 15-member task force. Although the task force balanced public and private representatives, it seemed deficient in citizens with no particular axe to grind. This deficiency was later remedied.

The task force quickly realized the county's juvenile detention needs could not be determined out of their context: the county's juvenile-justice system. We divided study of the whole system into three stages.

The task force decided first to examine existing detention practices and facilities. A subcommittee of people experienced in research design and data-gathering helped us. We discovered many juveniles were detained who had committed no crime, but were accused of status offenses, such as being incorrigible or habitually truant.

There were usually about a hundred of these youth in Juvenile Hall on any particular day. In the second stage of our study, we appointed another research subcommittee to investigate the community's capacity to take care of them. It turned out the community could offer some beds and services, and with additional money, could expand to meet the need entirely.

But we realized that an adequate system of services for youth in San Diego County would no more result from that expansion than from an \$8-million expenditure for a new Juvenile Hall. We concluded that residential programs should be part of a system of services and facilities that *would* be adequate.

“The task force spurred San Diego County to embark on a new course.”

The task force acknowledged that an adequate system of facilities and services could not be built in a day. This brought us to the third, most difficult stage: setting goals and objectives and developing a planning process to achieve them. We asked, where should the youth-serving system of San Diego be in five years? We agreed on four goals:

- an active prevention effort;
- a program of diversion to keep all youth who *can* be safely diverted out of the juvenile-justice system;
- creative and successful correctional services, and
- multi-cultural programs.

The task force then brought its work together in a set of 11 recommendations to the San Diego County Board of Supervisors:

- approve five-year goals presented by the task force;
- appropriate \$8 million for goals and objectives articulated by the task force;
- appoint a technical advisory committee to help enact goals, objectives, and planning process;
- authorize county to contract for 70 new beds in facilities providing temporary care;
- develop psychiatric facilities for adolescents (about 20 beds);
- allow Juvenile Hall to stop holding young illegal aliens for federal government;
- designate eight positions in probation department as “non-yardstick” (not indicative of numbers of youth detained);
- create position of liaison-to-community-services in probation department;
- adopt policy of contracting to meet needs of youth through neighborhood services;
- approve and take steps to realize bicultural, bilingual youth-services plan, including
- build facility in the Chicano community.

We presented these recommendations to the board of supervisors in October, 1974. After a series of public hearings, the board decided not to expand Juvenile Hall, but to develop alternatives in the community. The board agreed to evaluate and adopt goals and objectives outlined by the task force.

The probation department formulated a new policy of diverting non-criminal juvenile offenders to the community, and a liaison

officer was appointed to coordinate community services and the probation department.

We feel the task force made progress beyond these policy changes. For example, the county board of supervisors and the task force made frequent use of news media and public hearings to discuss the problems of San Diego youth and ask for ideas. Bringing problems and proposed solutions straight to the citizenry before they were resolved helped increase public awareness and win endorsement of our alternatives. This awareness, and the wide-ranging work of our subcommittee, also helped us engage the participation of community groups with no vested interest, such as the Junior League and the National Council of Jewish Women. The task force alerted both policy makers and the public to problems inherent in our juvenile-justice system, and helped rally interest in changing it.

Recently, members of our task force joined with other public, private, and community representatives to develop a model of on-going planning for the San Diego County system of youth services. Thus, the work of the Juvenile Justice Task Force continues after it ceased to function as an official entity.

Juvenile justice in San Diego County embarked on a new course, launched neither by federal legislation, state political mandate, nor funding initiatives. Rather, the community and local government, spurred by the Juvenile Justice Task Force, set their own course.

CHANGING STATE LEGISLATION

County officials may want to change their system of juvenile justice in ways that violate the state-enacted juvenile code. Counties may be able to apply the kind of pressure that will bring about change at the state level. This chapter details the successful efforts of Arkansas counties to rewrite their state juvenile code.

The Association of Arkansas Counties Rewrites the State's Juvenile Code

by Kathy Shurgar

Association of Arkansas Counties*

*For information about this project, write Mr. Lynn Zeno, Project Director, Arkansas Juvenile Justice Institute, Association of Arkansas Counties, National Old Line Building, Suite 118, Little Rock, Arkansas 72201. (501) 372-7550

“The new juvenile code was written by the counties, and the counties are acting on it.”

Arkansas passed a set of juvenile laws in 1908, revised them once in 1911, and let them stand until 1973. This relic ordered county judges—the chief elected officials of Arkansas counties, who are not required under the Arkansas constitution to have legal training—to conduct juvenile court.

The code required these officials to:²⁰

have brought before them all children between the ages of three (3) and fifteen (15) years, whom they know, and who are reported to them to live in notorious resorts of bad character, or who frequent the company of lewd, wanton, or lascivious persons, or whose parents live in or keep houses of ill-fame, or habitually frequent the same;

Arkansas county judges increasingly felt this antiquated set of laws did not serve the best interests of their counties. They appointed court referees to bring legal expertise into the proceedings of juvenile court. They also brought up the need for change with the Association of Arkansas Counties.

The Association represents county judges and their governments. Among other functions, the Association serves as a communicating link between the judges and the state legislature. When the Association committed itself to examining the juvenile laws of Arkansas, the reform movement gained the means to contact every juvenile court in the state, and a political base for working with the legislature.

But neither the Association nor interested counties could finance the staff, office space, and travel expenses needed for effective revision of the laws. The Association investigated applying to the state criminal-justice planning agency for federal funds. But that agency—the Arkansas Crime Commission—will fund only local units of government.

Chicot County officials volunteered to apply for the grant. They specified in their application that the award would be turned over to the Arkansas Association of Counties to create a Juvenile Justice Institute.

The grant application was funded in October, 1973. The Arkansas Association of Counties Board of Directors appointed a board of directors for the project consisting of four members of the Arkansas Association of Counties, three members of the Arkansas Association of Juvenile Court Judges and Referees, three members of the Arkansas Juvenile Correction Officers Association, and two citizens. The new board then appointed a

Recodification Advisory Committee of 25 people.

This committee further divided itself into three subcommittees to review and recommend revisions in *substance* (the code itself), *systems*, and *procedures*. For eight months, the substance committee sought opinions and suggestions from county judges, court referees, probation officers, citizens, and anyone else interested in a new juvenile code. Then the committee sat down to write a new code. After review by the counties, the new juvenile code went to the 1975 Arkansas General Legislature. The code passed both houses, and the governor signed it into law.

The Arkansas College of Juvenile Justice was established to train law-enforcement officers, county judges, and probation officers in the new code.

The procedures committee submitted a set of proposed rules of procedures for the new code to the Arkansas Supreme Court May 27, 1975. Each proposed rule is accompanied by a comment in plain English that explains exactly what the rule specifies. The committee felt this would make the procedures understandable and useful to county judges and probation officers, who are not practicing lawyers. The procedures committee asked county juvenile courts to test the new procedures to help identify those that were unworkable.

Arkansas's new juvenile code was written by the counties, and counties are acting on it.

Youth Service Bureau

Before 1968, few youth service bureaus existed. They all respond to their own communities' needs—therefore, no two are alike. Although this new response shows promise, not much has been written about youth service bureaus that would help a local policy maker.

How, then, can you size up a proposal before you and your fellow elected officials to create a youth service bureau? First, youth service bureaus share some important characteristics. They are local. They act as brokers to meet the needs of youth by coordinating public and private sources of services. They monitor and evaluate youth services.

Youth service bureaus sometimes provide direct services themselves—especially intake and referral. This practice generates controversy among administrators—some feel the brokerage role should remain pure. It may be a practical

solution for some counties.

James E. Girzone describes Rensselaer County's youth service bureau as an example. Mr. Girzone's office—Commissioner for Youth—oversees the youth service bureau and other county agencies.

Design For Services: The Youth Service Bureau

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Our services for youth in Rensselaer County need development and coordination. The responsibility for doing this falls to the youth service bureau. In other communities, youth service bureaus occupy a quasi-official or tentative position. But ours is part of county government.

Our bureau reports directly to me, the commissioner for youth. The Department for Youth that I direct encompasses three bureaus: detention services, drug education and prevention, and youth services, as illustrated below. My position adds the extra push of executive action to the decisions of these bureaus, and resolves questions of domain and authority.

One of the most important features of the bureau of youth services is its citizen board of directors—youth, parents, representatives of agencies that provide services, and school officials. The board makes sure we're responding to real, immediate needs. They keep an eye on our progress—and lack of it.

The youth service bureau conducts research on the status and needs of youth. It supports 19 local programs with funds and services. The bureau tries to keep these programs, youth organizations, local agencies, and residents up-to-date with each other. This means visits, phone calls, public speeches, and other frequent communication. The bureau publishes a quarterly newsletter.

Of course, the most important group to keep informed is our youthful population. The bureau compiled a youth resource directory, and the bureau of drug education and prevention prepared a booklet on "your county drug program." The bureau encourages all agencies and youth organizations to conduct active outreach programs.

The bureau acts as the advocate for Rensselaer County youth.

"Someone must represent the interests of youth. In Rensselaer County, it's the youth service bureau."

This is vital. Youth are not granted statutory rights, nor can they tell us how they feel at the polls. Someone must represent their interests. In Rensselaer County, it's the youth service bureau.

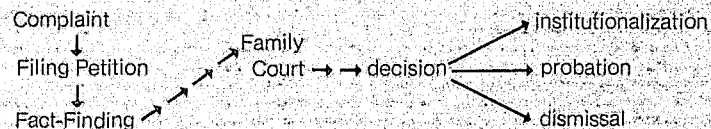
In its advocacy role, the bureau recognizes that it must help the county's towns and cities increase their own capacity to meet the needs of their youth. The New York State Legislature recently passed a bill raising the subsidy the state would pay to counties and cities (separately) to organize and deliver comprehensive services. With the help of two college students who worked for four weeks, the bureau developed a prospectus with each municipality. The prospectus included: general census data, local school statistics (enrollment, drop-out rates, truancy, percentage of students involved in extra-curricular activities), facilities for youth programs, recreational areas, existing youth programs, extent of drug use and abuse, and sources of funding.

We mirror the state subsidy program in our own county subsidy to cities and towns: Rensselaer County pays its towns and municipalities \$1 for each resident under 21 if they set up a youth commission and elect a representative to serve on the county advisory board for youth. No town receives less than \$1,000. Our cities and towns use this subsidy to match federal and state grants.

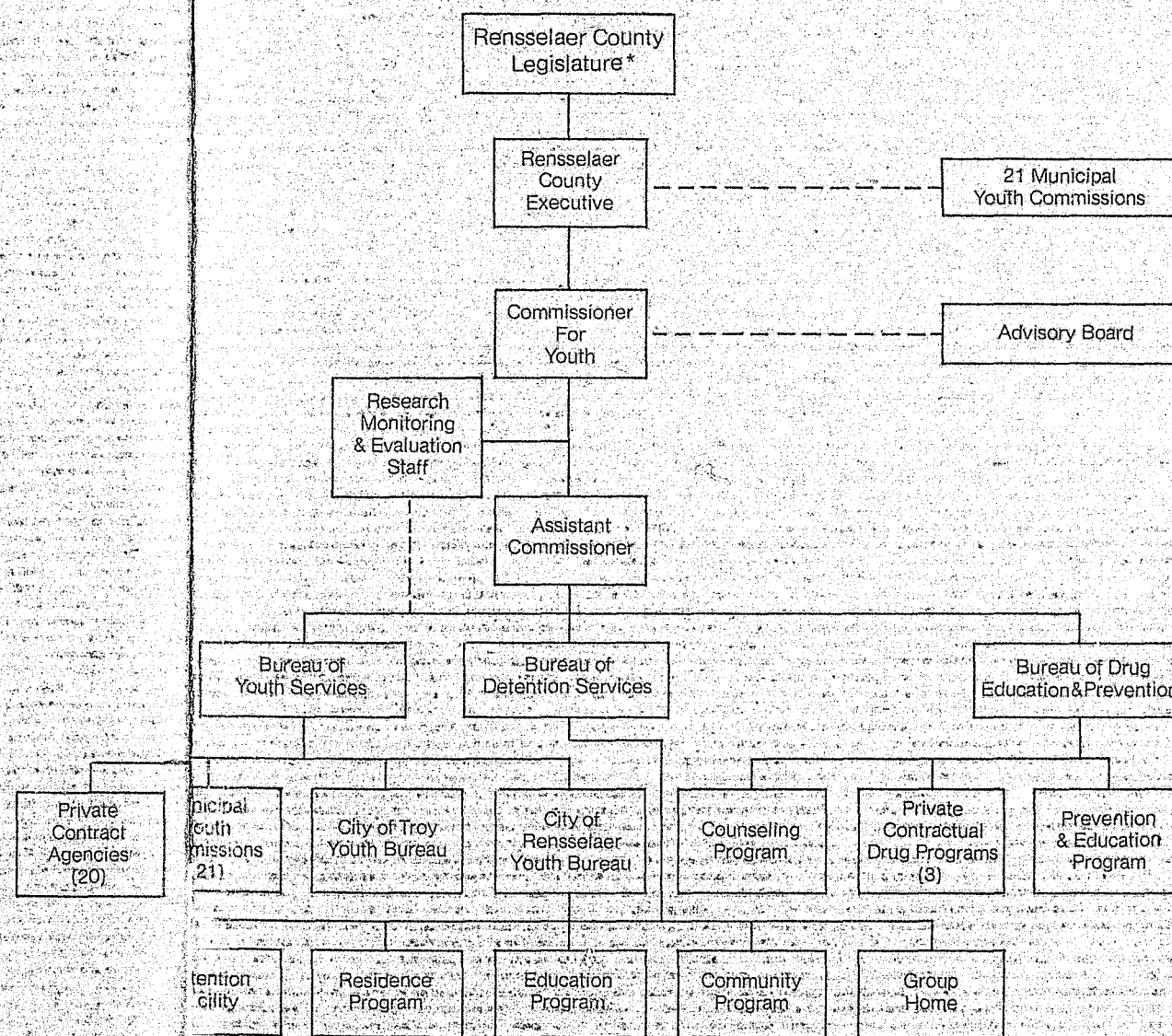
Every municipality has now instituted a commission for youth, and signed an agreement with the Rensselaer County Department for Youth to deliver services.

The bureau also encourages schools to offer more programs for students who exhibit behavior and learning problems. Before 1974, we had no school-year programs of this sort, but that year, we brought some into existence. Now, each town offers different programs, and the school districts pay for transportation between towns.

The county operates its own group home as an alternative to secure detention. This home will begin its third year soon. We'd like to set up more alternatives for youth who might otherwise be sent to secure facilities. The process for youth apprehended by the police used to look like this:

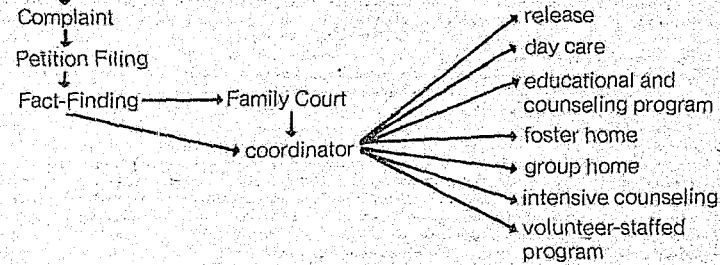


Rensselaer County Department for Youth Organization Chart



*Equivalent to Board of County Commissioners or Supervisors in other states.

Our process now looks more like this:



Our studies convince us the second process would serve the interest of justice for juveniles and divert them from further criminal activity. We would want to test this carefully, of course. The youth service bureau would monitor and evaluate these alternatives to secure detention.

Monitoring and evaluating youth services is an important part of our work. As overseers, we can enforce the terms of county contracts. And as mediators, we can help bring youth and the rest of the community together to work on common problems.

POSSIBLE MODEL FOR RURAL COUNTIES

The following program was set up to serve disabled and exceptionally bright children in rural counties. The program's techniques and structure could easily serve the purpose of delinquency prevention and treatment.

The County Agent for Youth

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We offer training here at Peabody College for parents, teachers, and others. Through this training, we communicate the results of our research on youth development to people who can use them in practice. But we knew we were not reaching parents and teachers in rural areas. We thought we should try to take our program to rural areas through a program similar to that of the county extension agent.

County extension agents have been working for years to bring the latest developments in agriculture, range management, and so on to farmers and ranchers. County extension agents reduce

“The county agent for youth developed an advocate for each child with special needs.”

the lag between research developments and day-to-day practices.

We trained four county agents for youth in techniques to encourage child development and deal with various types of disabilities. We then dispatched them to four rural counties in Tennessee. Their job was to identify children's needs, select resources to meet those needs, and find ways to bring children and resources together. From time to time, we would all gather together here at Peabody to exchange information, learn new skills, and discuss problems.

Out in the counties, our county agents for youth broadcast radio programs on juvenile justice, for example, and on training handicapped and gifted children. They distributed practical information, conducted public meetings, and helped organize community groups. Through these activities, they helped rural residents find resources and develop programs for their children.

The county agents for youth also collected information on the special needs of children in the counties they served, and we presented it to the state legislature. We hoped to encourage the state legislature to help rural counties meet their children's needs.

Perhaps the single most important technique the county agents employed was developing an advocate for each child with special needs or problems. In the literature on children with special needs or social problems, a successful approach seems to be developing a one-to-one relationship with an adult friend and champion. The county agents trained an adult to be the friend and champion of each child they found with special needs or problems. Training an advocate ensures that someone cares about each child—someone who will help him or her get needed services.

One of the exciting developments of this concept, I think, is that parents can be trained to be the advocates of their own children. We have demonstrated through this program and others here at Peabody College that parents in a wide array of economic, social, and educational backgrounds nearly all possess skills and drives that can easily be developed to the point that they become advocates for their children.

In emergency cases, a county agent might serve as a child's advocate. But for the most part, they addressed themselves to fostering appropriate services that would continue after they left the county. By "delivery of appropriate services," I don't mean

just institutional services or official programs—parents, for example, can be trained to provide many services.

The county agent for youth seems to me a model especially well-adapted for the rural county. One of our counties apparently agrees: the commissioners voted to keep their agent for youth with county money after the grant period for this experiment ended.

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APPENDIX A: Supreme Court Decisions Affecting Juveniles

Year	Case	Decision
1966	Kent v. U.S. (383 U.S. 541)	To decide whether a juvenile should be tried in adult court, the juvenile or family court must 1) conduct a hearing 2) provide the juvenile's lawyer with records and reports on his client 3) provide a written statement of reasons for its decision The hearing must meet the standards of due process and fair treatment, but need not meet the standards set out for criminal trials or administrative hearings.
1967	In re Gault (387 U.S. 1)	In cases that could result in detention, the court must grant juveniles 1) the right to be represented by a lawyer 2) the right to remain silent 3) the right to confront and cross-examine witnesses 4) right to notice of changes in time to prepare for trial
1970	In re Winship (397 U.S. 358, 7 C.L. 3007)	If a juvenile is accused of an act that would be a crime if committed by an adult, guilt must be proved beyond a reasonable doubt before he or she may be convicted. This right is fundamental to criminal proceedings, because of possible sentence. In civil cases, "preponderance of the evidence" is usually sufficient. This ruling tightens up juvenile court proceedings with stricter requirements.
1971	McKeiver v. Pennsylvania (403 U.S. 528, 9 Cr 1 3234)	The Court decided in this case not to extend juveniles the right to a jury trial. The court, in spite of its <i>Winship</i> decision (extending adult criminal-trial safeguards to juveniles), denied that proceedings in juvenile court are essentially criminal prosecutions. According to the majority opinion, denying the right to jury trial preserves the juvenile court's informality, flexibility and speed. The opinion urges states "to experiment and to seek in new and different ways the elusive answers to the problems of the young."
1975	Gross v. Lopez	Students may not be suspended from school without oral or written notice of the charges against them, and a rudimentary hearing.
1975	Wood v. Strickland	Students may sue school-board members who intentionally or otherwise inexcusably deprive them of their constitutional rights.

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APPENDIX B: Glossary

CHINS, JINS, PINS, MINS: "Children in Need of Supervision, "Juveniles in Need of Supervision," "Persons . . .," "Minors . . .," Young people determined by courts to be in need of temporary or permanent shelter, or treatment, because of uncontrollability or some other "status offense" (defined below).

Community-based corrections: Programs that keep offenders close to home, family, and locality (whatever combination is appropriate) through small, open facilities, or facilities that have significant ties with programs and people in a locality. Community-based corrections emphasizes reintegration into the community, rather than isolation from it.

Delinquency: In 39 states, juveniles who break the law are classified as "delinquent"; in 26 states, juveniles who commit "status offenses" (defined below) are also classified "delinquent." In 12 states, the term "delinquency" does not appear in the statutes.

Detention Center: A facility that temporarily holds juvenile offenders in a physically restrictive environment 1) until they are taken to court for disposition, 2) after they have been adjudicated delinquent, or 3) until they are transferred to a state facility, or released. The nation's 303 detention centers for juveniles are almost exclusively operated by local governments, most by counties.

Diversion (Juvenile): Decision by person with appropriate authority not to take official legal action against a juvenile. Also loosely used to mean programs of alternatives to the juvenile-justice system.

Intake and Diagnosis: Program to interview and evaluate juveniles referred to the juvenile-justice system, and assign them appropriate treatment. Only 17 public centers exist for intake and diagnosis, but many courts, detention centers, and other agencies maintain their own intake and diagnosis service.

Juvenile: A person 15 or younger in Alabama, Connecticut, New York, North Carolina, Oklahoma, and Vermont; 16 or younger in Florida, Georgia, Illinois, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, South Carolina, Texas; 17 or younger in Alaska, Arizona, Arkansas, California, Colorado, Delaware, District of Columbia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin and Wyoming.

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END

7 miles/more