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JUVENILE DELINQUENCY
ANNUAL REPORT
1974

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OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
MADE BY ITS
SUBCOMMITTEE TO INVESTIGATE
JUVENILE DELINQUENCY

PURSUANT TO

S. Res. 255

Section 12

NINETY-THIRD CONGRESS
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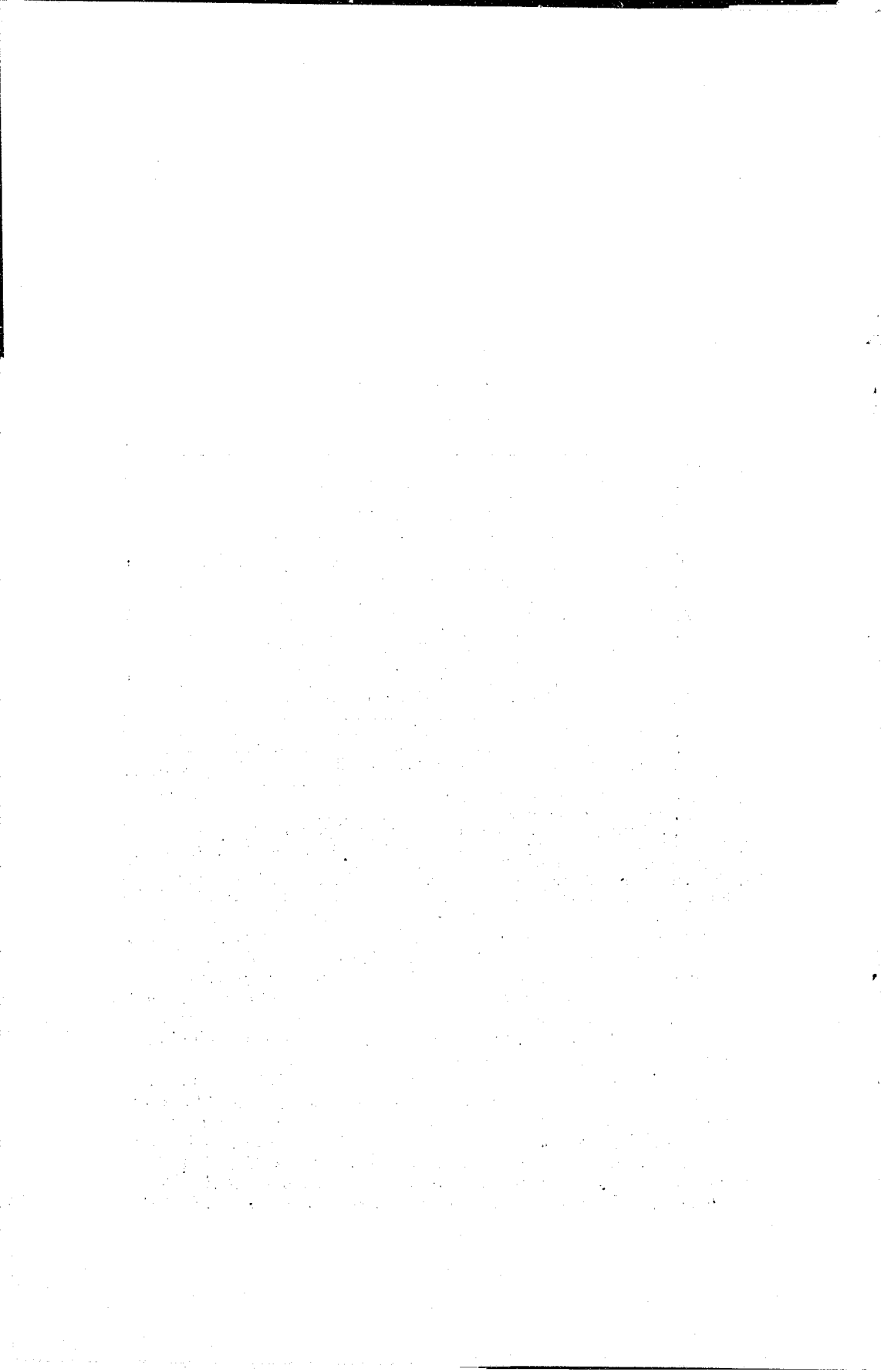
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(II)

ACQUISITIONS

CONTENTS

	Page
I. Introduction.....	1
II. The prevention and control of juvenile delinquency and crime:	
A. Juvenile Delinquency in the United States.....	3
B. Comprehensive Juvenile Justice legislation.....	4
C. Investigation of School Violence and Vandalism.....	5
D. Federal Youth Corrections Act.....	6
E. Juvenile Records.....	6
F. Interstate Traffic in Children.....	6
G. Juvenile Justice Standards and Bill of Rights for Children..	6
III. The control and abuse of legal and illegal dangerous drugs:	
A. Illicit Methadone Traffic and Abuse.....	7
B. Repeal of no-knock statute and extension of Comprehensive Drug Abuse Prevention and Control Act of 1970.....	8
C. Review of the Comprehensive Drug Abuse Prevention and Control Act of 1970.....	9
D. Control of International Traffic and Abuse of Dangerous Drugs.....	10
E. The Regulation and Control of Opium and its Derivatives..	10
F. Mandatory Penalties for Nonaddict Heroin Dealers.....	10
G. Drugs used improperly to control or discipline institution- alized persons.....	11
IV. Regulation and control of firearms:	
A. Firearms and crime.....	13
B. Sporting, recreational or cultural use of black powder.....	13
V. Legislation developed or processed by the subcommittee under Senate Resolution 255, section 12.....	15
VI. Subcommittee publications.....	23
VII. Juvenile Delinquency Data.....	25



JUVENILE DELINQUENCY

ANNUAL REPORT

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AUGUST 4, 1976.—Ordered to be printed

Mr. BAYH, from the Committee on the Judiciary, submitted the following

REPORT

I. INTRODUCTION

This report covers the activities of the Subcommittee To Investigate Juvenile Delinquency for the second session of the 93d Congress. A record number of long-term Subcommittee projects culminated in the enactment of the following public laws in 1974:

1. The Methadone Diversion Control Act of 1973, S. 1115 (S. Rept. 93-192) was reported by the Subcommittee on May 21, 1973 and by the Committee to the Senate on June 4, 1973. The bill was considered and passed by the Senate on June 8, 1973. On March 19, 1974 it passed the House, amended as H.R. 12503; it was agreed to by the Senate on May 1, 1974 and was approved by the President on May 14, 1974 as The Narcotic Addict Treatment Act of 1974, Public Law 93-281. The measure provides new authority to ease the burden of proof in cases involving the illicit distribution of methadone to facilitate the prosecution and conviction of traffickers, and provides authority to increase all efforts to prevent diversion, traffic and abuse of methadone.

2. S. 3355 (S. Rept. 93-925 and S. Rept. 93-1271) to reauthorize the Drug Enforcement Administration became Public Law 93-481 on October 26, 1974. In addition it repealed the infamous "no-knock" provisions under Federal and District of Columbia statutes; it made general parole provision of 18 U.S.C. § 4202 available to persons convicted before the enactment of the Comprehensive Drug Abuse Prevention and Control Act of 1970;

and it extended 18 U.S.C. § 1114, that makes it a Federal offense to assault a Federal officer, to include Federal drug officers acting within the lawful course of their duties.

3. The "Black Powder" bill, S. 1083, (S. Rept. 93-274) was signed by the President on January 4, 1975 as Public Law 93-639.

4. The Runaway Youth Act, S. 645 (S. Rept. 93-191) was reported by the Subcommittee on May 1, 1973 and by the Committee to the Senate on June 4, 1973. It was passed by the Senate on June 8, 1973 and passed the House on July 1, 1974 (H. Rept. 93-1298). It was approved by the President on September 7, 1974 as Title III of Public Law 93-415, The Juvenile Justice and Delinquency Prevention Act of 1974. This law provides temporary shelter, intensive short-term counseling and follow-up counseling to runaway children and their families. It is also designed to strengthen interstate reporting of runaway youth and to conduct research on the size of the runaway youth population and the extent to which the youths are involved in illegal behavior.

5. Institute for Continuing Studies of Juvenile Justice, S. 580, was reported by the Subcommittee on March 5, 1974 and reported favorably by the Committee to the Senate July 16, 1974 (S. Rept. 93-1011). In a modified form it became Part C, Title II, of Public Law 93-415, The Juvenile Justice and Delinquency Prevention Act of 1974 which was approved by the President on September 7, 1974.

6. S. 821, to improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated Federal response to juvenile crime and its prevention was reported by the Subcommittee on March 5, 1974 and by the Committee to the Senate on July 16, 1974 (S. Rept. 93-1011). It passed the Senate, by a vote of 88 to 1, on July 25, 1974 and was agreed to in Conference (S. Rept. 93-1103 and H. Rept. 93-1298). It was signed by the President September 7, 1974 as The Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 93-415.

In addition to these Subcommittee measures which became law other legislative proposals, many developed by the staff, were referred for Subcommittee consideration and are presently under consideration. These are listed in Section V. (p. 15 et. seq.) of this report. Also during the course of this extraordinarily productive year, the Subcommittee held hearings on the impact of Federal drug laws on pharmacists and on the Convention on Psychotropic Substances and its enabling legislation. These hearings formed the basis for several major legislative proposals.

II. THE PREVENTION AND CONTROL OF JUVENILE DELINQUENCY AND CRIME

During the past year, the Subcommittee has devoted a major portion of its time to the question of prevention and control of juvenile delinquency and crime. Staff has proceeded with investigation of the juvenile delinquency crisis in this country by examining, in depth, the problems of juveniles in detention; the growing phenomenon of female delinquency; and, the ever-escalating rate of school violence and vandalism. This study affirming the need for a comprehensive, coordinated, suitably funded Federal response resulted in the passage of the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415).

A. JUVENILE DELINQUENCY IN THE UNITED STATES

Crime by young offenders has increased alarmingly during the period 1960-1974. Violent crime by persons under 18 increased by 254.1 percent. Over the same period, property crimes such as burglary, larceny, and auto theft by youths under 18 increased 133 percent. Persons under 25 account for 59.7 percent of all crimes of violence and for 80.6 percent of all property crimes each year; those under 21 commit nearly 43 percent of all serious crime, and those under 18 commit 45 percent of all serious crime. Thus, young people remain proportionally the most important contributors to the crime problem.

Approximately 1 million juveniles will enter the juvenile justice system this year. Although 50 percent will be informally handled by the juvenile court's intake staff, 40 percent will be formally adjudicated and placed on probation or other supervisory release. Ten percent, or approximately 100,000 young people, will be incarcerated in juvenile institutions.

The cost of maintaining the juvenile justice system is enormous—over \$1 billion a year—and is increasing at a rate of \$50 million a year. By far the most expensive and wasteful are the institutions in which juveniles are incarcerated on a long-term basis. The average annual cost per youth is \$7,500—far higher than the average cost of halfway houses or group homes (\$2,500 per youth) or probation services (\$500 per youth). Yet it is in these larger institutions that most young people are placed, and where the most damage is done. This is made clear by the startling fact that recidivism among juveniles is far more severe than among adult offenders. While recidivism among adults has been variously estimated from 40 to 70 percent, recidivism among juveniles has been estimated at 74 to 85 percent.

Juvenile crime comprises only a part, although the most dramatic part, of all delinquency offenses. There is an entire range of "juvenile status offenses" which subject children to the juvenile court process. The most common juvenile status offenses include ungovernability, truancy, and running away. The distinguishing characteristic of these offenses is that if they were committed by an adult there would

be no legal consequences. While the effect of these offenses on society is not as serious as criminal offenses, the child often suffers permanently damaging legal and emotional consequences.

On any given day, there are nearly 8,000 juveniles held in jails in the United States. It is estimated that more than 100,000 youth spend one or more days each year in adult jails or police lockups. In addition, the average daily population held in juvenile detention facilities is over 12,000 with approximately 500,000 annually in such facilities. These youth are incarcerated prior to any conviction for a wrongful act and frequently have not been accused of a crime, but an offense such as running away. Such offenses are only applicable to children because of their youthful status. A scandalous 70 percent of young females in the juvenile system are classified as status offenders.

In the coming year the Subcommittee will continue its investigation by exploring methods to make available more rational and humane alternatives and eliminate the unnecessary detention of children, which too often introduces them to a life of crime.

B. COMPREHENSIVE JUVENILE JUSTICE LEGISLATION

The Juvenile Justice and Delinquency Prevention Act of 1974, was the product of a more than 3-year examination by the Subcommittee of Federal juvenile delinquency programs. During the past year, the Subcommittee redrafted the bill, which was first introduced in the 92d Congress as S. 3148, to reflect the many constructive recommendations of witnesses before the Subcommittee in 5 days of hearings conducted on the bill during 1973.

On February 8, 1973, S. 3148 was reintroduced as S. 821 in the 93d Congress. On March 5, 1974 the Subcommittee reported S. 821, as amended to the Committee and the Committee reported a further amended version to the Senate on July 16, 1974. A significant amount of staff time and energy was devoted to these efforts, including the drafting of two lengthy, though different, reports. The Senate on July 25, 1974 debated the bill, adopted several amendments and passed S. 821 by an 88 to 1 vote. After two lengthy sessions the Senate-House Conference reported a compromise version which passed the Senate on August 19, 1974. The new Office of Juvenile Justice and Delinquency Prevention is to be administered by the Law Enforcement Assistance Administration, Department of Justice. President Ford signed this act into law on September 7, 1974.

Title III of Public Law 93-415 is the Runaway Youth Act which was first introduced in 1971 by Senator Bayh and on which the Subcommittee conducted an extensive investigation, including hearings in early 1972. This measure passed the Senate once in 1972, as S. 2829 and again in June 1973 as S. 645. The Act which will be administered by the Office of Youth Development, Department of Health, Education, and Welfare will provide Federal assistance to local groups to establish temporary shelter facilities and counseling services for some of the more than 1 million runaways and their families.

Title II, Part C of Public Law 93-415 sets up the National Institute for Juvenile Justice and Delinquency Prevention which in a similar form was the focus of Subcommittee hearings in early 1972 on bills

(H.R. 45 and S. 1428) to establish an Institute for Continuing Studies of Juvenile Justice. It was reported by the Subcommittee in 1972 and incorporated (S. 580) in the Senate version of the Juvenile Justice Act on March 5, 1974. The Institute is mandated to provide ongoing research into new techniques of working with juveniles, to serve as a national clearinghouse for information on delinquency to develop and promulgate Federal, State and local standards for reforming the juvenile justice system, and to offer training in those techniques to personnel, including lay individuals and private groups, who work with juveniles.

S. 821 achieves such vital objectives as coordination of Federal delinquency programs; authorization of additional resources to States, localities and public and private agencies for community-based prevention, diversion, and treatment programs; creation of centralized research, training, technical assistance, and evaluation activities; development of national guidelines for the administration of juvenile justice, including conditions of confinement; provisions for a 1-year phasing out of the Juvenile Delinquency Prevention Act; establishment of a National Institute of Corrections within the Federal Bureau of Prisons; establishment of temporary shelter care facilities for runaway youth; and finally, adoption of basic procedural protections for juveniles under Federal jurisdiction.

This legislation offers a comprehensive response to the juvenile delinquency crisis that sees young people account for more than half the crime in this country. The court caseloads of juvenile offenders have increased dramatically and the rate of recidivism for persons under 20 is the highest of any age group. Its goal is to make the prevention of delinquency a national priority of the Federal Government; and, in so doing, save tens of thousands of young people from the ravages of a life of crime, while helping them, their families and society.

During the fall, the Subcommittee staff worked closely with representatives of the Law Enforcement Assistance Administration, Department of Justice and the Office of Youth Development, Department of Health, Education, and Welfare on the development of regulations pursuant to the mandate of Public Law 93-415 and on the general implementation of these two programs.

In the coming year the Subcommittee will continue its monitoring of the new programs, as well as its general oversight of all other Federal juvenile delinquency programs.

C. INVESTIGATION OF SCHOOL VIOLENCE AND VANDALISM

Last year the Subcommittee continued its study of the increasing incidence of violence and vandalism in our Nation's schools. This study, initiated in 1973, has yielded important data which will assist the Subcommittee in the preparation of hearings to be held in the coming year. In fact, a major portion of the Subcommittee effort will be devoted to hearings on the nature and extent of vandalism, the level of personal violence on the secondary and elementary school campuses, the role of dropouts, pushouts and juvenile gangs in these problems, the impact of these phenomena on the educational system and the taxpayers who support the system, and on those methods and techniques which have effectively dealt with such problems.

D. FEDERAL YOUTH CORRECTIONS ACT

In 1973 the Subcommittee began a study of the Federal Youth Corrections Act and several measures proposed changes in the Act which were referred to us. This year we will proceed with this project and plan to conduct hearings in response to concerns that too many youths (ages 18-22) committing multiple serious crimes are receiving inadequate sentences and that other youths are inappropriately denied the opportunity for sentencing under the Act.

E. JUVENILE RECORDS

In the coming year, the Subcommittee intends to continue its investigation of the improper use of juvenile records by schools, credit houses, employers, law enforcement agencies and the military. It is planned that these topics will be the subject of important and timely hearings this year.

F. INTERSTATE TRAFFIC IN CHILDREN

The Subcommittee, over the years, has witnessed an increasing amount of questionable activity and transactions across State lines involving the transport, exchange and even sale of children for both legal and illegal purposes. Our recent runaway youth investigation helped to dramatize some aspects of this problem much as did the late Senator Kefauver in the 88th Congress as Chairman of the Subcommittee. Other investigations and reports corroborate our concern.

In response to these reports the Subcommittee plans an investigation of the so-called "black-market baby." These apparently sophisticated operations reportedly handle children without due care and concern for their welfare, and often inadequate safeguards prevail regarding the rights of all parties to the transaction. There is serious concern that some children, indiscriminately sold to the highest bidder, are potential victims of future delinquency. In addition, the Subcommittee plans to explore claims by responsible citizens that thousands of young boys (ages 6-12)—many of them runaways, often against their will or because of desperate circumstances—become entangled in a homosexual network known as the "chicken business."

G. JUVENILE JUSTICE STANDARDS AND BILL OF RIGHTS FOR CHILDREN

The Subcommittee continued its work regarding the development of standards that will help assure that juveniles are truly guaranteed justice while our communities are protected from a few youths who engage in repetitive activity threatening the life and limb of our citizens. Section 247(a) of the Juvenile Justice and Delinquency Prevention Act (Public Law 93-415) requires that recommendations of standards for the administration of juvenile justice at the Federal, State and local level be made to the Congress. The Subcommittee staff intends to work with the staff of the National Institute for Juvenile Justice and Delinquency Prevention, the Advisory Committee on Standards for Juvenile Justice and the ABA-IJA Juvenile Justice Standards Project during the coming year. In conjunction with the development of standards the staff has been exploring the development of a model bill of rights for children.

III. THE CONTROL AND ABUSE OF LEGAL AND ILLEGAL DANGEROUS DRUGS

During the 91st Congress, the Subcommittee devoted a considerable portion of its time to the issues of drug control, drug abuse and the adequacy of Federal drug control legislation, culminating in the passage of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513). The overall purpose of the measure was to improve the regulation of the manufacture, importation and exportation of controlled substances covered under its provisions, so that widespread diversion, traffic and abuse then occurring could be more effectively curbed. This past year the Subcommittee has continued its oversight activities relative to these statutes and endeavored to insure that the production and distribution of dangerous drugs are effectively monitored; also that the degree of control adequately reflects current and predictable patterns of abuse. Last year the Congress passed two measures, that were signed into law, as a result of these efforts: (1) The Narcotic Addict Treatment Act (Public Law 93-281), and, (2) The Extension of Controlled Substances Act (Public Law 93-481).

A. ILLICIT METHADONE TRAFFIC AND ABUSE

When the Subcommittee conducted its extensive review of drug control legislation in 1970, methadone was not a problem of significant dimension. However, changes in medical opinion and a Federal Government policy which encouraged the broadest possible application of the drug in the treatment of heroin addiction drastically altered the situation within the past several years. The rapid expansion of methadone programs and the quantity of methadone dispersed created increased opportunity for diversion of the drug into the illicit market. This led to radical increases in the number of persons illegally distributing and using methadone, as well as in the number of persons addicted and suffering fatal overdoses.

In response to the growing incidences of methadone diversion and abuse, the Subcommittee visited numerous clinics and centers throughout the country to assess the dimensions of the problem. The Subcommittee then reported an amended version of an Administration-supported bill, S. 1115, to the Committee on May 21, 1973. The Senate passed the measure unanimously on June 8, 1973.

Last year, after extensive negotiations and discussions with Members of the House, the Subcommittee's amended version of the measure was accepted by the House and was favorably considered by the Senate on May 1, 1974. President Nixon signed the bill (Public Law 93-281) on May 15, 1974.

These amendments to the Controlled Substances Act provide the appropriate Federal agencies with more adequate tools to facilitate their efforts to investigate and curb the diversion and abuse of nar-

cotic drugs used in the treatment of narcotic addicts. During the coming year, the Subcommittee will continue to work with representatives of HEW and Justice to assure that the objectives of Public Law 93-281 are fully realized.

B. REPEAL OF NO-KNOCK STATUTE AND EXTENSION OF COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970

The Subcommittee studied several measures at length to extend the authorization of appropriations for the Drug Enforcement Administration. The Committee reported S. 3355 to accomplish this purpose on June 12, 1974. On July 11, 1974 the Senate passed the measure with several amendments including provisions to ban economic and military aid to nations not effectively curbing opium poppy traffic and a repeal of the Federal and District of Columbia "no-knock" statutes.

Subcommittee staff devoted considerable energy in preparing the Senate-House Conference, including the preparation of the Conference report which was approved by the Senate on October 16, 1974.

The controversial Federal and District of Columbia no-knock statutes were seldom used. In fact, since the Nixon bill was signed in February 1971, less than a dozen such warrants were sought in the District of Columbia and none have been sought since October 1971. Nationally, 112 were authorized for Office of Drug Abuse law enforcement between April 7, 1972, and June 30, 1973, and 97 were executed; up to June 30, 1973, only three were authorized for BNDD and one executed; and since July 1, 1973, two have been authorized for DEA and only one executed. The rare use of these provisions is in part due to the experience of many officers who believe that the use of no-knock can increase the possibility of injuries both to police and occupants and that from a safety viewpoint it is more effective to announce identity and purpose.

The Subcommittee found that, additionally, the marginal utility of the no-knock provisions was outweighed by the grave dangers which they pose to the fundamental and constitutionality guaranteed right to privacy. Recent reports have documented how government agents have broken into the homes of, and terrorized, unsuspecting and even innocent individuals. These reports have also documented how the mere existence of the no-knock authority can breed an attitude which leads to government agents placing themselves above the law.

The no-knock provisions, and the official state of mind which they fostered were clearly at odds with the Fourth Amendment. That amendment—which protects individuals against unreasonable searches and seizures by the government—requires that government agents identify themselves and their purposes before executing any search. Enunciating the principle as understood by all but one of his colleagues, Supreme Court Justice William Brennan stated in *Ker v. California*, 374 U.S. 23, 49(1963), that:

[T]he protections of individual freedom carried into the Fourth Amendment undoubtedly included this firmly established requirement of an announcement by police officers of purpose and authority before breaking into an individual's

home. The requirement is no mere procedural nicety or formality attendant upon the service of a warrant. Decisions of both the federal and state courts have recognized, as did the English courts, that the requirement is of the essence of the substantive protections which safeguard individual liberty.

Exceptions to this "firmly established requirement" occur only when government agents are confronted with exigent circumstances immediately prior to the search. These exigent circumstances include the destruction of material evidence, a suspect's attempted escape, and the peril of bodily harm to someone inside the house to be searched. Such circumstances could not obviously be known in advance; they could become known only when the government agents attempted to execute a search.

In contrast, the no-knock provisions allow a court to make an advance determination that such exigent circumstances will exist and to give government agents prior authorization to dispense with the announcement of identity and purpose before executing their search. The prior determination of exigent circumstances lies in the face of logic; and the waiver of the government agents' announcement lies in the face of rights protected by the Constitution.

The repeal of the no-knock provisions, however, left intact the constitutional and common law principles concerning government searches. Under those principles, as noted above, the no-knock searches would be permitted but only when exigent circumstances become known to government agents immediately prior to their contemplated search.

Additionally, the law authorized \$480 million for fiscal years 1975-1977. It also made it a Federal offense to assault Federal drug agents acting within the lawful course of their duties. Also, parole was made available to persons incarcerated before 1970 for Federal drug offenses. President Ford signed the act on October 26, 1974, (Public Law 93-481).

C. REVIEW OF THE COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970

The Subcommittee began its comprehensive assessment of the Federal Drug Control Act last spring. During this first phase of the investigation, which focused on the pharmacist and the law, 17 witnesses including representatives of organized pharmacy presented the Subcommittee with insight and commentary on the Act's operation and many recommendations for changes so as to make the Act more effective.

In the coming year, the Subcommittee will press ahead with its study and utilize the expertise of those most affected by the Act—the pharmaceutical industry, physicians, researchers, law enforcement officials—to assist us in developing an even more effective legislative response to the critical problems of drug traffic and abuse, particularly of legitimately manufactured dangerous drugs.

D. CONTROL OF INTERNATIONAL TRAFFIC AND ABUSE OF DANGEROUS DRUGS

During the past year, the Subcommittee continued its investigation of international traffic in legitimately produced drugs. It included hearings on a measure developed by the Subcommittee staff, in 1973, at Senator Bayh's direction—The International Psychotropic Substances Act, S. 1646—and a similar bill introduced by Senator Hruska on behalf of the Administration, S. 2544. These measures were designed to permit the United States to comply with the provisions of the Convention on Psychotropic Substances signed at Vienna on February 21, 1971, which is pending before the Foreign Relations Committee. The aim of the Convention is to eliminate nonlegitimate uses of psychotropic—or mind altering—substances, such as LSD, mescaline, amphetamines, barbiturates and tranquilizers. The structure of the Convention is similar to our own domestic drug control scheme, which largely fulfills our obligations under the Convention.

Dramatic evidence of the need for this measure was revealed at the Subcommittee hearings. One illicit Mexican operation—using legitimately produced European ingredients—was responsible for repackaging millions of amphetamines eventually sold illegally in at least 14 States in this country. Later in the year a major network, operating in the United States and Mexico, that had annually smuggled more than 3 billion of these European-derived drugs—valued between \$1.6 and \$2 billion on the illicit market was smashed.

These and other similar cases underscore the need for controls which will assist the international law enforcement effort to curb the diversion of legitimately produced drugs to illicit markets around the world. The Subcommittee will endeavor to bring this measure before the Senate.

E. THE REGULATION AND CONTROL OF OPIUM AND ITS DERIVATIVES

As an outgrowth of our consideration of the Turkish Government's rescission of the opium poppy ban, early this year, the Subcommittee plans to explore in detail a number of issues relative to the control and use of opium including the following: The background and impact of the Turkish poppy ban and its rescission; the nature of domestic opium control; the possibility of exclusive use of synthetic substitutes for opium; consideration of domestic cultivation of poppies with low-abuse potential; and, the alleged shortage of opium available for legitimate purposes.

F. MANDATORY PENALTIES FOR NONADDICT HEROIN DEALERS

In 1973 the Subcommittee desired to significantly strengthen the hand of our law enforcement officials to deal with one of the most dangerous types of criminals in our society—major dealers who are the purveyors of heroin to our young people. This concern was reflected in the Public Menace Amendment to S. 800, introduced by Senators Bayh and Talmadge. A similar bill, S. 1246, was pending before the Subcommittee. This amendment was aimed at the backbone of heroin trade and distribution in this country—not addicts who are supporting

a habit, for whom current laws are adequate—but the high-level traffickers who hook others. The Senate passed the Subcommittee's amendment on April 3, 1973.

Throughout this past year the Subcommittee pursued efforts to obtain passage of this measure, but it was not favorably reported from the House Judiciary Committee before the close of the 93d Congress.

In conjunction with this study the Subcommittee continued its review of S. 1300, a bill to assure the imposition of appropriate penalties for persons convicted of offenses involving heroin or morphine, to provide emergency procedures to govern the pretrial and post-trial release of persons charged with offenses involving heroin or morphine and for other purposes. This bill was introduced by Senators Eastland, McClellan, Hruska, Cook and Gurney.

In the coming year, the Subcommittee will continue its effort to assure that such criminals are treated appropriately.

G. DRUGS USED IMPROPERLY TO CONTROL OR DISCIPLINE INSTITUTIONALIZED PERSONS

Throughout the Subcommittee's investigation of juvenile detention and incarceration we frequently uncovered problems involving the use of dangerous drugs to control or discipline youths and others in a broad spectrum of settings. Last year the Subcommittee initiated a special investigation of these problems; and, in the coming year—through a series of hearings—we plan to further explore these concerns.

Since the passage of the 1970 Drug Act the Subcommittee has made considerable progress. We have obtained a drastic, but necessary, 92-percent reduction in amphetamine production and have secured more appropriate controls over the production and distribution of other drugs with high abuse potential, including the barbiturates and methaqualone. And, through the passage of the Narcotic Addict Treatment Act, we have provided additional tools necessary to curb the traffic and abuse of methadone. In the coming year the Subcommittee will vigorously pursue its effort to improve upon these successes so as to assure that all reasonable steps will be taken to curb illicit traffic and abuse of controlled drugs.

IV. REGULATION AND CONTROL OF FIREARMS

A. FIREARMS AND CRIME

The United States leads all other Western countries in the use of firearms in connection with serious crimes. In 1973, the Subcommittee developed legislation to deal more effectively with these criminals who engage in such highly dangerous illegal activities. To accomplish this purpose Senators Talmadge and Bayh introduced an amendment to S. 800 which with respect to those who use firearms to commit felonies, or who unlawfully carry firearms while committing a felony which threatens life or property, imposes, in addition to the penalties already provided by law, a minimum sentence of 5 to 15 years for the first offense, and 10 to 30 years for the second offense. The imposition of the additional sentence on the first offender would be left up to the trial judge; but, if he failed to impose this additional sentence he would have to publicly state his reasons. For the second offense, the judge would have no such discretion. Upon conviction, a mandatory minimum sentence of 10 to 30 years would have to be imposed. These minimum sentences—which are over and above the penalties which exist in present law—could not be suspended, nor could probation be granted. The Senate passed the Amendment on April 3, 1973.

Throughout this past year the Subcommittee worked for passage of this measure, but it was not favorably reported from the House Judiciary Committee before the close of the 93d Congress.

In the coming year the Subcommittee will continue its efforts to assure that Federal law is used effectively to curb crime involving firearms. We are especially interested in assessing the Treasury Department's program designed to use Federal law on firearms in the fight against organized and violent crime.

Additionally, the Subcommittee is continuing with its study, initiated last year, of the increasing use of "dum-dum" or hollow-point bullets by law enforcement agents and, relatedly, the efficacy of nonlethal weapons for self-defense.

B. SPORTING, RECREATIONAL OR CULTURAL USE OF BLACK POWDER

In 1973 the Subcommittee developed legislation, S. 1083, to remove restrictions on commercially manufactured black powder intended to be used for sporting, recreational or cultural purposes.

Under existing Federal law, the purchase, possession, storage and transportation of black powder in amounts larger than five pounds, as well as certain igniters, are subject to extensive regulation. This results in serious hardships for the many thousands of Americans who use these materials. The legislation will remove these burdens without affecting, in any way, the strict criminal penalties for the misuse of explosives including black powder and igniters. These penalties, adopted by the Congress in 1970, are designed to prevent

unlawful damage to property, intimidation, personal injury, and loss of life through the use of explosives. The necessity for severely punishing these terrible crimes is clear. Yet it is equally clear that access to black powder must be allowed to those sportsmen who have a legitimate need for this kind of material.

In June 1973, on behalf of Chairman Eastland, Senator Bayh chaired a Judiciary Committee hearing on an amended version of S. 1083 which had been reported by the Subcommittee on Criminal Laws and Procedures. S. 1083, as amended, was reported favorably by the Judiciary Committee on June 20, 1973 and passed by the Senate on July 13, 1973.

Late last year the House favorably reported an amended version of S. 1083 which, on December 18, 1974, was passed by the Senate. President Ford signed the act on January 4, 1975 (Public Law 93-639).

V. LEGISLATION DEVELOPED OR PROCESSED BY THE SUBCOMMITTEE UNDER S. RES. 255, SECTION 12

DRUGS

1. S. 746 introduced February 2, 1973 by Senators Javits and Hughes. To amend certain provisions of the Controlled Substances Act relating to marihuana. Legislation pending at the close of the Congress.

2. S. 778 introduced February 6, 1973 by Senator Cook (S. 3846 in the 92d Congress). To amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs. Hearings held before the Subcommittee To Investigate Juvenile Delinquency on S. 3846 during the 92d Congress on November 14 and 16 in Los Angeles and San Francisco, California. Hearings were held before the Subcommittee on S. 778 in Omaha, Nebraska on February 8, 1973, Louisville, Kentucky on February 13, 1973 and Indianapolis, Indiana on February 14, 1973. Legislation perfected and reintroduced as S. 1115 on March 6, 1973 by Senators Cook and Bayh. (See entry on S. 1115 for further detail.) Legislation pending at the close of the Congress.

3. S. 983 introduced on February 22, 1973 by Senators Bayh, Bentsen, Bible, Church, Cook, Cranston, Eagleton, Fong, Hart, Humphrey, Kennedy, McGee, McGovern, McIntyre, Mondale, Montoya, Moss, Pastore, Ribicoff, Stevenson, Tower and Tunney. Additional co-sponsors include Senators Brock, Burdick, Dominick, Hartke, Javits, Muskie, Pell and Percy. To amend the Controlled Substances Act to move certain barbiturates from schedule III of such Act to schedule II, Barbiturate Control Act of 1973. Hearings were held before the Subcommittee To Investigate Juvenile Delinquency during the 92d Congress on S. 3539; May 3, 4, 17, June 12 and 13, 1972. Legislation pending at the close of the Congress. Objective accomplished in part by the Bureau of Narcotics and Dangerous Drugs administrative action.

4. S. 984 introduced on February 22, 1973 by Senators Bayh, Bentsen, Bible, Brock, Church, Cook, Cranston, Eagleton, Fong, Hart, Humphrey, Kennedy, McGee, McGovern, McIntyre, Mondale, Montoya, Moss, Pastore, Ribicoff, Stevenson, Tower and Tunney. Additional co-sponsors include Senators Burdick, Dominick, Hartke, Javits, Muskie, Pell and Percy. To amend the Controlled Substances Act to require identification by manufacturer of each schedule II dosage unit produced, Dangerous Drug Identification Act of 1973. Hearings were held by the Subcommittee To Investigate Juvenile Delinquency during the 92d Congress on S. 3538 on May 3, 4, 17, June 12 and 13, 1972. Legislation pending at the close of the Congress.

5. S. 985 introduced on February 22, 1973 by Senators Bayh, Bentsen, Bible, Brock, Church, Dominick, Eagleton, Fong, Hart, Humphrey, Kennedy, McGee, McGovern, McIntyre, Mondale, Montoya, Moss, Muskie, Pastore, Ribicoff, Stevenson, Tower and Tunney. Ad-

ditional co-sponsors include Senators Burdick, Hartke, Javits and Pell. To amend the Controlled Substances Act to establish effective controls against diversion of particular controlled substances and to assist law enforcement agencies in the investigation of the diversion of controlled substances into other than legitimate medical, scientific and industrial channels, by requiring manufacturers to incorporate inert, innocuous tracer elements in all schedule II and III depressant and stimulant substances, and for other purposes, Dangerous Drug Tracer and Law Enforcement Information Act of 1973. Hearings were held by the Subcommittee To Investigate Juvenile Delinquency on May 3, 4, 17, June 12 and 13, 1973. Legislation pending at the close of the Congress.

6. S. 1115 (perfection of S. 778) introduced on March 6, 1973 by Senators Cook and Bayh. To amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to provide for the registration of practitioners conducting narcotic treatment programs. Hearings were held before the Subcommittee To Investigate Juvenile Delinquency on April 5, 1973. Reported by the Subcommittee on May 21, 1973 and by the Judiciary Committee on June 4, 1973 (S. Rept. 93-192). This bill, The Methadone Diversion Control Act, passed the Senate unanimously on June 3, 1973. On March 19, 1974 it passed in the House as H.R. 12503; it was agreed to by the Senate May 1, 1974 and was approved by the President on May 14, 1974 as Public Law 93-281, The Narcotics Addict Treatment Act of 1974.

7. S. 1246 introduced on March 15, 1973 by Senator Talmadge. To amend the Controlled Substances Act so as to increase the penalty with respect to the unlawful distribution of certain narcotics drugs by individuals determined to be a public menace. Legislation pending.

A similar measure was introduced by Senators Bayh and Talmadge on April 3, 1973 as an amendment to S. 800, the Victims of Crime Act. It provided that nonaddicts convicted of manufacturing, distributing, or dispensing heroin or morphine equal to or in excess of one-tenth of an ounce of pure narcotic would receive, on the first offense, a mandatory minimum sentence of 10 to 30 years. For second convictions, these pushers would receive a mandatory life sentence. Special exemptions were provided for juveniles. The Senate passed this amendment by a vote of 81 to 12 on April 3, 1973. It was pending in the House Judiciary Committee at the close of the Congress.

8. S. 1252 introduced on March 15, 1973 by Senator Bayh. Co-sponsors include Senators Bible, Case, Church, Cranston, Eagleton, Hart, Humphrey, Javits, McGovern, Moss, Pastore, Pell, Ribicoff, Roth, Stevenson and Tunney. To amend the Controlled Substances Act to establish effective controls, including production quotas, stricter distribution and storage security, and more stringent import and export standards against diversion and abuse of methaqualone, by placing this depressant substance on schedule II of such Act, the Methaqualone Control Act of 1973. Hearings were held before the Subcommittee To Investigate Juvenile Delinquency on March 28, 29, and April 6, 1973. Legislation pending at the close of the Congress. Objectives accomplished in part by the Bureau of Narcotics and Dangerous Drugs administrative action.

9. S. 1300 introduced on March 20, 1973 by Senators Eastland, McClellan, Hruska, Cook and Gurney. To assure the imposition of ap-

appropriate penalties for persons convicted of offenses involving heroin or morphine, to provide emergency procedures to govern the pretrial and post-trial release of persons charged with offenses involving heroin or morphine, and for other purposes, Heroin Trafficking Act of 1973. Referred jointly to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Constitutional Rights. Legislation pending at the close of the Congress.

10. S. 1646 introduced on April 18, 1973 by Senators Bayh and Humphrey. To amend the Controlled Substances Act of 1970 to discharge obligations under the Convention on Psychotropic Substances relating to regulatory controls on the manufacture, distribution, importation, and exportation of psychotropic substances, and for other purposes, Psychotropic Substances Act of 1973. Hearings were held on February 25, 1974. Legislation pending at the close of the Congress.

11. S. 1971 introduced on June 8, 1973 by Senators Schweiker, Dole, Hollings, Humphrey and Helms. To increase certain penalties for offenses involving the unlawful distribution of certain narcotic drugs. Increased penalties for distribution of schedule I and II drugs. Legislation pending at the close of the Congress.

12. S. 2327 introduced on August 2, 1973 by Senators Church, McGee, Moss, Bible, Hollings, Humphrey, Inouye, Mathias, Mondale, Taft, and Young. Amends the United States Code (title 18, chapter 103) to provide penalties and fines for persons convicted of robbery or attempted robbery of a pharmacy. Hearings were held on this subject on March 28, 1974 under the aegis of oversight of the Controlled Substances Act. The bill was jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. Legislation pending at the close of the Congress.

13. S. 2544 introduced on October 8, 1973 by Senators Hruska, Bayh, Cook, Gurney, Scott of Pennsylvania, Thurmond and Tunney. To amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 and other laws to discharge obligations under the Convention on Psychotropic Substances relating to regulatory controls on the manufacture, distribution, importation, and exportation of psychotropic substances, Psychotropic Substances Act of 1973. Hearings were held on February 25, 1974. Legislation pending at the close of the Congress.

14. S. 3355 introduced on April 11, 1974 by Senators Cook and Bayh. To amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to provide appropriations to the Drug Enforcement Administration on a continuing basis. Reported to the Senate favorably, June 12, 1974 (S. Rept. 93-925). Unanimously passed the Senate with a vote of 89 yeas. On August 5, 1974 the House passed S. 3355 with amendments. A Conference Committee was appointed on August 22, 1974, consisting of Senators Bayh, Eastland, McClellan, Ervin, Hruska and Cook, and Congressmen Staggers, Rogers, Satterfield, Kyros, Devine, Nelsen, and Carter. The Senate Conference report (S. Rept. 93-1271) was filed October 11, 1974. The House and Senate respectively agreed to the Conference reports on October 15 and 16, 1974. The Act authorized appropriations for the Drug Enforcement Administration—DEA—for 3 years, 1975 through 1977.

It also repealed the no-knock provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970; made available the general parole provisions of section 4202, title 18, of the United States Code to persons prosecuted before the enactment of the Comprehensive Drug Abuse Prevention and Control Act of 1970; and extended the protections of section 1114 of title 18, of the United States Code that made it a Federal offense to assault a Federal officer, to include agents of the DEA who are acting within the lawful course of their duties. The Act was approved by the President on October 26, 1974. To Amend the Controlled Substances Act to extend for 3 fiscal years the authorization of appropriations for the administration and enforcement of that Act, Public Law 93-481.

15. S. 3364 introduced on April 23, 1974 by Senator Curtis. Amends the United States Code (title 18, chapter 103) relating to the acquiring of certain narcotics by force, violence or intimidation. The bill was jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. Legislation pending at the close of the Congress.

FIREARMS

16. S. 651 introduced on January 31, 1973 by Senator McClure. To amend chapter 44 of title 18 of the United States Code (respecting firearms) to penalize the use of firearms in the commission of any felony and to increase the penalties in certain related existing provisions, to lower certain age limits from 21 years to 18, and to eliminate certain recordkeeping provisions with respect to ammunition. Legislation pending at the close of the Congress.

17. S. 652 introduced on January 31, 1973 by Senators McClure, Bennett and Bible. To repeal the Gun Control Act of 1968. Legislation pending at the close of the Congress.

18. S. 708 introduced on February 1, 1973 by Senator Stevenson. To amend the Gun Control Act of 1968, Federal Handgun Registration and Licensing Act of 1973. This measure was similar to S. 3528, introduced by Senator Stevenson during the 92d Congress. Legislation pending at the close of the Congress.

19. S. 747 introduced on February 2, 1973 by Senator Hart. To amend the Handgun Control Act of 1965, Handgun Control Act of 1973. Legislation pending at the close of the Congress.

20. S. 769 introduced on February 6, 1973 by Senators Talmadge and Nunn. To amend the Gun Control Act of 1968 to provide for separate offense and consecutive sentencing in felonies involving the use of a firearms. Legislation pending at the close of the Congress.

21. S. 982 introduced on February 22, 1973 by Senators Kennedy, Inouye, Javits, Pell and Williams. To substantially reduce the personal dangers and fatalities caused by the criminal and violent behavior of those persons who lawlessly misuse firearms by restricting the availability of such firearms for law enforcement, military purposes, and for certain approved purposes including sporting and recreational uses, Personal Safety Firearms Act of 1973. Legislation pending at the close of the Congress.

22. Amendment to S. 800, the Victims of Crime Act. Introduced on April 3, 1973 by Senators Bayh and Talmadge. The amendment imposes a minimum sentence of 5 to 15 years for the first offense, and 10 to 30 years for the second offense, in addition to the penalties

already provided by law for persons who use firearms to commit felonies, or who unlawfully carry firearms while committing a felony. The Senate passed the amendment by a vote of 81 to 12 on April 3, 1973. S. 800 was pending before the House Committee on the Judiciary, Subcommittee on Immigration, Citizenship and International Law at the close of the Congress.

23. S. 1083 introduced on March 1, 1973 by Senators Bayh, Huddleston and Ervin. To amend certain provisions of the Federal law relating to explosives. At the request of Chairman James Eastland, Senator Bayh chaired a Judiciary Committee hearing, held June 12, 1973, on S. 1083. An amended bill was favorably reported to the Senate on June 28, 1973 (S. Rept. 93-274). On July 13, 1973 the measure was passed by the Senate. The House passed an amended form of the bill December 17, 1974. The Senate concurred in House amendments on December 18, 1974 and the Act was approved by the President on January 4, 1975. Amendments of 1973 to Federal Law Relating to Explosives, Public Law 93-639.

RUNAWAY YOUTH

24. S. 645 introduced on January 31, 1973 by Senators Bayh and Cook. Additional co-sponsors include Senators Abourezk, Beall, Bennett, Bible, Chiles, Fong, Gravel, Hart, Humphrey, Inouye, Javits, Kennedy, Mathias, McGee, Mondale, Moss, Pastore, Percy, Pell, Randolph, Taft and Tunney. To strengthen interstate services for parents of runaway children; to conduct research on the size of the runaway youth population; for the establishment, maintenance and operation of temporary housing and counseling services for transient youth, and for other purposes—entitled as The Runaway Youth Act. Hearings on The Runaway Youth Act, S. 2889 introduced in 1971, were held before the Subcommittee To Investigate Juvenile Delinquency on January 13 and 14, 1972. Reported by the Subcommittee on May 1, 1973, and by the Judiciary Committee on June 4, 1973. Considered and passed by the Senate on June 8, 1973 (S. Rept. 93-191). The bill originally passed the Senate on August 9, 1972 (S. Rept. 93-1002) but died in the House at the end of the 92d Congress. The companion bill in the House, H.R. 15276, was referred to the House Education and Labor Committee, Subcommittee on Equal Opportunity and on July 1, 1974 it was passed by the House. A Conference Committee was appointed on July 31, 1974 by the House, and on August 2, 1974 by the Senate. The conferees selected were: Congressmen Perkins, Hawkins, Chisholm, Quie and Steiger, and Senators Bayh, Eastland, McClellan, Hart, Burdick, Hruska, Scott of Pennsylvania, Cook and Mathias. On August 16, 1974 and August 19, 1974 the House and Senate respectively filed their Conference Reports (H. Rept. 93-1298 and S. Rept. 93-1103). The Senate agreed to the report on August 19, 1974; the House on August 21, 1974. The Act was approved by the President September 7, 1974, The Juvenile Justice and Delinquency Prevention Act of 1974 (Title III—the Runaway Youth Act), Public Law 93-415.

FEDERAL JUVENILE DELINQUENCY PREVENTION AND CONTROL EFFORTS

25. S. 580 introduced on January 26, 1973 by Senators Percy, Bayh, Bible, Brock, Hatfield, Humphrey, McGee, Moss, Nunn,

Pastore, Randolph, Stevens, Stevenson and Williams. To amend Title 18 of the United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice. Legislation pending at the close of the session. Portions of the bill were incorporated into Public Law 93-415, title II, part C, The National Institute for Juvenile Justice and Delinquency Prevention.

26. S. 821 introduced on February 8, 1973 by Senators Bayh and Cook. Co-sponsors include Senators Abourezk, Bible, Brock, Burdick, Case, Church, Clark, Cranston, Domenici, Gravel, Fong, Hart, Humphrey, Inouye, Kennedy, Mathias, McGee, McGovern, Mondale, Montoya, Moss, Pastore, Randolph, Ribicoff, Tunney and Williams. To improve the quality of juvenile justice in the United States and to provide a comprehensive, coordinated approach to the problems of juvenile delinquency and for other purposes. Nine days of hearings were held before the Subcommittee To Investigate Juvenile Delinquency at which approximately 70 persons testified. The bill was reported by the Subcommittee March 9, 1974, and reported favorably by the Judiciary Committee to the Senate July 16, 1974 (S. Rept. 93-1011). The measure passed the Senate by a vote of 88 to 1 on July 25, 1974. The companion bill in the House, H.R. 15276, was referred to the House Education and Labor Committee, Subcommittee on Equal Opportunity and on July 1, 1974 it was passed by the House. A Conference Committee was appointed on July 31, 1974 by the House, and on August 2, 1974 by the Senate. The conferees selected were: Congressmen Perkins, Hawkins, Chisholm, Quie, and Steiger, and Senators Bayh, Eastland, McClellan, Hart, Burdick, Hruska, Scott of Pennsylvania, Cook, and Mathias. On August 16, 1974 and August 19, 1974 the House and Senate respectively filed their Conference Reports (H. Rept. 93-1298 and S. Rept. 93-1103). The Senate agreed to the report on August 19, 1974; the House on August 21, 1974. The Act was approved by the President September 7, 1974, The Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 93-415.

27. Juvenile Delinquency Prevention Amendment to H.R. 8152, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to improve law enforcement and criminal justice, and for other purposes introduced on June 26, 1973 by Senators Bayh, Cook and Mathias. Co-sponsors include Senators Abourezk, Bentsen, Cannon, Case, Hart, Hatfield, Humphrey, Gravel, Javits, Kennedy, McGovern, Nelson, Percy, and Scott of Pennsylvania. The amendment required a State to allocate 20 percent the first year, and 30 percent in every subsequent year of the Law Enforcement Assistance Administration block grants it received to a comprehensive program to improve juvenile justice. States would have been given maximum flexibility to determine their greatest needs with respect to juvenile delinquency programs and services. As part of its application for part C and part E block grant funds, a State would have been required to include a comprehensive program for the improvement of juvenile justice. This comprehensive program was defined to include programs and services to prevent juvenile delinquency, rehabilitate juvenile delinquents, and to improve all aspects of the juvenile justice system.

The amendment passed the Senate on a voice vote, June 28, 1973, but was defeated in the Senate-House Conference on the Law En-

forcement Assistance Administration extension bill. (S. Rept. 93-349). The Conference did approve language specifying that all State criminal justice plans must have a juvenile justice component (Public Law 93-83).

28. S.J. Res. 75 introduced March 14, 1973 by Senator Beall. To authorize a study of the operations of the Youth Corrections Act. Legislation pending at the close of the Congress.

29. S. 1198 introduced March 14, 1973 by Senator Beall. To amend section 5010(d) of title 18, of the United States Code relating to youth offenders. Jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. Legislation pending at the close of the Congress.

30. S. 2580 introduced October 12, 1973 by Senator Thurmond. To amend chapter 402 of title 18, of the United States Code relating to the sentencing of youthful offenders, and for other purposes. Jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. Legislation pending at the close of the Congress.

VI. SUBCOMMITTEE PUBLICATIONS

DRUG HEARINGS AND REPORTS

Drug Abuse: The Pharmacist, March 28, 1974.²
Psychotropic Substances Act of 1973, February 25, 1974.²
Proper and Improper Use of Drugs by Athletes, June and July 1973.
Methaqualone (Quaalude, Sopor) Traffic, Abuse and Regulation, March and April 1973.
Methadone Use and Abuse—1972-73, November 1972, February and April 1973.
Diet Pill (Amphetamines) Traffic, Abuse and Regulation, February 1972.
Amphetamine Legislation 1971, July 1971.
Barbiturate Abuse—1971-72.
Part 21: Drug Abuse in the Armed Forces, March, August, and October 1970.
The Narcotic Rehabilitation Act of 1966 and LSD and Marihuana Use on College Campuses, January, May, June and July 1966.
Report, Methadone Diversion Control Act of 1973, June 1973.
Report, Barbiturate Abuse in the United States, December 1972.
Report, Drug Abuse in the Military, December 1971.

JUVENILE DELINQUENCY HEARINGS AND REPORTS

The Juvenile Justice and Delinquency Prevention Act S. 3148 and S. 821, May and June 1972; February, March and June 1973.¹
S. 3148, S. 3443, S. 3521 and S. 3555, Legislative Proposals to Extend or Terminate the Juvenile Delinquency Prevention and Control Act of 1968, April 1972.¹
S. 1428, To Establish an Institute for Continuing Studies of Juvenile Justice, January 1972.¹
The Juvenile Delinquency Amendments of 1971, May 1971.¹
Report, Juvenile Justice and Delinquency Prevention Act of 1974, S. 821, July 1974.¹
Report, Juvenile Delinquency Prevention Act, July 1972.¹
Report, Legislative Oversight Hearings on Federal Juvenile Delinquency Programs, December 1971.¹

JUVENILE INSTITUTIONS HEARINGS

The Detention and Jailing of Juveniles, September 1973.²
Juvenile Confinement Institutions and Correctional Systems, May 1971.

RUNAWAY YOUTH HEARING AND REPORT

Runaway Youth Act, January 1972.¹
Report, Runaway Youth, June 1973.¹

¹ Hearings and/or Report, out-of-print.

² Also for sale by the Superintendent of Documents, U.S. Government Printing Office.

TELEVISION VIOLENCE HEARINGS

- Part 10: Effects on Young People of Violence and Crime Portrayed on Television, June and July 1961 and January and May 1962.
 Part 16: Effects on Young People of Violence and Crime Portrayed on Television, July 1964.

FIREARMS HEARINGS AND REPORTS

- Black Powder (S. 1083), June 1973 and Report of S. 1083 (S. Rept. 93-274), June 1973.¹
 Saturday Night Special Handguns, S. 2507, September, October and November 1971 and Report of S. 2507 (S. Rept. 92-1004), July 1972.
 Firearms Legislation, S. 100, S. 849, S. 977, S. 2433 and S. 2667, July 1969.¹
 Federal Firearms Act, July and August 1967.
 Part 15: Interstate Traffic in Mail-Order Firearms, March and April 1964.¹

ANNUAL REPORTS

- Annual Reports of the Subcommittee To Investigate Juvenile Delinquency, Committee on the Judiciary, 1968 through 1974.

HEARINGS AND REPORTS IN PROGRESS

- The Regulation and Control of Opium and Its Derivatives, March 1975.
 Report, Poppy Politics.
 Ford Administration Stifles Juvenile Justice Program, April 29, 1975.
 Report, preliminary, Our Nation's Schools—A Report Card: "A" In School Violence and Vandalism, April 1975.
 Nature, Extent and Cost of School Violence and Vandalism, April and June 1975.
 Marijuana Decriminalization, May 1975.
 Drugs Used To Control or Discipline Institutionalized Persons, July and August 1975.
 School Violence and Vandalism: Models and Strategies for Change, September 1975.
 Report, School Violence and Vandalism.
 Handgun Control, April, July and October 1975.
 Nomination of Milton L. Luger Pursuant to Public Law 93-415, The Juvenile Justice and Delinquency Prevention Act of 1974. October 30, 1975.

¹ Hearings and/or Report, out-of-print.

² Also for sale by the Superintendent of Documents, U.S. Government Printing Office.

VII. JUVENILE DELINQUENCY DATA

[UPDATED THROUGH APRIL 1976]

The American youth population, between the ages of 10 and 17 accounts for 16 percent of the total U.S. population:

Of the 6 plus million arrests made nationally in 1974, 27 percent, or 1,683,073 were of persons under 18 years of age.(1)

31 percent of all crimes solved (for FBI Crime Index Offenses) involved persons under 18 years of age.(1)

The peak age for arrests for violent crime is 18, followed by 17, 16, and 19. Since 1963 arrests of juveniles in this category has tripled, from about one arrest for every 400 juveniles to about one arrest for every 140 juveniles.(2)

The peak age for arrests for major property crimes is 16, followed by 15, and 17.(2)

OFFENSES—1974(1)

Runaways, 1974

National estimate of arrests: 239,600, representing 10.3 percent of all juvenile arrests.

National estimate of total number of runaways—1 million.

TABLE 1.—*Juvenile arrests*

[Under 18 as percentage of total arrests for offense]

	Percent
Violent crime ¹ (serious).....	22.6
Property crime ² (serious).....	50.7
All serious crime ³	45.1
All arrests.....	27.2

¹ Violent crimes are the offenses of murder, forcible rape, robbery and aggravated assault.

² Property crimes are the offenses of burglary, larceny, theft, and motor vehicle theft.

³ Serious crimes are the combination of property and violent crime.

TABLE II.—TRENDS IN ARRESTS OF JUVENILES (UNDER AGE 18)

[In percent]

All juveniles	1960-74	1969-74	1973-74
Violent crime.....	+254.1	+49.0	+8.7
Property crime.....	+133.0	+29.8	+20.2
All serious crime.....	+142.6	+31.6	+18.8
All arrests.....	+137.8	+16.4	+8.7

TRENDS IN ARRESTS OF JUVENILES (UNDER AGE 18) BY SEX

TABLE III.—MALE JUVENILES

[In percent]

	1960-74	1969-74	1973-74
Violent crime.....	+241.4	+35.6	+8.0
Property crime.....	+107.1	+13.8	+19.6
All serious crime.....	+118.0	+15.9	+18.1
All arrests.....	+119.4	+16.0	+9.5

TABLE IV.—FEMALE JUVENILES

[In percent]

	1960-74	1969-74	1973-74
Violent crime.....	+419.2	+62.6	+16.0
Property crime.....	+380.9	+46.4	+23.0
All serious crime.....	+383.2	+47.3	+22.4
All arrests.....	+245.1	+47.2	+5.9

DRUG ARREST TRENDS (3)

TABLE V.—JUVENILES AND ADULTS

[In percent]

	Under 18	All ages
1960-74.....	+3,778.0	+535.0
1969-74.....	+92.0	+80.0
1973-74.....	+1.8	+2.2

TABLE VI.—JUVENILE AND ADULT ARREST TOTALS, BY SEX

[In percent]

	Under 18		All ages	
	Female	Male	Female	Male
1960-74.....	+4,842.0	+3,618	+861.0	+832.0
1969-74.....	+102.0	+150	+98.0	+115.0
1973-74.....	-3.8	+3	-.1	+2.5

Juvenile crime has had quantum growth rates relative to adult crime during the 14-year period of 1960-1974. Other trends visible in the arrest statistics include a significant increase in juvenile participation in violent crime and tremendous increases in drug law violations.

Accompanying this soaring growth in juvenile crimes has been a dramatic increase in female delinquency. Explanations for this trend include changing social attitudes towards women, deteriorating economic conditions, advanced and significant differences in the prosecution and institutionalization of juvenile boys and girls.

THE JUVENILE AND THE LEGAL SYSTEM

Juvenile court caseload (4)

The juvenile courts in the United States handled over 1 million cases in 1974. There has been a caseload increase each year; generally exceeding youth population increases. Between 1960 and 1973 the number of delinquency cases more than doubled (124-percent increase), compared to the 32-percent increase in the number of children aged 10 through 17.

Of the 1,709,564 juveniles taken into custody by the police in 1974:(1)

47.0 percent were referred to juvenile courts.

44.4 percent were handled and released.

3.7 percent were referred to adult court.

4.9 percent were handled by other government agencies.

Of the total crime committed by juveniles in 1974:(1)

81.6 percent were committed by males.

18.3 percent were committed by females.

Recidivism (based on a 3-year FBI study of persons released in 1972 and rearrested within 3 years):(1)

64.4 percent within 3 years for persons under 20.

57.4 percent within 3 years for all persons.

The highest rearrest rate of all age groups was for the under-20 age group. There was a constantly declining rearrest rate, correlating with rising age. The other important finding of this study entailed the nature of future crime—of all persons rearrested during the follow-up study, 24 percent were rearrested on a charge more serious than the initial charge.

JUVENILE INSTITUTIONS (5)

[Figures based on data for day of June 30, 1974. Institutions surveyed include 367 State operated facilities, and 427 locally operated facilities]*

Type	Number (5)	Approximate daily populations (5)	Annual admissions (6)	Annual departures (6)
Total.....	794	45,694	591,004	583,799
Detention centers.....	319	10,782	483,212	478,415
Shelters.....	19	190	4,986	5,034
Reception/diagnostic.....	17	1,734	21,302	21,203
Training schools.....	187	26,427	60,678	59,746
Ranches, forestry camps, farms.....	103	4,959	15,277	14,483
Halfway houses.....	59	713	2,453	2,184
Group homes.....	90	889	3,096	2,735

* Annual admissions and departures data is available for 1973 only; the daily population figures are for 1974. General similarity of the numbers permitted comparisons between the 2 years.

As the figures in the above table indicate, training schools commitment still dominates juvenile corrections. Only 18 percent of juvenile offenders(7) are placed in community-based residential programs, in spite of the much heralded movement toward community care. In fiscal 1974, the States spent more than \$300 million operating their institutions, while spending less than \$30 million for community-based residential programs.(7)

PURPOSE OF INCARCERATION (5)

[Figures based on data for day of June 30, 1974]

Detention status	Youth held	Male	Female
Total.....	45,694	35,057	10,637
Adjudicated delinquent ¹	33,385	27,001	6,384
CINS/PINS ²	4,551	2,623	1,928
Pending disposition by court.....	6,387	4,571	1,826
Awaiting transfer.....	460	307	153
Voluntary commitment.....	373	290	83
Dependent and neglected child.....	528	265	263

¹ Responsible for an act which would have resulted in a criminal conviction if the youth were of adult age. In the data collection process status offenders were included in this category by some agencies.

² Refers to juveniles who have been declared in need of supervision by a juvenile court under special statutes for "status offenses."

INCARCERATION BY OFFENSE (1)

Type of offense	Percent incarcerated for charge	
	Male	Female
Status offense.....	23	70
Misdemeanor.....	22	16
Felony.....	49	8
Drug crime.....	6	8

Note: Calculations of 1969-74 arrests trends, "Uniform Crime Reports, 1969,"

Of significance is the large numbers of youths who are convicted and institutionalized for Status Offenses—70 percent of all juvenile females incarcerated, and 23 percent of all juvenile males incarcerated. In addition:

More juveniles adjudicated as Status Offenders are sent to juvenile institutions than youths convicted of other offenses (25 percent are incarcerated for status offenses, 18 percent for minor offenses, and 23 percent for serious crime). (2)

Once incarcerated, Status Offenders spend more time in institutions than their juvenile counterparts who have been institutionalized for other offenses.

OTHER FACTS ABOUT YOUTH

School, violence and vandalism

Costs.—\$600 million spent on vandalism in the public schools in the U.S., this represents an average cost of at least \$5,000 annually for the school districts of the country, over \$10 per student—more than the amount expended on textbooks annually. (8)

Crimes.—In a survey conducted by the Subcommittee, of in excess of 750 school districts in 1973, the following information on school crime trends was compiled.

Between the 3 years, 1970-73, the rates for crimes in school is increased as follows:

	Percent
Homicides.....	18.5
Rapes and attempts.....	40.1
Reported robberies.....	36.7
Dropouts.....	11.7
Assaults on teachers.....	77.4
Assaults on students.....	85.3
Drug and alcohol offenses at school.....	37.5
Burglaries of school buildings.....	11.8

Collaborating FBI crime figures on homicide for 1974 report that youths under the age of 18 committed 10 percent of all murders during 1974, and that between 1969 and 1974 the number of juveniles under 18 arrested for murder rose by 52 percent.

DRUG USE—USE OF VARIOUS DRUGS, BY JUVENILES (AGES 12 TO 17) AND ADULTS, FALL 1974 (3)

[In percent]

	Ever used		Used in last month	
	Juveniles	Adults	Juveniles	Adults
Alcohol.....	58	72	35	55
Tobacco.....	58	65	24	40
Marihuana.....	24	40	15	10
Nonmedical use of psychoactive drugs.....	10	12	5	6
LSD.....	8	8	5	.5
Heroin.....	5	.5	.5

YOUTH UNEMPLOYMENT (9)

[January 1975 unemployment rates—Teenagers, adults, and all; in percent]

	Total	Males	Females
Teenagers, 16 to 19.....	19.9	20.1	19.6
Adults, 20 and older.....	6.5	5.8	7.5
All ages.....	7.8

1975 average unemployment rates—teenagers, adults, and all

	Total (percent)
Teenagers, 16-19.....	19.9
Adults, 20 and older.....	7.3
All ages.....	8.5

December 1975 unemployment rates—teenagers, adults, and all

	Total (percent)
Teenagers, 16-19.....	19.6
Adults, 20 and older.....	7.1
All ages.....	8.3

As these figures indicate, teenage unemployment rates have not followed the adults' rates downward trend from the record-setting unemployment of 1975.

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