

94TH CONGRESS }
2d Session

SENATE

{ REPORT
No. 94-1061

JUVENILE DELINQUENCY
ANNUAL REPORT
1975

REPORT

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

MADE BY ITS

SUBCOMMITTEE TO INVESTIGATE JUVENILE
DELINQUENCY

PURSUANT TO

S. Res. 72

Section 12

NINETY-FOURTH CONGRESS

FIRST SESSION



AUGUST 4, 1976.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1976

54957

COMMITTEE ON THE JUDICIARY

(94th Congress)

JAMES O. EASTLAND, Mississippi, *Chairman*

JOHN L. McCLELLAN, Arkansas	ROMAN L. HRUSKA, Nebraska
PHILIP A. HART, Michigan	HIRAM L. FONG, Hawaii
EDWARD M. KENNEDY, Massachusetts	HUGH SCOTT, Pennsylvania
BIRCH BAYH, Indiana	STROM THURMOND, South Carolina
QUENTIN N. BURDICK, North Dakota	CHARLES McC. MATHIAS, Jr., Maryland
ROBERT C. BYRD, West Virginia	WILLIAM L. SCOTT, Virginia
JOHN V. TUNNEY, California	
JAMES S. ABOUREZK, South Dakota	

PETER M. STOCKET, Jr., *Staff Director and Chief Counsel*

SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY IN THE UNITED STATES

(94th Congress)

BIRCH BAYH, Indiana, *Chairman*

PHILIP A. HART, Michigan	*CHARLES McC. MATHIAS, Jr., Maryland
QUENTIN N. BURDICK, North Dakota	ROMAN L. HRUSKA, Nebraska
EDWARD M. KENNEDY, Massachusetts	HIRAM L. FONG, Hawaii
†JOHN V. TUNNEY, California	

JOHN M. RECTOR, *Staff Director and Chief Counsel*

*Senator Mathias was appointed the ranking minority member on May 7, 1975.

†Senator Tunney resigned on May 7, 1975.

(II)

CONTENTS

ACQUISITIONS

	Page
I. Introduction	1
II. The prevention and control of juvenile delinquency and crime:	
A. Juvenile delinquency in the United States.....	3
B. The Juvenile Justice and Delinquency Prevention Act of 1974—Public Law 93-415.....	4
C. Investigation of school violence and vandalism.....	5
D. Federal Youth Corrections Act.....	6
E. Juvenile justice standards and bill of rights for children.....	6
F. Juvenile records.....	6
G. Interstate placement and traffic in children.....	6
H. Female delinquency and sex discrimination in the juvenile justice system.....	7
I. Youth gangs and violent crime.....	7
III. The control and abuse of legal and illegal dangerous drugs:	
A. The regulation and control of opiates.....	9
B. International traffic and abuse.....	9
C. Illicit methadone traffic and abuse.....	10
D. Pharmacies and drug abuse.....	10
E. The Federal response to marijuana.....	10
F. Drugs used improperly to control or discipline institutionalized persons.....	10
G. Mandatory penalties for nonaddict heroin dealers.....	11
IV. Firearms and crime:	
A. Handgun crime control.....	13
B. Sporting, recreational, or cultural use of black powder.....	14
C. Development and regulation of nonlethal weapons.....	15
V. Legislation developed or processed by the subcommittee under S. Res. 72, Sec. 12.....	17
VI. Subcommittee publications.....	21
VII. Information related to juvenile crime and delinquency:	
A. Juvenile delinquency data.....	25
B. Marijuana control trends:	
1. Map—Possession of marijuana: Status of State decriminalization	30
2. Chart—Total marijuana arrests 1965-74.....	31
3. Chart—Marijuana arrests as a percentage of total drug arrests	32
C. Firearms and handguns:	
1. Fact sheet.....	33
2. Chart—Comparison of Ford, Bayh, and Conyers handgun bills	34
3. Chart—Illustration of impact of import criteria applied to domestic handgun sales vs. Treasury cost criteria.....	35
VIII. Summary of activities.....	37

JUVENILE DELINQUENCY
ANNUAL REPORT
1975

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 first session of the 94th Congress. During 1975, the Subcommittee pursued its investigations in a number of areas vitally related to the problems of juvenile crime and delinquency. A total of 14 days of hearings, involving more than 85 witnesses were conducted on topics which include: (1) the monitoring of the implementation of the Juvenile Justice and Delinquency Prevention Act (P.L. 93-415) and an assessment of its impact; (2) the nature and extent of violence and vandalism in our Nation's schools and the development of strategies vital to restoring a proper learning environment; (3) the improper and illegal administration of controlled drugs on institutionalized citizens (juvenile justice, mental health, mentally handicapped and the criminal justice systems) and the related concern of the availability of illicit drugs in these institutions; (4) the interstate placement and traffic in delinquent, dependent and neglected children; (5) an assessment of past and present Federal policy regarding the regulation and control of opium and its derivatives; (6) the efficacy of current Federal policy regarding the possession of marijuana; and (7) a review of the Gun Control Act of 1968 and the need for stricter control of nonsporting handguns.

During the past year, the Subcommittee favorably reported, on December 1, 1975, the Handgun Crime Control Act of 1975 authored by Senator Birch Bayh. In addition 18 other measures, many developed by the Subcommittee staff, were referred to the Subcommittee and are presently under consideration. These measures are listed at the conclusion of this report in Section V (p. 17 et seq.).

II. THE PREVENTION AND CONTROL OF JUVENILE DELINQUENCY AND CRIME

During the past year, the Subcommittee has devoted a significant portion of its time to the question of prevention and control of juvenile delinquency and crime. We have proceeded with our investigation of the youth crime crisis in this country by examining in depth the scandalous escalation of school violence and vandalism; the interstate traffic and drugging of children; youth gangs and violent youthful offenders; the relevance of juvenile detention and incarceration to juvenile crime. Also, there is a growing phenomenon of female delinquency and the related problem of discrimination on the basis of sex within the juvenile justice system. As with our earlier inquiries and efforts this year's activities reaffirmed the need for a comprehensive, coordinated, rational and *suitably funded* Federal response to juvenile crime. It was exactly for these purposes that the Congress rejected Administration opposition and overwhelmingly supported 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 years 1960-1974. Violent crime by persons under 18 jumped 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 it 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 of \$7,500 is 200 percent higher than the average cost of halfway houses or group homes (\$2,500 per youth), and 1,400 percent above 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 close to 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 close to 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—except, perhaps, an offense such as running away. These 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 which could eliminate the unnecessary detention of children, that too often introduces them to a life of crime.

B. THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974—PUBLIC LAW 93-415

The new Federal law was the product of more than a 3-year examination of the Federal response to juvenile delinquency and crime. President Ford signed the measure on September 7, 1974, but opposed funding the program.

The Subcommittee staff has worked closely with representatives of the Law Enforcement Assistance Administration to help assure that the new Office of Juvenile Justice and Delinquency Prevention and its program are consistent with the mandate of the Act. Likewise, the Subcommittee has worked closely with the several appropriations committees assisting them in designing the budget request for Public Law 93-415. The Administration's opposition to fully implementing the Act has required the staff to allocate considerable time and effort to these endeavors.

The Act, which passed by overwhelming votes (Senate 88 to 1 and in the House 329 to 20), is designed to make prevention of juvenile crime a national priority. Its purpose is to help prevent young people from becoming entangled in a juvenile justice system which has failed. Also, it will assist State and local governments, as well as individual and private organizations, in developing more sensible, less costly, and ultimately more productive assistance for youngsters already in the juvenile justice system. A major objective of the Juvenile Justice Act is to prevent youth facilities from continuing to be nurseries for crime. The Act forbids the incarceration of status offenders, and requires the separation of juvenile from adult offenders.

To state that a young person is incorrigible is not the same as saying that he or she is a criminal. We must remember that even the most benevolent intentions of the State can never be a substitute for the comfort and support of a loving family. Thus, whatever the State may do it should not provide incentives disruptive of compatible family life.

Federal efforts in the past have been inadequate and have not recognized that the best way to combat juvenile delinquency is to prevent it. The Juvenile Justice Act is based on the age-old conviction that an ounce of prevention is worth more than a pound of cure. The Act represents a Federal commitment to provide leadership, coordination, and a framework of using the Nation's resources to effectively deal with all aspects of the delinquency problem.

In April, as part of the Subcommittee's pursuit of the Administration's failure to follow the Act's mandate a full-day hearing was conducted. Testimony was heard from the OMB, LEAA, GAO and numerous public and private groups concerned with juvenile crime. This effort and those of many others throughout our Nation resulted in a funding for the Act of \$25 million for fiscal year 1975, and \$40 million for fiscal year 1976.

Additionally, the staff conducted an investigation of Milton Luger, whom the President, on September 24, 1975, nominated as Assistant Administrator of LEAA to administer the Office of Juvenile Justice and Delinquency Prevention created by Public Law 93-415. A public hearing was held on October 30, and the Senate confirmed the nomination on November 11, 1975.

In the coming year the Subcommittee will continue its oversight of Public Law 93-415. We will assess the administration of its Title III—The Runaway Youth Act (see S. Rept. 93-191 and S. Rept. 93-1424, pp. 6-7); we will work to assure that all guidelines promulgated by LEAA are consistent with the law; and will develop amendments to improve the program.

C. INVESTIGATION OF SCHOOL VIOLENCE AND VANDALISM

In April the Subcommittee completed the first phase of its study of the increasing incidence of violence and vandalism in our Nation's schools, which was initiated in 1973, with the publication of its preliminary report, "Our Nation's Schools—A Report Card: 'A' in School Violence and Vandalism." This report incorporates important data which not only provided the basis for the 3 days of hearings held this year, but has proved invaluable to policymakers, administrators, parents, teachers and students.

The Subcommittee's hearings revealed the nature and extent of violence and vandalism in our schools; and the importance of parental and student involvement in the schools decisionmaking process with the need of fundamental fairness for all with any legitimate interest in the problems confronting the schools. The Subcommittee, using the Juvenile Delinquency in the Schools Act of 1975, S. 1440, introduced by Senator Bayh, as a starting point has solicited the advice of numerous relevant organizations and individuals in the development of strategies for rejuvenating a healthier environment in our Nation's schools. Next year the Subcommittee will complete its final report which will include legislative recommendations. Additionally, the

Subcommittee staff has been monitoring the HEW implementation of the Safe Schools study to assure that it not whitewash but reflect accurately, as intended by Congress, the nature and extent of school violence and vandalism.

D. FEDERAL YOUTH CORRECTIONS ACT

In 1973, the Subcommittee began a review of the Federal Youth Corrections Act (FYCA). Several measures proposing changes in the Act were referred for Subcommittee action. This year we will proceed with the project and attempt to assess 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. Title VI of The Violent Crime and Repeat Offender Control Act, introduced as S. 1880 by Senator Bayh, was developed by the Subcommittee staff to deny FYCA sentencing to offenders previously convicted of serious violent crime.

E. 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. Also that our communities are protected from the few youths who engage in repetitive activity threatening to life and limb of our citizens. Section 247(a) of the Juvenile Justice and Delinquency Prevention Act (P.L. 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.

F. 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.

G. INTERSTATE PLACEMENT AND TRAFFIC IN CHILDREN

The Subcommittee, over the years, has witnessed an increasing amount of questionable activity by transactions crossing State lines which involve 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 the late Senator Kefauver did in the 88th Congress as Chairman of the Subcommittee. Other investigations and reports corroborate our concern. The Subcommittee will continue its investigations in this area and include the exploration of claims by responsible officials and private investigators 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 prostitution network known as the “chicken business.” Additionally, the Subcommittee will continue its assessment of practices by public and private entities that result in the placement of delinquent, dependent or neglected children in substandard and even inhumane centers and institutions. Of special concern to the Subcommittee are allegations that “youth-care” entrepreneurs are collectively making millions of dollars from the suffering of these children. Provisions of the Juvenile Justice and Delinquency Prevention Act will prevent the incarceration of children charged or adjudicated of status offenses. Section 223(a) (12) is only a partial solution, but will help curb these practices.

II. FEMALE DELINQUENCY AND SEX DISCRIMINATION IN THE JUVENILE JUSTICE SYSTEM

During the past year the Subcommittee has been conducting an investigation into and examining more closely the profile, sentencing, incarceration, treatment and rehabilitation of the young female delinquent. The lack of research on women offenders—the nature and extent of women’s crimes, judicial handling of women and women’s institutions—has tended to obscure those particular problems faced by young women offenders solely because they are women. Recent statistics indicate a dramatic increase in the rate of women’s offenses. The FBI Uniform Crime Reports’ most recent statistics reveal that arrests for females under 18 years of age for violent crime increased 419 percent, and for property crime increased 381 percent during the period 1960–1974. Arrests for young males under 18 years of age rose by 241 and 107 percent, respectively. Subcommittee staff worked this year with the International Women’s Year Conference which incorporated Senator Bayh’s recommendation regarding sex discrimination within the juvenile justice system in its reports, “. . . To Form a More Perfect Union.” The Subcommittee will continue this investigation with the possibility of future hearings and legislative proposals which could provide the Federal leadership, and resources so desperately needed, to deal more rationally with juvenile delinquency and juvenile crime—particularly for the well-being and safety of our young men and women.

I. YOUTH GANGS AND VIOLENT CRIME

The 1970’s has seen a resurgence of juvenile gangs, whether they be of the “street gang” variety or the “school gang” variety, and the Subcommittee has continued its overview of the youth gang problem and its relationship to violent crime. The Subcommittee’s history of hearings and investigative reporting reaches back to the gangs of the mid-50’s and hearings and investigative reports on the antisocial gangs of the 1960’s. The Subcommittee’s most recent endeavor was initiated in 1973, whereby a State-by-State survey was compiled on gang activity. The focal points were on the nature and extent of the rising increase in gangs, suitable alternatives to diminish gang activities and possible solutions for the gang violence and terrorism which confront our citizens daily. After the release of a preliminary report of the Subcommittee’s investigations next year, hearings will be held on this topic.

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 (P.L. 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. Thus, the widespread diversion, traffic and abuse then occurring with these drugs would be more effectively curbed.

This past year the Subcommittee has continued its oversight activities, relative to these statutes. It has endeavored to insure that the production and distribution of dangerous drugs are effectively monitored, and that the degree of drug control reflects rational Federal priorities.

A. THE REGULATION AND CONTROL OF OPIATES

In June of 1971 the White House designated heroin as public enemy No. 1 and announced the dual goals of opium poppy eradication and the development of synthetic substitutes for opiate derivatives. Subsequently the Turkish Government eliminated the official harvesting of the opium poppy. A heated and protracted debate regarding the impact of the ban ensued. Heroin traffic and abuse did ebb in 1973, but by early 1974 all of the indices of heroin abuse (arrests, seizures, overdoses, number seeking treatment, fatal overdose, and others) were up. This increased demand was filled by the "Mexican Connection," which in 1972 had provided 8 percent of the heroin smuggled into the United States. But by late 1974, it supplied between 65 to 70 percent. And, today, it is the source of more than 90 percent of the heroin in this country. The Subcommittee was equally concerned about reports that the Turkish ban had exacerbated the shortage of opiates for legitimate United States medical needs to crisis levels.

The Subcommittee explored these and related issues at three hearings early last year. An assessment of opiate control policy during this period and our findings and recommendations will be the subject of a report to be released next year.

B. INTERNATIONAL TRAFFIC AND ABUSE

During the past year the Subcommittee continued its investigation of international traffic in legitimately produced drugs. The International Psychotropic Substances Act, S. 362, authored by Senator Bayh, and a similar bill introduced by Senator Hruska on behalf of the Administration, S. 1266, are pending before the Subcommittee. These

legislative proposals 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. This year the Subcommittee will endeavor to bring this measure before the Senate.

C. ILLICIT METHADONE TRAFFIC AND ABUSE

In response to shocking increases in the incidence of methadone traffic and abuse, including primary methadone addiction, the Subcommittee conducted an extensive investigation and hearings resulting in the passage of Public Law 93-281 (S. Rept. 93-192). These amendments to the Controlled Substances Act provide more adequate tools to curb abuses. During the coming year the Subcommittee will undertake an assessment of the Act's impact to date.

D. PHARMACIES AND DRUG ABUSE

The Subcommittee hearings in the spring of 1974 revealed that more than 80 percent of all diverted controlled drugs were from pharmacies registered under the Controlled Substances Act. In fact, during that year more than 50 million amphetamines and barbiturates were diverted. This next year we will make recommendations for remedial regulation to meet the problems of retail diversion and crime.

E. THE FEDERAL RESPONSE TO MARIJUANA

This year the Subcommittee conducted the first Senate hearing on measures introduced to eliminate Federal criminal penalties for the possession of small amounts of marijuana. A similar recommendation was made by the Commission on Marijuana and Drug Abuse—"Shafer Commission"—which was created by a Subcommittee amendment in 1970. The prosecution of such cases costs the taxpayers \$600 million annually. They now amount to 70 percent of all drug arrests, up from 45 percent in 1970. The Subcommittee will make legislative recommendations on this matter during the coming year.

F. DRUGS USED IMPROPERLY TO CONTROL OR DISCIPLINE INSTITUTIONALIZED PERSONS

In 1974 the Subcommittee initiated a special investigation to assess the extent to which controlled drugs are improperly administered in our Nation's institutions (juvenile justice, mental health, mentally handicapped, criminal justice) and the related concern regarding the availability of illicit drugs in these facilities. Last summer we held 2 days of hearings which revealed instances in which major tranquilizers were indiscriminately used to control the behavior of children and others in an abusive and nonmedical manner.

A related aspect of the problem was clearly indicated by testimony revealing the interstate placement of children (neglected, dependent, abandoned, delinquent) in substandard facilities where they were subjected to little more than heavy sedation. The Subcommittee has requested that the Attorney General provide a full and complete report of such practices and solicited suggestions for remedies, especially where facilities are in whole or part federally funded.

This year we will continue to assess the nature and extent of institutional drug abuse and will issue an interim report on the status of this inquiry.

G. MANDATORY PENALTIES FOR NONADDICT HEROIN DEALERS

In 1973 the Subcommittee desired to significantly strengthen the hand of our law enforcement officials in dealing 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. 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 this amendment on April 3, 1973. It was not favorably reported from the House Judiciary Committee before the close of the 93d Congress. Similar provisions are included in S. 1800, the Violent Crime and Repeat Offender Control Act of 1975, which the staff drafted last year.

Since the passage of the 1970 Drug Act there has been considerable progress. Action was taken to obtain a drastic, but necessary, 92-percent reduction in amphetamine production. Also, the Subcommittee secured more appropriate controls over the production and distribution of other drugs with high abuse potential, including the barbiturates and methaqualone. The passage of the Narcotic Addict Treatment Act provided additional tools necessary to curb the traffic and abuse of methadone.

Thus, since the passage of the Controlled Substances Act, the Subcommittee has dealt with several major problems which, when viewed in contemporary perspectives were not appropriately addressed in that legislation. A more comprehensive assessment of the Act will be a major activity of the Subcommittee in the coming year. Staff will utilize the expertise of those most directly affected by the Act—the pharmaceutical industry, pharmacists, physicians, researchers, law enforcement officials and others—to assist the Subcommittee in developing and recommending an even more effective legislative response to the critical problems resulting from the diversion and abuse of legitimately manufactured dangerous drugs.

IV. FIREARMS AND CRIME

Last year we conducted a review of the Gun Control Act of 1968 (P.L. 90-618) which was written and developed by this Subcommittee. As gun crime rates continued to rise, the Subcommittee needed to learn what more could be done to stem illicit gun traffic and to curb the availability of crime guns, especially handguns. Three days of hearings were held, including testimony on the Administration bill from Attorney General Levi.

A. HANDGUN CRIME CONTROL

For more than a decade the Subcommittee To Investigate Juvenile Delinquency has conducted extensive investigations on a broad range of proposed firearms legislation.

Those earlier efforts, from 1963-1968, established that the availability of foreign made, easily concealable, often inexpensive handguns, with no legitimate sporting purposes, constituted a serious threat to law enforcement, to the public safety and welfare and to the integrity of State firearms control laws. The 1968 Act banned their importation.

It soon became apparent, however, that congressional intent was effectively circumvented by enterprising firms in the United States that flooded the market with the very crime guns whose availability Congress had intended to curtail by the 1968 ban on nonsporting imports. As a consequence the Subcommittee's 1968 findings regarding the availability of these crime guns are, unfortunately, still valid today.

During extensive hearings conducted in 1971, the Subcommittee heard voluminous testimony urging that the sale of domestically produced, easily concealed, nonsporting handguns be strictly limited. Some advocated a total ban on all handguns.

In 1972 the Senate, by a vote of 68 to 25, passed the Bayh bill, S. 2507, to apply to all commercial handgun sales—the criteria applied only to imported handguns. Unfortunately, the House failed to act on this measure.

This approach, now Title II of the Violent Crime and Repeat Offender Control Act of 1975, S. 1880, authored by Senator Bayh, targets crime guns. Such a weapon was used to kill Robert Kennedy, to gun down Governor Wallace and was reportedly fired at President Ford in San Francisco.

Our extensive investigations have clearly documented that these lethal weapons, whose only purpose is to kill, are the favorites of murderers, armed robbers and gun-wielding assailants who terrorize our communities.

(13)

It is this concealability that is uniquely appealing. The former director of the Bureau of Alcohol, Tobacco and Firearms (ATF) put it quite succinctly when he told the Subcommittee:

What [criminals] want are small, compact, light weapons. They want weapons with no handgrip or sights to catch in a pocket. Concealability is the prime requisite.

This approach does not focus on the millions of law-abiding citizens who own firearms, significantly less than 1 percent of which are used in crime, but only to those small belly guns with no sporting purposes. Some critics claim that this approach is meaningless and only an illusion. The facts are to the contrary. According to Treasury officials, substantially more than 75 percent of the handguns used in crime would be prohibited under this approach.

On December 1, 1975, the Subcommittee reported The Handgun Crime Control Act of 1975, authored by Senator Bayh, to the Judiciary Committee. In addition to the prohibition on the commercial sale of all easily concealable, nonsporting handguns—including those commonly referred to as "Saturday Night Specials"—the Bayh bill provides increased penalties for those convicted of using guns in crimes; it prohibits the modification of handguns in order to circumvent the ban; it requires lost or stolen handguns be reported; it provides increased penalties for gun runners; and it requires that cases involving handguns be handled expeditiously by the courts.

The bill would also provide the following law enforcement tools:

Waiting period.—To help assure that individuals and dealers are not unsuspectingly selling handguns to felons and other prohibited persons, the bill requires that receipt of a handgun be delayed for up to 18 days to allow Federal and local authorities to conduct a crime records check.

Multiple handgun purchases.—In order to prohibit high volume illegal handgun traffic the bill would not permit the purchase of more than two handguns per year except in extraordinary circumstances.

Sale to felons.—The bill would plug a loophole in existing law and make it illegal to intentionally sell handguns to felons and other prohibited persons. In 1974 alone, handguns were sold to an estimated 78,000 convicted felons.

Go-Between.—The intermediate purchaser is frequently a vital link in the chain of illicit handgun traffic. Without strong evidence of conspiracy such persons currently are not successfully prosecuted. This bill would cure this defect by making such specific conduct a violation of the 1968 Gun Control Act.

B. SPORTING, RECREATIONAL OR CULTURAL USE OF BLACK POWDER

In 1972-73 the Subcommittee developed legislation, S. 1083, to remove restrictions on commercially manufactured black powder intended for sporting, recreational or cultural purposes. An amended version passed the Senate in December 1974 (also see S. Rept. 93-274) and was signed by the President on January 4, 1975—Public Law 93-639.

The Subcommittee worked last year to assure that regulations implementing the law were consistent with its intent. Our efforts along with others have twice (in July 1974 and in July 1975) led to the withdrawal of misguided regulations.

C. DEVELOPMENT AND REGULATION OF NONLETHAL WEAPONS

The Subcommittee has reviewed, for the last several years, proposals aimed to encourage the broad use of nonlethal weapons. One recently marketed product, the TASER, through the impact of a jolt of 50,000 volts allegedly safely incapacitates its victims. The Subcommittee will pursue its interest in this area through hearings on the efficacy of such weapons as well as appropriate controls on distribution and use. The Subcommittee also intends to continue its study of the increasing use of extraordinarily lethal cartridges by law enforcement officials.

V. LEGISLATION DEVELOPED OR PROCESSED BY THE
SUBCOMMITTEE UNDER S. RES. 72, SEC. 12

DRUGS

1. S. 362 introduced January 23, 1975 by Senator Bayh. 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. Hearings were held before the Subcommittee To Investigate Juvenile Delinquency on February 25, 1974. This legislation was originally introduced in the 93d Congress as S. 1646. Legislation pending.

2. S. 1266 introduced March 20, 1975 by Senators Hruska, Bayh, Burdick, Eastland, Fong, Hugh Scott, William L. Scott, Thurmond and Tunney. To amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 and other laws, to provide for the discharge of obligations under the Convention on Psychotropic Substances. Hearings were held on February 25, 1974. This legislation was originally introduced in the 93d Congress as S. 2544. Legislation pending.

3. S. 1450 introduced April 17, 1975 by Senators Javits, Brooke, Cranston, Nelson and Tunney. To amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 relating to marihuana; to provide decriminalization of it when possessed in small amounts for private use, without intent to sell for profit. Hearings were held on May 14, 1975. Legislation pending.

4. S. 1880 introduced on June 5, 1975 by Senator Bayh. To amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to provide for mandatory penalties for nonaddict narcotic traffickers (Title IV) and to provide for Federal penalties for robbery or attempted robbery of controlled substances from a pharmacy (Title V). Hearings were held on oversight of the Comprehensive Drug Abuse Prevention and Control Act of 1970 on March 28, 1974 that focused attention on the problems of robbery faced by the professional pharmacist. The section on mandatory penalties for narcotics traffickers is identical to the Bayh-Talmadge amendment to S. 800 which passed the Senate on April 3, 1973 and subsequently died in the House; and to S. 1246, introduced in the 93d Congress. Jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. Legislation pending.

5. S. 2110 introduced on July 15, 1975 by Senators Church and Bayh. Amends the Comprehensive Drug Abuse Prevention and Control Act to make unlawful the robbery of a controlled substance from a registered pharmacy. Hearings were held on the oversight of the Comprehensive Drug Abuse Prevention and Control Act on March 28, 1974 that focused attention on the problems of robbery faced by the

professional pharmacist. This legislation was originally introduced in the 93d Congress (S. 2327 and S. 3364) and was perfected and reintroduced as this bill in the current session. Jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. Legislation pending.

FIREARMS

6. S. 141 introduced January 15, 1975 by Senators McClure, Fannin and Garn. To repeal the Gun Control Act of 1968. Three days of hearings were held on pending gun control legislation, April 23, July 22 and October 28, 1975. This bill was originally introduced in 1970; during the 93d Congress it was reintroduced as S. 652. Legislation pending.

7. S. 142 introduced on January 15, 1975 by Senators McClure, Fannin and Garn. Amends the Gun Control Act of 1968 to penalize the use of firearms in commission of felonies, and to increase penalties in certain related existing provisions—to lower certain age limits from 21 to 18, and to eliminate certain recordkeeping provisions with respect to ammunition. Three days of hearings were held on pending gun control legislation, April 23, July 22 and October 28, 1975. This bill is identical to S. 651 which was introduced by Senator McClure during the 93d Congress. Legislation pending.

8. S. 750 introduced February 19, 1975 by Senator Hart. It prohibits the importation, manufacture, sale, purchase, transfer, receipt, possession or transportation of handguns, etc., except by officers of the law, members of armed forces, and as authorized by the Secretary of the Treasury, licensed importers, manufacturers, dealers, antique collectors and pistol clubs. Three days of hearings were held on pending gun control legislation, April 23, July 22, and October 28, 1975. A similar bill, S. 747, was introduced by Senator Hart during the 93d Congress. Legislation pending.

9. S. 1447 introduced April 17, 1975 by Senators Kennedy, Stevenson, Percy, Javits and Tunney. Enacts the Federal Handgun Control Act of 1975 to provide for Federal regulation of interstate sales and transportation of handguns, and Federal registration and licensing of handgun owners. Three days of hearings were held on pending gun control legislation, April 23, July 22, and October 28, 1975. Legislation pending.

10. S. 1880 introduced June 5, 1975 by Senator Bayh. Amends the Gun Control Act of 1968 and the Comprehensive Drug Abuse Prevention and Control Act of 1970 and other laws so that existing law enforcement authority can be strengthened to curb violent crime. Title II, the Handgun Crime Control Act is identical to S. 2507 that passed the Senate 68 to 25 on August 9, 1972. That legislation died in the House at the end of the 93d Congress. Three days of hearings were held on pending gun control legislation, April 23, July 22, and October 28, 1975. On November 10, 1975 Senator Bayh submitted additional amendments to S. 1880, numbered 1062. Jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. On December 1, 1975 the Subcommittee favorably reported Senator Bayh's Handgun Crime Con-

trol Act to the Judiciary Committee. That measure is presently pending in the Judiciary Committee. Legislation pending.

11. S. 2186 introduced July 26, 1976 by Senator Fong, by request of the Ford Administration. Bans the importation, manufacture, sale and transfer of small handguns, and would improve the effectiveness of the Gun Control Act of 1968 and ban the possession, shipment, transportation, and receipt of all firearms by felons. Jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. Three days of hearings were held on pending gun control legislation April 23, July 22 and October 28, 1975. Legislation pending.

12. S. 2153 introduced on July 21, 1975 by Senators Javits and Percy. To amend the Intergovernmental Cooperation Act to prevent lawless and irresponsible use of handguns in selected areas with high crime rates. Three days of hearings were held on pending gun control legislation, April 23, July 22 and October 28, 1975. Legislation pending.

13. S. 2675 introduced November 14, 1975 by Senators Kennedy and Fong. To amend the Gun Control Act of 1968 to prohibit persons convicted of crimes from acquiring a handgun, to provide a procedure for checking whether a prospective purchaser of a handgun has a prior criminal record, to aid law enforcement agencies in tracing handgun models, and for other purposes. Jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. Legislation pending.

14. S. 2790 introduced December 15, 1975 by Senator Moss. To strengthen the penalty provisions of the Gun Control Act of 1968. Jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedure. Legislation pending.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

15. S. 1440 introduced April 17, 1975 by Senator Bayh. To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide financial assistance for alternative educational and security plans to reduce delinquency and crime in and against the public schools of the Nation, and for other purposes. Jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Committee on Labor and Public Welfare. Three days of hearings were held on school violence and vandalism, April 16, June 17 and September 17, 1975, at which over 30 witnesses testified from various groups, representing the views of parents, teachers, school administrators, school security personnel and student groups. Legislation pending.

16. S. 1880 introduced June 5, 1975 by Senator Bayh. Title VI amends the Federal Youth Corrections Act to deny special sentencing treatment to offenders who had previously been convicted of arson, rape, robbery, kidnapping, murder, assault with a dangerous weapon, or assault with intent to commit any of the above. Legislation pending.

17. S. 2212 introduced July 29, 1975 by Senators Hruska and McClellan. Amends the Juvenile Justice and Delinquency Prevention Act

of 1974 by repealing provisions that require the Law Enforcement Assistance Administration (LEAA) to allocate \$112 million annually to juvenile crime programs. Pertinent provisions (sections 7 and 8) were jointly referred to the Subcommittee To Investigate Juvenile Delinquency and the Subcommittee on Criminal Laws and Procedures. Legislation pending.

18. S. 2359 introduced September 17, 1975 by Senator Bayh. To provide for equal treatment for all persons, including youths, entering into health insurance agreements. Legislation pending.

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

Ford Administration Stifles Juvenile Justice Program, April 29, 1975.²
Nomination of Milton L. Luger Pursuant to Public Law 93-415, The Juvenile Justice and Delinquency Prevention Act of 1974. October 30, 1975.
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

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

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

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

SCHOOL VIOLENCE AND VANDALISM HEARINGS AND REPORT

Nature, Extent and Cost of School Violence and Vandalism, April and June 1975.²
 School Violence and Vandalism: Models and Strategies for Change, September 1975.²
 Report, preliminary, Our Nation's Schools—A Report Card: "A" In School Violence and Vandalism, April 1975.

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 1975.

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

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

HEARINGS AND REPORTS IN PROGRESS

Marijuana Decriminalization, May 1975.

Drugs Used To Control or Discipline Institutionalized Persons, July and August 1975.

The Regulation and Control of Opium and its Derivatives, March 1975.

Report, Poppy Politics.

Report, School Violence and Vandalism.

Handgun Control, April, July and October 1975.

VII. INFORMATION RELATED TO JUVENILE CRIME AND DELINQUENCY

A. JUVENILE DELINQUENCY DATA

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 I.—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	59,745
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	6,397	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 United States, this represents an average cost of at least \$5,000 annually for the school districts of the country, or 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 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 1976 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

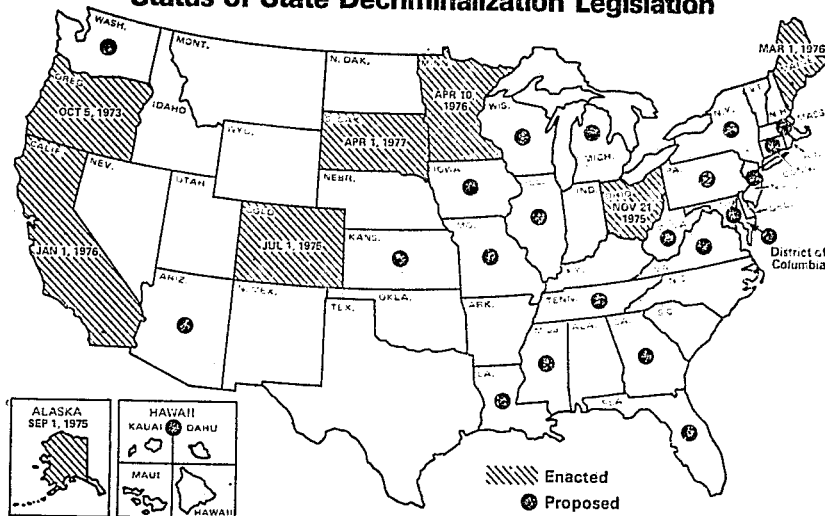
As these figures indicate, teenage unemployment rates have not followed the adults' rates downward trend from the record-setting unemployment of 1975.

REFERENCED SOURCES

1. "Uniform Crime Reports for the United States, 1974," Federal Bureau of Investigation, U.S. Department of Justice, November 17, 1975. Note: Calculations of 1969-74 arrests trends, "Uniform Crime Reports, 1969."
2. Letter from LEAA, Department of Justice, to Senator Bayh, March 18, 1976; attachment No. 2, "Data on Juvenile Delinquency and the Juvenile Justice System."
3. "White House White Paper on Drug Abuse, A Report to the President from the Domestic Council Drug Abuse Task Force," September 1975.
4. "Juvenile Court Statistics 1973," Department of HEW, Office of Human Development, Office of Youth Development.
5. "Children in Custody: Advance Report of the Juvenile Detention and Correctional Facility Census of 1972-73," LEAA, May 1975.
6. Letter from LEAA, Department of Justice, to Senator Bayh, March 18, 1975; attachment No. 1, "Admissions and Departures for Public Juvenile Detention Correctional Facilities, 1971 and 1973."
7. "Juvenile Corrections in the States: Residential Programs and Deinstitutionalization," National Assessment of Juvenile Corrections, University of Michigan, 1975.
8. Preliminary Report of the Subcommittee To Investigate Juvenile Delinquency, "Our Nation's Schools—A Report Card: 'A' in School Violence and Vandalism," April 1975.
9. Department of Labor, Bureau of Employment Statistics, January, 1976. (Monthly rates are seasonally adjusted.)

B. MARIJUANA CONTROL TRENDS

**Possession of Marihuana:
Status of State Decriminalization* Legislation**

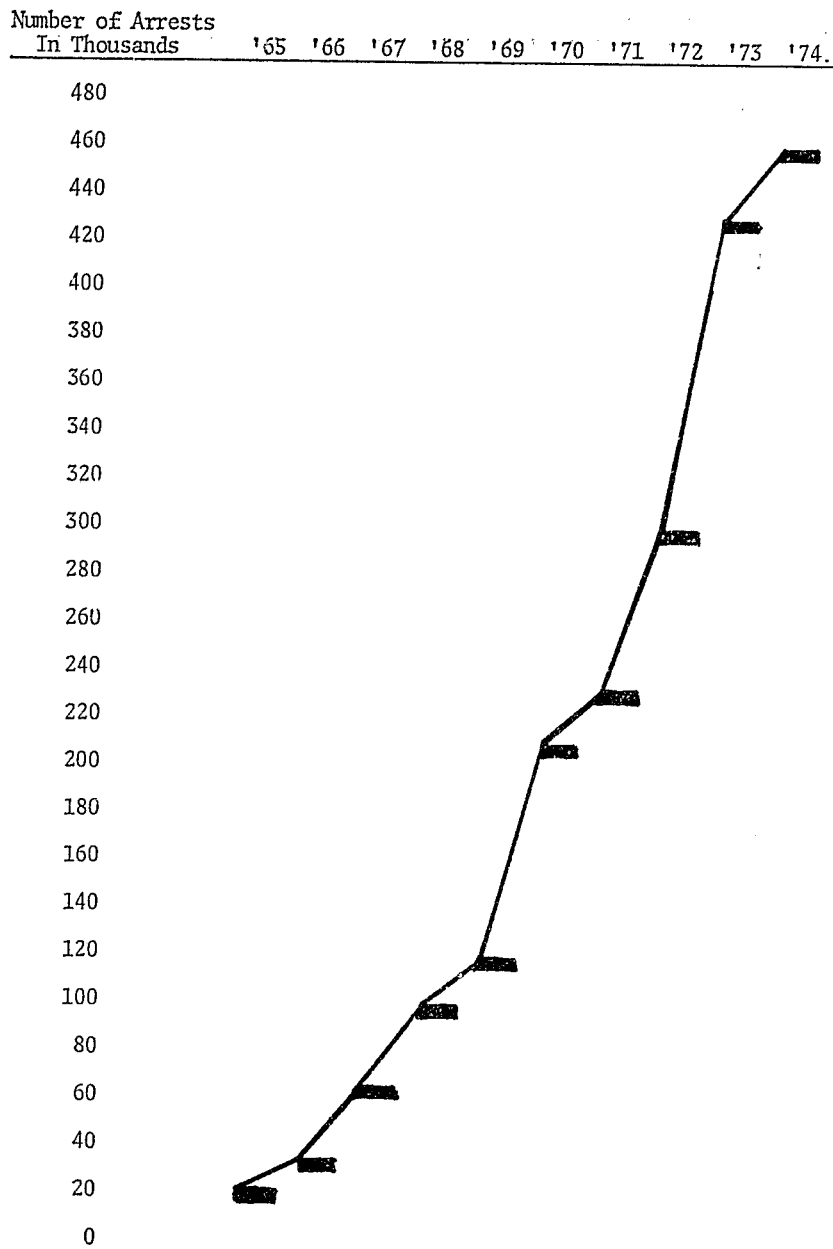


*"Decriminalization" is used to apply to all statutes or proposals providing that a person charged with a simple possession of a small amount of marihuana is not subject to arrest or imprisonment, nor left with a permanent criminal record, even though the offense may continue to be classified as "criminal" rather than "civil."

Source of information on pending legislation: National Organization for the Reform of Marijuana Laws (NORML). All bills introduced during the current or most recent session of the State Legislature are indicated, even though receiving unfavorable action.

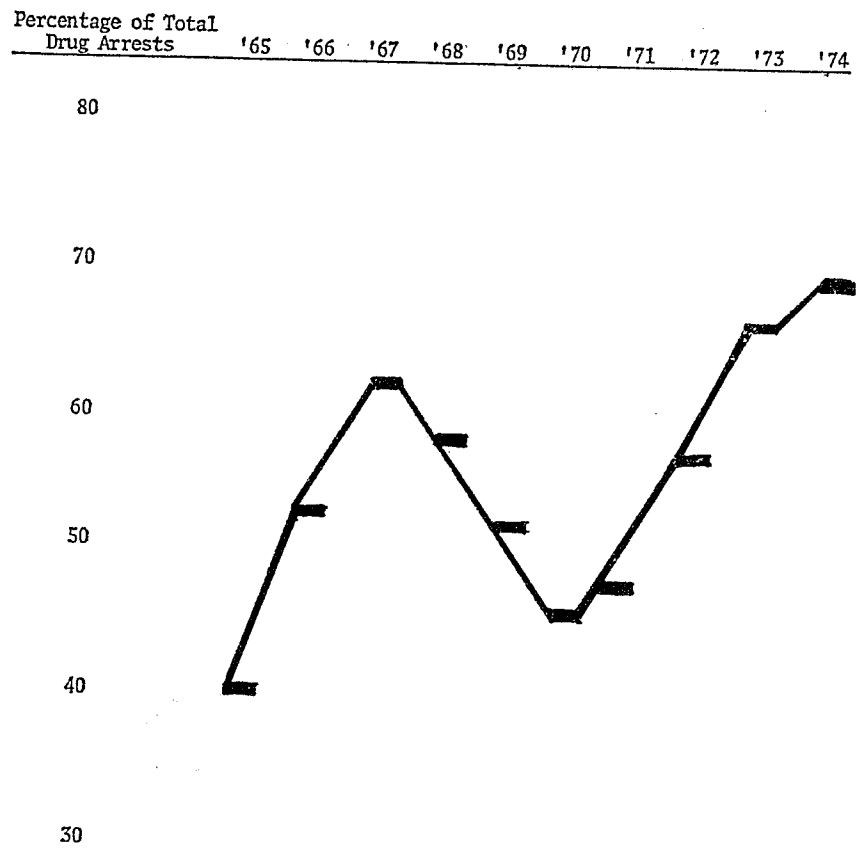
TOTAL MARIJUANA ARRESTS 1965-1974

Source: FBI, Uniform Crime Reports



MARIJUANA ARRESTS: 1965-1974

Source: FBI, Uniform Crime Reports



C. FIREARMS AND HANDGUNS

FACT SHEET ON FIREARMS AND HANDGUNS

Subcommittee To Investigate Juvenile Delinquency

Senator Birch Bayh, Chairman

December 1975

*Law enforcement officers killed*¹

1. In 1970, 100 police officers were killed: 73 with handguns. In 1971, 129 police officers were killed: 94 with handguns. In 1972, 116 police officers were killed: 74 with handguns. In 1973, 134 police officers were killed: 86 with handguns. In 1974, 132 police officers were killed: 95 with handguns. January 1975 to November 5, 1975, 105 police officers were killed: 75 with handguns.

2. During 1974, 128 or 97 percent of the law enforcement officers killed were slain by firearms.

3. During the period 1965-1974, firearms were used by felons to commit 96 percent of the police killings. Seventy-one percent of weapons used were handguns. Of the 947 law enforcement officers slain by criminal action during this period, 675 were killed by handguns.

*Murder*¹

1. In 1974, there were an estimated 20,600 murders in the United States. Handguns were used in 54 percent of the murders, involving 11,124 victims.

2. Since 1966, use of firearms to commit murder has increased 113 percent. (In 1966, 6,570 murders were committed with firearms as compared to 13,987 in 1974.)

3. Of all the persons arrested for murder, 1,399 or 10.1 percent were under 18 years of age, and 6,225 or 45 percent were under 25 years of age, in 1974.

4. During the period 1969-1974, there was a 50.8 percent increase in the number of persons under 18 years of age arrested for murder (765 in 1969 as compared to 1,154 in 1974).

*Armed robbery—assaults*¹

1. Approximately 197,256 or 44.7 percent of all armed robbery in 1974 was committed with the use of a firearm. Since 1969 armed robbery with the use of a firearm has increased 71 percent.

2. Over 114,990 or 25.4 percent of serious assaults in 1974 were committed with the use of a firearm. Since 1969, the use of firearms to commit assaults has increased 56 percent. Since 1969 arrests of persons under 18 for aggravated assault have increased 52.2 percent. (13,750 in 1969 as compared to 20,929 in 1974.)

¹ *Uniform Crime Reports for the United States, 1974*, Federal Bureau of Investigation, U.S. Department of Justice, November 17, 1975.

Miscellaneous

1. Americans are accumulating handguns at a rate estimated at more than 1.8 million weapons a year. The national arsenal of privately owned handguns is estimated to be as high as 40 million.

2. 340,233 people were either murdered, robbed, assaulted, committed suicide or were accidentally harmed with a firearm in 1974.

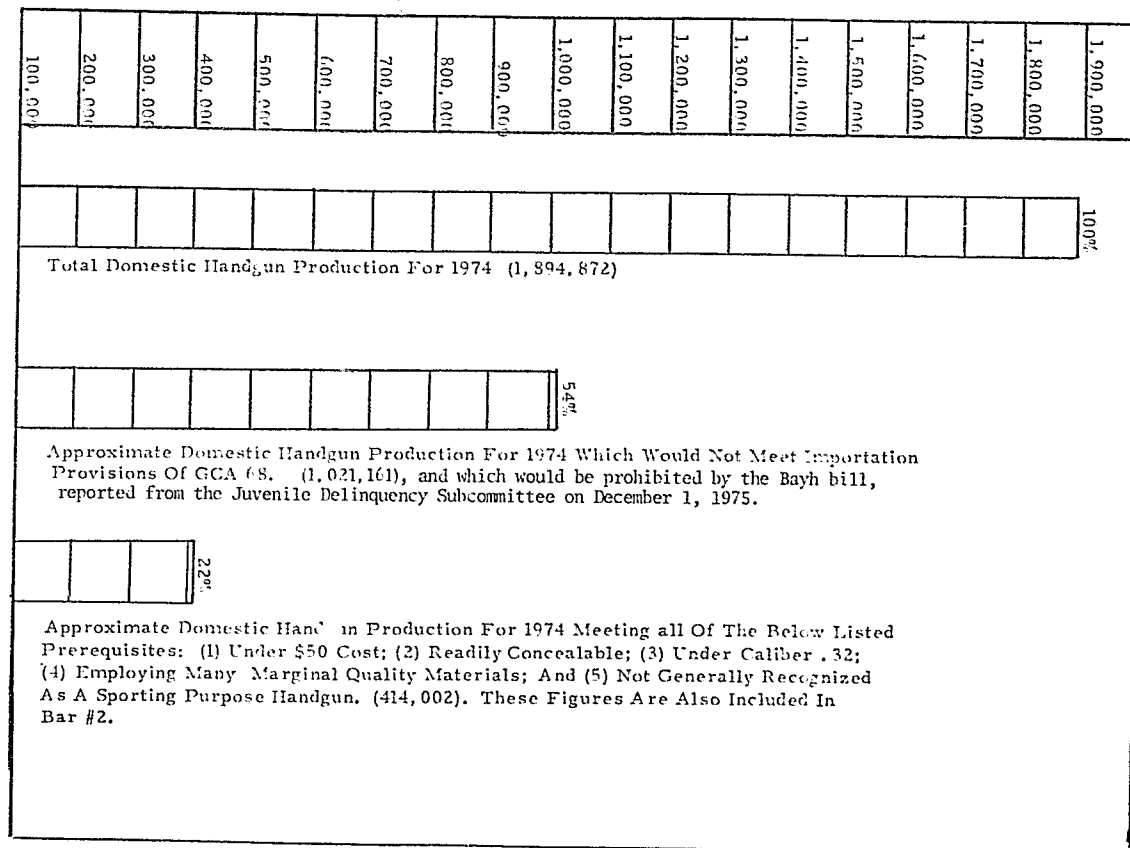
3. According to Treasury Department officials more than 75 percent of the handguns used in crime would be prohibited by the application of existing sporting purposes test which is applied to imports.

MAJOR PROVISIONS OF ADMINISTRATION, SENATE, AND HOUSE HANDGUN LEGISLATION

[Prepared by Senate Subcommittee To Investigate Juvenile Delinquency: Birch Bayh, chairman, Jan. 1, 1976]

Subject	Bayh—Reported to Judiciary Dec. 1, 1975	Ford—Introduced July 26, 1975	Conyers—Introduced Dec. 16, 1975
Sale of nonsporting handguns (including Saturday night specials).	Bans commercial sale of nonsporting handguns except for law enforcement and military personnel.	Bans both commercial and private sale of nonsporting handguns.	Not affected.
Waiting period.....	Requires 18-day waiting period for both commercial and private transfers of handguns. Mandates Federal officials to make a criminal records check of the purchaser in order to insure that the purchaser is not a convicted felon. Establishes privacy safeguards for criminal records check information. Exceptions for transfers between immediate family members.	Requires 14-day waiting period for commercial sale only. Does not require any criminal record check.	Requires 21-day waiting period for commercial sale only. Does not require any criminal records check.
Multiple handgun purchases..	Limits purchase of handguns to 2 per year with exceptions for family members, collectors, law enforcement, military and security personnel as well as situations involving loss, theft, or malfunction of a handgun.	Limits purchase to 1 every 30 days.	Limits purchase to 1 every 30 days.
Illicit firearm traffic.....	Requires firearm dealers and manufacturers to report any theft or loss of firearms to the Secretary. Makes it a felony for any person to sell firearms to a convicted felon if the seller knew or should have known the purchaser was a felon. Imposes mandatory penalties on felons who illegally possess firearms.	Makes it a felony for any person to sell firearms to any other person unless the seller knows the purchaser is not a felon.	Makes it a felony for any person to sell firearms to any other person unless the seller knows the purchaser is not a felon. Authorizes the Secretary to prescribe regulations to prevent theft of firearms.
Licensed firearm dealers and manufacturers.	Not changed from provisions in 1968 Gun Control Act.	Establishes different classes of firearm licenses, increases license fees, establishes civil penalties for licensee violations, increases time for issuance of license by Secretary from 45 to 90 days.	Establishes different classes of firearm licenses, increases license fees, establishes civil penalties for licensee violations, increases time for issuance of license by Secretary from 45 to 90 days.
Additional penalties for use of firearm in the commission of a felony.	1st offense: 5 to 15 yr unless judge specifically states in writing reasons for not imposing sentence. 2d offense: Mandatory 10 to 30 yr. Provisions for speedy resolution of cases.	1st offense: 1 to 10 yr. 2d offense: 2 to 25 yr. Both penalties mandatory.	1st offense: 1 to 10 yr. 2d offense: 2 to 25 yr. Both penalties mandatory.

ANALYSIS OF 1974 DOMESTIC HANDGUN PRODUCTION



VIII. SUMMARY OF ACTIVITIES

	Page
Hearing days-----	14
Legislative -----	8
Investigative -----	6
Witnesses heard-----	87
Volumes of hearings-----	9
Cultivation, Use and Control of Opium-----	1
School Violence and Vandalism: Nature and Extent-----	1
School Violence and Vandalism: Models and Strategies for Change -----	1
Firearms Legislation-----	2
Ford Administration Stifles Juvenile Justice Programs— 1975 -----	1
Marijuana Decriminalization-----	1
Abuse and Misuse of Drugs in Institutions-----	1
Nomination hearings on Milton Luger, Assistant Adminis- trator to the Office of Juvenile Justice and Delinquency Prevention -----	1
Committee Reports-----	2
Our Nation's Schools—A Report Card: "A" in School Vio- lence and Vandalism-----	1
Annual Report—1975-----	1

(37)

○

END