



Juvenile Crime and Justice

Serious and Violent Juvenile Offenders

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Serious and Violent Juvenile Offenders

Serious and violent juvenile offenders are a significant problem. Their offending has a substantial impact on the communities in which they live, the juvenile and criminal justice systems, and the research community. Scholars and practitioners have devoted considerable resources to identifying the characteristics of serious violent juveniles. Research shows that there is an intersection of three classes of offenders: serious, violent, and chronic. Serious offenders are individuals who have committed serious acts of delinquency that include all violent offenses, serious property offenses, and drug trafficking. Violent offenders are those criminal acts against persons included in the Uniform Crime Report, a summary-based federal reporting system with data gathered from the city, county, state, and other geographic levels. They include homicide, aggravated assault, robbery, arson, kidnapping, and sexual assault or rape. Chronic offenders are individuals who begin their involvement in criminal offending at an early age and commit the lion's share of the criminal acts recorded each year. Approximately one-third of chronic offenders participate in violent behavior.

While the discussion of serious and violent juveniles is important, the intersection between these juveniles and chronic offenders leads to a sizeable sharing of risk factors, making it difficult to disentangle. The intersection of these groups can lead to substantial errors in criminal justice processing. National concern with and study of the development of serious violent juvenile offending has its roots in postwar society. Chronic offending also plays a role in the study of serious and violent juveniles. While there are positive aspects of identifying and responding to serious and violent juveniles, the negative implications of targeting serious and violent juveniles also remain a challenge.

Historical Developments

Concern with serious violent juvenile offending has been fueled in part by M. E. Wolfgang, R. M. Figlio, and T. Sellin's now-classic study, *Delinquency in a Birth Cohort*. They found that out of 9,450 boys born and raised in Philadelphia 1945–63, 3,475 engaged in delinquent acts resulting in 10,214 arrests, and that 6.4 percent of the entire sample committed more than 50 percent of all delinquent acts. Wolfgang and his colleagues coined the term *chronic offenders* to describe this group. Chronic offenders exhibit an early onset of arrests, a high frequency of offending, and a progression to engage in more serious offenses as they age. Many eventually engage in violent crime. These findings have been replicated in the United States and abroad using self-reports and official data.

Another study contributing to the attention given to serious violent juvenile offending was the work of Albert Blumstein and his colleagues. Their research on criminal careers and career criminals identified several dimensions that comprised a criminal career including onset, duration, escalation, and termination. This seminal work on criminal careers raised several important questions. Did offenders exhibit offense specialization during their career? Were there crime-specific trajectories (i.e., violence) that could be followed from onset to conclusion? Was a criminal career characterized by learning a specific trade that led to crimes committed in areas of expertise? As a result of the Blumstein study, little evidence suggests that specialization exists among offenders regarding the type of offense, and there are no crime-specific trajectories that can be

followed. However, the interest in the chronic offender or career criminal has been of critical importance to the study of serious juvenile violence. These high-rate offenders, while at risk to engage in violent acts, are more likely to engage in nonviolent acts as a dimension of their cafeteria-style offending.

Chronic and serious juvenile violent offending is studied utilizing official records (arrests or convictions) and self-reports. Official records of arrests and convictions are helpful in understanding which behavior comes to the attention of police or is sanctioned in court. However, a significant number of delinquent and violent acts go undetected by police, representing hidden delinquency. Given the infrequency of arrest for violence, the use of official data alone results in a significant proportion of violent offenders going uncounted. It is precisely because of the relatively low base rate of violent offending, the low arrest rate of violent offenders, and the importance placed on serious violent offenders that the inclusion of chronic offending is important in a discussion of the serious and violent offending. The inclusion of the highly active "serious and violent few" who commit the lion's share of criminal acts provides a larger population from which to conduct research.

Criminological theory for much of the 20th century focused on social forces and their influence on delinquency and violence. The sociological orientation, an outgrowth of the Chicago School that placed the causes of crime in the social arena, had diminished the willingness to focus on individuals and their behavior. These socially derived models proposed that crime and violence was related to social inequality or disadvantage (social structure); later, social processes connected individuals to criminal others. This theoretical perspective diminished the focus on individuals that had driven much of criminological theory in the 19th century. Research on chronic offenders, career criminals, and serious and violent juvenile offenders necessitated a return to examining individual trajectories.

Risk and Violence

How do serious violent offenders differ from others who engage in delinquency and violence? This question has led to the development of theoretical models that provide taxonomies for articulating differing trajectories and etiologies. Among these are Patterson and colleagues' coercion model, Moffitt's dual taxonomy, and Loeber and associates' pathway model. These developmental or life-course perspectives suggest that the seeds to more serious offending in adolescents are sown in the early, formative years of life. They all suggest that offenders who begin early (younger than 12) differ from those who begin later, and there is concurrence that individuals who begin offending at an early age are at heightened risk for serious violent and chronic offending. Current research shows that age of onset is one of the most robust predictors of chronicity and seriousness of offending. The role early onset plays as a predictor of life-course offending and serious violence is significant for both males and females.

The research on the life course of delinquent and violent offending shows that risk resides in five domains of life: individual, family, school, peer, and community. Experiencing risk in any one of these domains can have a toll on an individual's ability to thrive, and experiencing risk across domains substantially increases the likelihood of engaging in delinquency. Further, the more risk experienced across the five domains, the greater the likelihood of engaging in problem behavior such as violence.

The dominance of the theoretical perspective of the Chicago School influenced a significant amount of research focusing on the social forces in urban areas. Research generated in that tradition provides substantial evidence supporting the role of peers, family, communities, and schools in the occurrence of serious and violent crime. Earlier research identified individual risk factors for delinquency and violence; little attention had been paid to that area in the mid-20th century. The focus on the individual domain was renewed when the attention turned to delinquent trajectories.

Individual Risk

Although family, friends, schools, and communities may greatly affect negative life trajectories, individuals can experience these risks and remain free from trouble. Serious, violent, or chronic offenders exhibit a great deal of individual risk in comparison to the nonchronic or nonviolent offender. Individual risk factors such as birth complications, hyperactivity, attention problems, impulsiveness, risk-taking, and aggression have been examined in relation to violence. Youths whose mothers experienced complications related to childbirth may experience parental rejection. Research shows that maternal rejection due to birth complications is related to serious violent offending in comparison to those with less serious violence and later onset of offending. Others report that minor physical abnormalities due to complications in prenatal development were also predictive of violence at 20–22 years of age. Even before one takes their first breath, risk may be developing, which could have lifelong negative implications.

In addition to the experiences of birth, research shows that diagnoses of attention deficit disorder (ADD) and attention deficit hyperactivity disorder (ADHD) in youth are robust predictors of violence in adolescence and adulthood. Research shows that the impact of childhood hyperactivity is greater for assault than for robbery. The study of youth attention problems further shows that attention problems identified at the age of eight, 10, 14, and 16 were significantly associated with self-reports of violence. The effect of these early attention problems is significantly related to self-reported violence at the age of 18 and arrests for violence at the age of 26.

Another factor among individual characteristics that is predictive of later violence is impulsive behavior. There is a relationship between impulsivity and risk-taking at 8–10 and 12–14 years of age, and violent juvenile (age 18) and adult (age 26) offending. Risk-taking, another form of impulsive behavior, measured at 14 and 16 years of age, is related to self-reported violence at the age of 18.

Research on violent offending shows that there is substantial evidence and a great deal of continuity between early aggressive behavior and later violence. Aggression in childhood (12<) is significantly associated with self-reported violence at 12–18 years of age. Aggression observed by teachers in first grade is predictive of violence at the age of 20 for males and females. Similarly, teacher ratings of aggression in adolescence (age 10–16) are predictive of official records of violence at the age of 26.

Brain chemistry has been examined in the effort to understand violent behavior. Chemicals found in the brain, such as serotonin, influence an individual's sense of well being, affecting impulse control, regulation, and general social functioning. Substantial evidence shows that low levels of serotonin are predictive of aggression and violence. Serotonin is a significant regulator of anger, fear, insecurity, and depression. Inability to control or appropriately respond to these emotional states or moods can increase the

likelihood of violent behavior.

Overall, risk in a variety of areas that measure individual functioning reflect significant associations with later serious violent offending. Risk factors associated with genetic makeup or measured at birth, in childhood, and pre-adolescence, have long-term effects on individual involvement in serious violence. These variables are also shared with chronic offending, reflecting a parallel pathway for many serious violent offenders. Life-course research focusing on individual differences helps explain how youths living in similar environments differ in their involvement in delinquency and violence. Extant research on serious violent juvenile offending shows that variables from the individual domain play a key role in explaining these offending differences.

System Response

Efforts to identify chronic and serious violent juvenile offenders have run parallel to changes within the juvenile justice system, holding juveniles more accountable for their actions. Since the late 1970s, accountability has been tied to substantially more punitive methods of dealing with criminal offenders and juvenile offenders in particular. Every U.S. state has developed mechanisms to remove or waive youths who engage in more serious offending from the juvenile court. The stage for this was set by several important Supreme Court cases: *Kent v. United States*, *In re Gault*, and *In re Winship*. The *Kent* case required that any youth being removed from juvenile court jurisdiction be given a formal hearing and be represented by a lawyer. This ruling was limited to cases of waiver of jurisdiction. The *Gault* decision furthered this ruling by requiring that any youth who was subject to lose their liberty due to a legal proceeding should be given a notice of charges, be given legal counsel, and be able to depose their accusers. The *Winship* case went one step further and shifted the burden of proof from the civil standard of the preponderance of the evidence to beyond a reasonable doubt. All of these cases represented seed changes in juvenile justice, marking a watershed period that moved juvenile court proceedings in the direction of the more adversarial adult criminal court.

Important court decisions opened the door for refinement of processes related to waiving youths out of the jurisdiction of the juvenile court and exposing them to adult penalties for “adult” behaviors of serious criminal offenses. Hence, waiver meant accountability in a period when accountability and personal responsibility were deemed important. Waivers took several approaches: legislative, prosecutorial, and judicial. Legislative waiver of jurisdiction meant that certain youth offenders were removed from the juvenile court's jurisdiction and were no longer considered delinquent. Ultimately, they were classified as adults and processed in adult criminal courts, no longer enjoying the protections of the juvenile court.

Prosecutorial waiver allows the prosecutor to have dual jurisdiction and the discretion to charge the offender as an adult or a juvenile. The prosecution reviews the case and the youth's history to assess the appropriate systemic handling of the case. These waivers are also referred to as *direct file*. The direct filing allows the prosecutor to act without a hearing, sending cases forward without judicial review or a formal waiver hearing. Florida allows for direct file, and many questions have been raised regarding their processing of juveniles.

A third type involves placing the authority for retention or removal from the juvenile

system in the hands of the juvenile court judge, who assesses whether a youth is amenable to the services and protections of the juvenile system. If the judge's assessment indicates that a youth can no longer benefit from the juvenile court's services, he or she can waive them. Missouri follows a system of judicial waiver wherein the juvenile court judge holds a hearing to certify a youth as an adult, and once the youth has been certified for the presenting offense, he is permanently removed from the juvenile system.

The shift toward a more adversarial and punitive juvenile system has made identification of the serious violent juvenile offender all the more important. Although a relatively small number of youths are transferred each year from the juvenile to the adult systems, it is important to accurately classify youths based upon the risk for future serious and violent offending.

To summarize, a convergence of factors contributed to research focusing on the serious violent juvenile offender. Scholarly research identified a population of youths who accounted for much of the offending among juvenile offenders. Within that population, a significant number also engaged in serious and violent offending. This serious and violent few who represent only five to 10 percent of the juvenile population have driven research and policy.

Pro: Benefits of Predicting Serious Offenders

It is important to seek out explanations for serious juvenile offending. The juvenile justice system, as with most publicly funded services, operates with limited resources. Not all youths who commit delinquent acts are in need of long-term treatment. This is evident from the development of diversion programming that has developed in the family or juvenile court. Some youths may do just as well through diversion processes, wherein they receive needed services outside the jurisdiction of the court. But in reality, some youths need intervention provided by the justice system. The question is, which youths and which system?

The identification of serious violent juvenile offenders allows for needed resources to be invested in youths who are significant community problems—youths whose behaviors are substantially harmful to themselves, their communities, and most certainly to their victims. A central question asks which youths are the best investments, which allows for separating those with lifelong patterns of behavior from the one-time offenders who may have gotten involved in an act of violence circumstantially. For example, a youth might be involved in a fight that becomes deadly or results in serious injury. Some commit a single act of violence in a lifetime, and others make it part of their behavioral repertoire. Those engaged in delinquency for a relatively short period of time or for a single event may be more likely to benefit from juvenile case processing or diversion than the long-term offender who has a criminal career.

Research on serious violent offenders can also help identify risk factors that may be ameliorated and life-altering. It is possible that trajectories can be altered at points in life courses where individuals are susceptible to change. Patterns of past experiences become evident that are similar for many youths who become serious or violent offenders. In an actuarial view, there is a sense that all things being equal, patterns of offending become predictable. Although prediction is not very successful, given the limits on existing resources, every effort to make cost-beneficial decisions is worthwhile.

Con: Drawbacks of Predicting Serious Offenders

While predictive models may help identify individuals whose backgrounds place them at increased risk for exhibiting violent behavior, prediction of future dangerousness is difficult. The search for the serious violent juvenile offender is admirable and worthwhile; however, the problem lies in the fact that the academic identification of risk has practical implications in the lives of young offenders who come in contact with the justice system. There has been a convergence of academic research, policy, and practice in the juvenile justice system. Instruments used to assess risk are also used to predict dangerousness, and the door opens wide for both false positive and false negative identification. Some youths whose profiles suggest that they are at increased risk for violent behavior may never commit another serious or violent act. Others who do not fit the risk profile may be in the early stages of their careers, and later will cross the line and commit more serious and violent acts.

The implications for serious violent juvenile offenders are that juvenile justice policy has been fueled by voices calling for serious responses to youth violence. These policies include more punitive sentences, treatment of children as adults, and the incapacitation of some youths based on perceived risk for future dangerousness. The calls for accountability can eliminate future hopes, given rates of recidivism among offending populations. As Sampson and Laub have described the consequences of justice system involvement, these youths are likely to experience a cumulative disadvantage that becomes a burden for life. The search for the serious violent juvenile offender can contribute to a widening of the net for the juvenile court population. Individuals whose life circumstances immerse them in risk can be mistaken for the most dangerous of the population because their profiles are similar.

There has been a significant social implication connected to the outgrowth of juvenile and criminal justice policy that is intended to target serious violent offenders. One problem is the longstanding pattern of disproportionate minority contact with the justice system. Young African American males are overrepresented in both arrest and victimization statistics for serious and violent crime. A more punitive justice philosophy that is geared toward serious and violent offenders has contributed to what Jerome Miller has described as a mission to “search and destroy” young urban African American males, resulting in large numbers of youths with criminal or juvenile records. This has led to the United States leading the industrialized world in imprisoning its citizens.

While it is not unreasonable to believe that violent offenders should be arrested and prosecuted to the fullest extent of the law, many young people have been subject to exposure to the adult criminal system because of waiver processes. For example, according to Jeffrey Fagan, in 1996 alone, 210,000–260,000 youths were subject to the adult court system. Noted criminologist Donna Bishop maintains that one in 10 youths arrested each year will wind up being processed through the adult system. Many of these youths have not committed a violent offense; rather, they have been labeled as not amenable to treatment. As a result of youthful mistakes, these youths are no longer free from lifetime harm. They cannot return to their youth and are not truly adults.

Conclusion

The problem of serious violent juvenile offenders needs to be reckoned with by both

local communities and the juvenile and criminal justice system. On the research agenda since the 1980s, the presence of chronic offenders and career criminals in offending populations has increased the scholarly examination of life trajectories that include violent offending. The research on serious violent juvenile offending shows that many of the social characteristics that predict chronic offending also predict youth violence. Serious offenders are likely to begin early, thereby experiencing a host of environmental risks in the areas of family, peers, community, and schools. Furthermore, they are likely to exhibit individual risk that, when coupled with environmental factors, make them more likely to engage in serious and violent behavior.

Serious violent offenders are a problem for their communities. They also represent a problem for their peers, both from the standpoint of their victimization of them to their having shaped justice policy that can have an impact on their nonviolent peers. Today, sweeping reforms use a broad brush to paint many more offenders, making them accountable for crimes that may be a single delinquent action. Legislative and justice system efforts to target youths who are more violent and less amenable to treatment from the juvenile court contribute to greater exposure to serious punishment for youthful indiscretions. Instead of catching only the serious violent juvenile, there has been a widening of the net, and less serious, nonviolent offenders are also in jeopardy of adult treatment and punishment.

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See Also:

- [At-Risk Youth](#)
- [Juvenile Gangs and Delinquency](#)
- [Juvenile Offenders in Adult Courts](#)
- [Juveniles in Adult Correctional Facilities](#)
- [Racial Disparities](#)
- [Treatment and Rehabilitation.](#)

Further Readings

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