

Chapter 3: Characteristics of Juvenile Offenders

Jill Joline Myers

The population estimate for Missouri in 2006 was 5,842,713 and the youth population under 18 was about 23.8%. Furthermore, the percent of person under 5 years old is about 6.5%. Females account for 51.1% of the population and Caucasians comprise 85.4%, African-Americans are at 11.5%, and Hispanics encompass 2.7% of the population. The medium household income within the state in 2004 was \$40,885 and 13% of the population has an income below the poverty level. Educationally, the percentage of person having their high school diploma is at 81.3%, one percent above the national average; however the percentage of person's holding higher degrees is at 21.6%, almost 3% below the national average (U.S. Census 2006).

A good deal is known about the demographics of persons residing in the state of Missouri and as a result of the mandatory and elective reporting of data relating to state and national agencies and programs, much is also known about the juveniles who enter the juvenile justice system. We have also acquired quite a bit of general knowledge concerning risk factors that lead juveniles to court. Social issues such as broken homes, poverty, female-headed households, drug use, gang involvement, educational troubles, and other features have been identified as problematic.

Missouri is not immune to these same social factors. In fact, as an example, in the late 1980's and early 1990's, St. Louis experienced a greater increase in violent crimes and homicides than most other comparable demographic United States cities. Between 1988 and 1989 the homicide rate rose from 130 to 219, a 68% increase. During this same general time period, juvenile homicide suspects also increased from 4.9 % to 15.1%. Profiles of both the victims' and suspects' characteristics in these homicides revealed that the majority were young black males who used handguns. The knowledge of this information caused the St.. Louis Police Department to implement its Firearm Suppression Program (FSP). The details of that program including its method of operation and its success and limitations are discussed more fully in Chapter 12 herein.

This chapter seeks to identify the profiles (characteristics and traits) of the youth involved within the Missouri Division of Youth Services. This chapter also discusses how these profiles of juveniles and their actions caused or precipitated the development of the delinquency prevention programs, juvenile legislation and court or community based services that are in place today. The purpose of which should “enable the youth to fulfill their needs in a responsible manner with respect for the needs of their families and their communities” (Missouri 2005 Annual Report Mission Statement). In other words, this chapter will identify some of the more prevalent risk factors associated with deviant behavior and several of the prevalent protective factors acknowledged as useful in preventing or decreasing criminal proclivity among youths. This chapter will also mention some of the programs developed to decrease or offset the risk factors and to encourage and promote the protective factors. The programs themselves will be discussed fully in the later chapters outlining treatment options.

As a caveat however, it should be noted that the character traits associated with juvenile problems cannot and should not be viewed as the sum total or whole of the parts. Juvenile character traits do not necessarily determine the measure of a child. Furthermore, traits associated with criminal behavior in adults should not categorically be associated with delinquent behavior in youths. Downward adaptations of adult behavior and character profiles do not make for good juvenile assessments, as juveniles are not simply miniature adults. Juveniles are more akin to works in progress. Adolescents transform biologically, psychologically and socially. Furthermore, these transformations do not occur smoothly, uniformly, or equally in all youths. The extent to which profiles can be developed to establish risk

assessment needs to be carefully evaluated in light of the youth himself or herself and his or her developmental stage. Asserting oneself, experimenting with new ideas, testing limits, taking risks, developing different interests, and establishing an independent identity are all part of the process of growing up. These developments also pose risks associated with delinquent behavior or status offenses. Despite all of the challenges caused by adolescent transformations, the research clearly indicates that some of the treatments and interventions employed on youths produce substantial benefits (Weisz, J. 2002).

The demographics of youths served by the Division of Youth Services (DYS) in Missouri fluctuates somewhat from year to year. A comparison between the 2006 and 2002 Annual Report Executive Summaries shows several of the variations.

Chart

Characteristic	2002	2006
Number of Committed Youth to DYS	1287	1214
Committed Males versus Females	83.2%	83.2%
Average Age of Committed Youths	15.1 years	15.1 years
Educational Level at Commitment	9 th grade	9 th grade
Youth Identified with Educational Disability		31.7% (712 youths)
History of Prior Mental Health Services		46.1% (560 youths)
History of Substance Abuse		59.4% (721 youths)
Committed for Class A and B Felonies	12.3%	9.6%
Most Serious Offenses		
Committed for Less Serious Offenses	39.2%	41.8%
Committed for Status Offenses	11.3%	10.5%
Committed for Misdemeanors	37.3%	38.1%
Commitments from Single-parent Homes	57.4%	54.5%
Commitment from Metropolitan Areas	54.8%	63.6%
Satisfactory Discharges from DYS Custody	87.7%	87.6%

On first blush, the demographic data reveals some of the basic challenges facing DYS; gender discrepancies, educational disabilities, mental health issues, substance abuse problems, and a wide variety of criminal behavior. The most basic challenge concerns resources. All programs require substantial resources, and the more individualized the program, the more it costs, in funds, time, training, and manpower. For example, although females account for only 16.8% of the overall commitments in 2006, they still require and deserve the same quality of services and diversity of options available to their male counterparts. Additionally, even though most youths are between the ages of 14 and 16 years old, 9.5 %

or 115 children committed to the Division of Youth Services were thirteen years old or younger. These “tweens” possess considerably different needs and levels of development than their older adolescent counterparts. Totally different services, or at least different approaches to intervention, must be employed. Each time a different service or a separate approach needs to be undertaken, additional resources are required.

Diversity poses a challenge in terms of initiatives and resources, but diversity is also embraced by the State. The philosophy of care includes maintaining respect for the needs, interests, and beliefs of the youths, their families and their communities. The goal sought is for the child to successfully reintegrate back into their own home and their own community.

Race and gender disparities have no place in the juvenile justice system. Missouri law mandates that juvenile officers and juvenile courts perform biennial reviews of random samples of assessments of children and dispositions to determine if racial disparities occur in the juvenile justice system (211.141.5 RSMo. Supp.1995). If racial disparities are found to exist, the state requires that standards, training and assessment forms must be developed (211.326.6 RSMo. Supp.1995).

Religious diversity can also pose challenges within the juvenile system. Missouri requires the court to place or commit a child to the custody of persons of the same religious faith as the child or if the religious faith of the child is not ascertainable, then of the faith of either of the parents whenever practicable (211.221 RSMo.). The matter of religion is advisory, not directory; “the welfare of the child is still the aim of the juvenile court proceedings and as such religion alone is insufficient to outweigh all other factors such as the security and love a child may have found in a foster home” (In Re. J.L.H. 1983).

Minority youth account for a smaller percentage of the commitments to DYS facilities than Caucasians representing 36.7% of the total commitments in 2006; however, this figure is well above the percent of minority youth living in Missouri. Per the 2005 U.S. Census Bureau reports, minority youth constitute 18.9 % of the population. Furthermore, the 2006 commitment by race figure shows an upward trend in commitments by race from previous years, 33% in 2002 and 37% in 2005.

Gender discrepancies appear to exist when comparing commitments based on offense seriousness. Approximately 11% of male offenders were committed for class A & B felonies compared to 3% of the females. For other felony offenses male commitments accounted for 45% whereas female commitments accounted for only 28%. Males therefore are placed in DYS custody for more serious offenses than females. However, females account for a larger share of commitments for status offenses (15% for females versus 10% for males) and lesser misdemeanor charges, (53% for females versus 35% for males) (2006 Annual Report).

The chart above indicates a significant deficit in educational skills by those committed to DYS. The 2006 Annual Report states that the number of youth in DYS custody with educational disabilities is three times greater than those found in public schools. The link between educational issues and juvenile delinquent behavior has long been established. Truancy is recognized as a significant predictor of delinquency and long-term economic hardship. Thus, St. Louis Missouri established a Truancy Court to target students who in prior years miss 10 to 30 days of school. The Truancy Court Program will be discussed in detail in Chapter 9 herein.

The chart displayed above also reveals that 63.2% of the committed youth resided in metropolitan regions of the state. The 2006 Annual report reflects that 63.6 % were committed from metropolitan areas. Thus, a metropolitan versus a rural environment may be a significant factor or contributing characteristic toward delinquent behavior.

The 2005 DYS Annual Report provides extensive detail and insight into the characteristics of all who are referred to the Missouri Division of Youth Services. (Refer to the chart displayed in Chapter 2 herein for a complete break down of all referrals to juvenile court from 2005.) In 2005 the division received 38,937 law violation referrals. The law violations referrals comprised 54% of all referrals to the juvenile court system in 2005 and resulted in 125 certifications to adult court, 1,672 out of home placements, 4,116 in home placements, and 5,113 informal adjustments with supervision. The 2005 Annual report also stated that approximately one half of the law violations involved 15 and 16 year old offenders. Of the juveniles certified to adult court 42% come from two of the forty five circuits in Missouri, St. Louis County and St. Louis City, 94 % are male, 44% are Caucasian, 46% are African-Americans and less than 1% are other minorities (2005 Annual Report).

The break down by offense and age for some of the offenses committed in 2005 are shown below:

Violation	Age	Age	Age	Age	Age	Age	Age	Age	Total
	< 12	12	13	14	15	16	17	> 17	
Homicide/ Murder	0	1	0	5	8	16	4	1	35
Sexual Assault	55	30	66	80	91	104	39	22	487
Robbery	2	9	28	56	69	111	22	2	299
Assault	987	842	1457	1968	2293	2311	427	33	10318
Burglary	87	73	176	274	378	400	93	12	1493
Stealing	385	396	826	1332	1883	2149	497	46	7514
Arson	64	28	36	48	50	35	12	2	275
Sex Offenses	235	102	172	196	155	170	55	24	1109

Property Damage	473	342	583	954	1224	1568	287	32	5463
Weapons	55	38	94	112	140	167	38	0	644
Dangerous Drugs	36	73	191	447	751	1300	313	15	3126
Alcohol Violations	5	10	34	107	228	577	122	1	1084
Total	2384	1944	3663	5579	7270	8908	1909	190	31847

The jurisdiction of the Missouri Division of Youth Services is not limited solely to delinquency matters. The division also handles status offense referrals. Status offenses are acts that are violations only if committed by juveniles. In 2005, 16,223 status offense referrals were received. Allegations were sustained in 1,669 cases resulting in 611 youths being treated out of their homes and 1,058 youths being treated within their homes. An additional 2,822 status offenders were involved in some form of supervised treatment. The most common status referral was under the category labeled, “behavior injurious to self or others” and the category labeled, “absent from home”. The offense, absent from home, was the only referral allegation where females outnumbered males.

The characteristics of juvenile offenders are often broken down or segmented per their offense or by their social condition so that treatment strategies may be developed unique to that particular group. As referenced earlier, youth gangs have received some attention in Missouri. Law enforcement agencies and the legislature have developed specific laws and programs to handle that particular problem. A detailed account of several of these initiatives and legislative enactments will be discussed in Chapter 12.

Juvenile sex offenders and juvenile arsonists also are often provided with specialized treatment, geared specifically toward what is perceived to be behavioral problems unique to their problems. These categories of offenders may also be treated separately or apart from other offenders due to civil liability issues. An arsonist or a sexual offender who commits one of these offenses within a state facility would pose a substantial risk of financial liability upon the juvenile agency. Charles Borduin, a professor of psychological science and researcher at the University of Missouri-Columbia disagrees with crime specialized treatment approaches due to behavioral characteristics (not financial liability). He disputes the assumption that sexual offenders have unique deviant beliefs. In his recently completed study, *Individual, Family, Peer, and Academic Characteristics of Male Juvenile Sexual Offenders*, where he and a doctoral student conducted a thorough behavioral analysis of adolescent males with significant histories of arrests for serious offenses, he defends his position.

In Borduin’s study the juvenile participants were divided into five categories: 1) sex offenders whose victims were peers or adults, 2) sex offenders whose victims were children, 3) non-sexual

offenders with violent criminal histories, 4) non-sexual offenders with non-violent backgrounds, and 5) juveniles with no criminal pasts. The research concluded that non-sexual offenders and sexual offenders both had similar characteristics. Both groups possessed lower family bonding, aggressiveness, behavioral problems, high associations with negative peers, and poorer academic achievement than juveniles without criminal records. Thus, juvenile criminal sex offenders possess the same problems as other youth involved within the juvenile system. There is nothing *per se*, unique to sexual offenders that do not exist with other problem youth. Juvenile sex offenders, like other juvenile offenders, suffer family problems, community problems, behavioral problems, and educational problems. The only thing unique about juvenile sex offenders from other juvenile offenders is that they got caught for a sex offense (Borduin Sex Offender Research, 2007). Thus, he concludes that no specialized treatment modality is needed.

As previously noted other classifications of offenders are often separated or segmented for treatment strategies include arsonists and, on occasion, substance abusers. With regard to arson, it is known that juveniles start half of all intentionally set fires.

Warning signs or indicators for juvenile fire setters include the following:

- Child has accidentally started more than one fire;
- Child lacks understanding of fire's destructiveness;
- Child shows interest in matches;
- Child experiences difficulty in making friends;
- Child has difficulty adapting to changes;
- Conflict within the child's family;
- Child has aggressive behavior problems;
- Child has temper tantrums resulting in the destruction of property or cruelty; and
- Child has difficulty expressing guilt.

These warning signs are disseminated in the hope that fire setters will be discovered prior to committing the event and to encourage reporting. Less than 15% of juvenile fire setting is reported (State Fire Marshall, 2006). If 15% is an accurate reflection of reported incidents, then in 2005, Missouri's juvenile system should have handled 4,125 incidents. Youth fire setting programs are emerging to address this issue.

Substance abuse as a social condition has been studied extensively. Although there is no definitive list of criteria that determines "at risk" persons or population, it is generally acknowledged that teenagers and pre-teens are particularly vulnerable to a variety of substance abuse problem behaviors (NSDUH/NHSDA, 1999). A National Center on Addiction and Substance Abuse (CASA) study in 2004 found that 80% of juveniles arrested had problems with alcohol and other drugs. The study also revealed that addiction treatment availability for the 1.9 million arrested juvenile offenders was scarce; only 68,600 received any form of addiction treatment.

The five-year CASA study estimated that of the juveniles aged 10 to 17 who were arrested for criminal activity 92% tested positive for marijuana and 14.4% tested positive for cocaine (CASA, 2004). Missouri's state estimates on substance abuse relative to this same time schedule, reflect that 24.9% of the population reports binge alcohol use the past month, 10.13% report alcohol or drug dependence or abuse in the past year and 8% report needing alcohol treatment but not receiving it. Approximately 3% report needing illicit drug treatment but not receiving it. Further, Missouri reports that the rate of admission for drug treatment per 100,00 age 12 and over to be 552 persons, just under 100 higher than the national average (SAMHSA, 2007). SAMHSA also has developed a map calculating the percentage of 12 to 17 year old youths who are at risk for substance and alcohol abuse per county in the State of Missouri using

data collected from a 1999 National Household Survey on Drug Abuse (NHSDA) and a 1999 NSDUH Summary Prevention Report (Percentage of Youths Aged 12 to 17, by County (2005).

The risk and protective factors for adolescent drug use were divided into four domains; community, family, peer/individual, and school. The protective factors were then scored and measured against the risk factors. Higher scores for risk factors indicated that the youth had a higher risk for substance abuse. Some of the community domain risk and protective factors included community disorganization and crime rate, community cohesiveness, community norms and attitudes toward substance abuse, and the availability of illicit drugs. The family domain factors included parental supervision, encouragement, and attitudes toward substance abuse. The peer/individual domain variables included individual attitudes toward substance use, peer attitudes toward substance use, individual and peer usage of illicit substances, anti-social behavior, risk taking proclivity and extracurricular activities. The final domain, school, included factors relating to school sanctions for usage, academic performance, exposure to preventive messages and prevalence of usage at school (NSDUH Report, 1999).

As a direct result of the SAMHSA study and the high incidents of abuse in Missouri, SAMHSA awarded a discretionary grant to Missouri for substance abuse prevention in the amount of \$4,381,435 and for substance abuse treatment in the amount of \$13,725,594 in 2006 (SAMHSA, 2007). Furthermore, Missouri, New York and Ohio drug courts were recently awarded \$1,275,000 through the U.S. Justice Department's Office of Juvenile Justice and Delinquency Prevention (OJJDP) (OJJDP Grants, 2007).

On a different note, due to the rise of binge drinking from adolescents, Missouri, Florida, Wisconsin and Vermont are studying the idea of reducing the legal drinking age from 21 to 18. The rationale is based on the belief that the rise in binge drinking can be traced to the legal drinking age increase that occurred in 1984. Advocates for the change assert that the age increase pushed drinking underground where it is difficult to control similar to the problems encountered during Prohibition. Opponents to the change, assert that the age increase has contributed to the reduction rate of drunk driving fatalities. Most likely no change will occur because 77% of Americans are opposed to lowering the age limit and federal highway funds are linked to the age 21 laws per the National Transportation Safety Board (Lowering Age, 2007).

In 2005 there were 72,033 referrals to juvenile court – an 18% drop from 2001 (Missouri Department of Social Services, 2006). This decline in referrals mirrors the national trend in an overall decline in juvenile crime. About 30,000 of these referrals concerned white males, about 18,000 concerned white females, approximately 14,000 concerned African-American males and about 7,000 involved African-American females. The race of the remaining juveniles was unknown or a race other than previously mentioned. This group included about 2,000 males and 1,100 females. The majority of these youth were referred for law violations (38,937). Status offenses numbered at 16, 233 and 13,598 were referred for abuse/neglect/custody. Much smaller numbers of referrals involved municipal/juvenile matters (2,232), and court order violations (16,223) (Missouri Department of Social Services, 2006).

Referrals for services came primarily from some type of law enforcement: Municipal police referred approximately 38,278 incidents, County Sheriffs accounted for 5,503 referrals, Highway Patrol referred 379, and other police agencies referred 773. Almost 8,000 referrals came from schools. Parents or other relatives accounted for almost 3,000 referrals, and less than 300 referrals came from victims of juvenile crime. The juvenile court or juvenile court personnel accounted for over 4,000 referrals for services and various other agencies sought services for over 1,000 incidents (Missouri Department of Social Services, 2006).

References

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<http://web.missouri.edu/~hawleyk/pdfs/WeiszHawley2002.pdf>.

Additional Readings

Consent to Search and Seize Firearms – St. Louis, MO. Last updated 10/8/2007.
http://ojjdp.ncjrs.org/pubs/gun_violence/profile15.html.

RSMo. 167.061, Penalty for violating compulsory attendance law.
<http://www.moga.mo.gov/statutes/C100-199/1670000061.HTM>

St. Louis County Truancy Court, Schools, Families and Courts Working Together to Improve Student Attendance
<http://www.co.st.louis.mo.us/circuitcourt/truancy.html>.

Internet Links

U.S. Census Bureau, Missouri Quick Facts,
<http://quickfacts.census.gov/qfd/states/29000.html>.

Missouri Juvenile Court Annual Report Calendar Year 2005,
<http://www.mshp.dps.missouri.gov/MSHPWeb/SAC/index.html>

Missouri Juvenile Justice Association, <http://mjja.org/default.asp?c=02&sc=01>.

Missouri Revised Statutes
<http://www.moga.mo.gov/statutes/C211.HTM>
<http://www.moga.mo.gov/statutes/C200-299/211000022>

<http://www.dss.mo.gov/re/pdf/dys/dysfy06.pdf> Missouri Division of Youth Services FY 2006 Report

National Center for Juvenile Justice
<http://ncjj.servehttp.com/NCJJWebsite/main/html>

Office of Juvenile Justice and Delinquency Prevention
http://ojjdp.ncjrs.org/pubs/reform/ch2_k.html#note272

Review Questions

1. Why does Missouri have such a high rate of detention for status offenses?
2. What behavioral approaches other than out of home placement would you recommend?
3. Why is there a disproportionate representation by ethnicity and gender in commitments?
4. What factors contribute to minority over-representation and female under-representation at each stage of the juvenile court process?
5. Discuss the statistical evidence of delinquent behavior among females.
6. Explain how the physical, psychological, and emotional changes that occur during adolescence affects the statistical studies determining the characteristics of abnormal behavior.
7. How should status offenders be handled within the juvenile system, more akin to neglected children or more akin to delinquent children?
8. Should offenders within the juvenile system be segregated per offense? If so for what offenses and how will the segregation benefit their rehabilitation?
9. For what other offenses do specific treatment modalities exist? Research programs that exist in other states or in the adult system that might not be used in Missouri's juvenile system.