

*DETECTING
JUVENILE CRIME
Age of Jurisdiction*

DAVID J. RUHLAND

New York University Medical Center

MARTIN GOLD

University of Michigan

RANDALL J. HEKMAN

Kent County Juvenile Court

The juvenile justice system apparently is not now adequate to its mission. While there is undoubtedly (but undocumented) wide variation in the effectiveness of its many components, the system as a whole has been found wanting. For example, its *specific* deterrent effect—its effect on apprehended offenders—seems to be counterproductive: Data indicate that juvenile offenders who are apprehended are, compared to similar but unapprehended offenders, *more* likely to commit additional crimes (Gold and Williams, 1969; Gold, 1970; West and Farrington, 1977). But one may also consider the *general* deterrent

AUTHORS' NOTE: *We wish to thank Dr. Hunter Hurst of the National Center for Juvenile Justice and our many correspondents in various states for*

effect of the juvenile justice system—the effect on decisions to commit crimes by potential offenders in the juvenile population. On this matter there is much less consensus because there are fewer systematic studies. According to Wilson (1977), the National Council on Crime and Delinquency has concluded that “for every study showing deterrence to operate, there are at least two that did not” (p. 190).

The study reported here addresses both general and specific deterrence together, with a method and with a juxtaposition of datasets that have not, as far as we know, been employed heretofore in investigations of the deterrent effect of the juvenile justice system. The method and nature of the data would suggest that this is a study of general and not specific deterrence. However, in this study, as in other studies employing measures of crime in the general population rather than among identified offenders, it is not clear to what degree the effects revealed are attributable to persons who have or have not been previously apprehended by the justice system. It is for this reason that this study may be relevant to both general and specific deterrence.

One of the issues often raised in devising remedies for the juvenile justice system is the level of leniency/severity with which the juvenile justice system should treat offenders. This variable might affect further crime among the offenders themselves, or, through public awareness of the actions of the system, it might affect juveniles generally. Theoretical arguments about the deterrent effect of punishment have stressed the economic viewpoint and have asserted that greater perceived severity will be more deterrent. Van den Haag (1977) argues: “Crime will be accepted as an alternate [to employ-

providing us with the data on the maximum ages of juvenile jurisdiction; Mr. Paul A. Zolbe of the Federal Bureau of Investigation for the Uniform Crime Reports data; and Dr. Steven G. Herringa of the Institute for Social Research for his help with the statistical analysis. This research was supported by Grant No. MH33607 from the NIMH.

ment] as long as the cost of committing it remains low as it now is" (p. 10). Wilson (1977) shares Van den Haag's economic approach and argues that "to the extent the potential offenders are rational and reasonably well informed, they will choose among consumption, legitimate employment, and illegitimate employment based on expected net value (or net costs) of each activity" (p. 10).

Studies of leniency/severity on the specific deterrence of juvenile crime do not seem to support this economic view. Studies cited above show that not being apprehended at all—surely the lowest cost—is associated with fewer subsequent offenses. Similarly, using a sample of 601 juvenile offenders, Baron et al. (1973) found that subsequent delinquent behavior occurred significantly less often if the offenders were handled by a crisis intervention team than if they were formally detained and placed on probation. Some recent data by Hintzen et al. (1979) also demonstrate that severity of punishment does not seem to matter: Juvenile burglars whose first offense was treated more leniently (a warning letter) were no more likely to recidivate in the following three years than those handled more strictly (booked and placed on informal probation or adjudicated and placed on formal probation).

Most of the literature on general deterrence addresses the effect of penalties on adult crime rates, especially adult homicide. Moral questions aside, some theorists argue that because of its severity, capital punishment is a greater deterrent than its most common alternative, life imprisonment. Others counter that the severity of capital punishment lowers the probability of conviction because jurors require more proof when death is the likely sentence; and since the death sentence thus reduces the certainty of punishment, it has less deterrent effect than the life sentence. Extant findings conflict, both supporting (Ehrlich, 1975) and contradicting (Forst, 1977) the hypothesis that capital punishment is a more effective deterrent than life imprisonment.

It is not clear whether the theory and data on capital punishment for adult homicides are relevant to problems of juvenile

delinquency. Developmental forces in adolescence may affect relationships among other variables substantially, and it is doubtful that delinquent acts are as frequently crimes of passion as are adult homicides. Anderson et al. (1977) have brought the study of certainty and severity of punishment nearer to the problem of juvenile delinquency with research on criminal behavior among university students. They found that informal sanctions were slightly stronger deterrents of some offenses, such as using marijuana, than either the perceived certainty or perceived severity of punishment. Erickson et al. (1977) have also shown that "the correlation between perceived certainty of punishment and the frequency of self-reported crimes or delinquencies is not consistently substantial" (p. 315) in their study of 1700 Arizona high school students; but Erickson et al. point out that the positive relationship between perceived certainty of punishment and the seriousness of a crime renders their evidence somewhat inconclusive.

Two studies suggest an inverse relationship between general deterrence of juvenile crime and perceived severity of punishment. Meier and Johnson (1977) found that "with increasing perceived severity of penalties, the use of marijuana increases" (p. 299). Stuart et al. (1976) affirm this with data showing that self-reported use of marijuana has a positive relationship over time with the changing severity of local penalties.

It might be suggested that studies of the effect of actual apprehension rates on criminal behavior would be relevant here, since it is plausible to suppose that objective apprehension of crimes would affect people's perception of the *certainty* of apprehension. However, data indicate that this plausible assumption is false. We have computed, from a recent article by Erickson and Gibbs (1978), the relationship between objective clearance of various crimes by Tucson, Arizona police and the perception of Tucson citizens of the relative certainty of the perpetrators of those crimes being apprehended. The zero-order correlation is $r = .55$ ($p < .05$), but Erickson and Gibbs have shown that relative social condemnation of crimes is important in shaping people's perceptions of the certainty of

apprehension: People believe that more heinous crimes must be more frequently apprehended. When we partial out social condemnation of the various crimes from the relationship between the objective clearance rate and the perceived certainty of apprehension, the correlation drops to a negligible .04.

The question of the effects of certain and/or severe punishment of juveniles' subsequent commission of delinquent acts is clearly undecided. The primary concern of this study is to pursue a novel way of examining the question of whether severity of punishment has a deterrent effect on juvenile crime. For our measure of deterrence we assume that youth believe that being under juvenile rather than adult criminal jurisdiction exposes them to less severe penalties. It follows that 16-year-olds (or 17-year-olds) in states where they are defined as juveniles by the statutes would generally anticipate less severe penalties than 16-year-olds in states where they are defined as adults. Thus, our index of deterrence is the juvenile/adult status of the age cohorts in the different jurisdictions.

This study involves the analysis of two sets of extant data that contain information on the delinquency of American youth. One set of data consists of seven years (1970-1976) of the FBI *Uniform Crime Reports* (UCR); the other, the 1972 National Survey of Youth (NSY72). In the former, the measure of delinquency is the number of arrests of 13- through 18-year-olds for certain specific offenses as reported by the police to the FBI. In NSY72, the measure is the self-reported offenses of a nationwide representative sample of 1116 13- through 18-year-olds. The hypothesis to be tested stated affirmatively, is: *Youth defined as adults will have lower arrest rates in the UCR and lower rates of self-reported offenses in the NSY72 than youth defined as juveniles.*

METHOD

States were classified according to whether adult status was reached at age 16, 17, or 18 in each of the years 1970-1976.

TABLE 1
 Classifications of Delinquent Behaviors Used in the UCR and NSY Data Analyses

UCR Classifications	NSY Classifications
Murder and non-negligent manslaughter	Seriously injuring parents
Aggravated assault	Seriously injuring others besides parents
-----	Threatening to assault parents or others with a weapon
Robbery	Armed robbery
Burglary--breaking and entering	Breaking and entering
Larceny-theft (except motor vehicle theft)	Theft of property of \$5 or more
Motor Vehicle theft	Car theft
Weapons: carrying, possessing, etc.	Carrying a concealed weapon

Youth were classified by age: 13-15, 16, 17, and 18 years old. The offenses considered for each of the sets of data (UCR, NSY) are shown in Table 1. We attempted to select comparable offenses for the two data sources; we have selected only serious offenses (felonies) for our analysis.

Using data from offenses recorded in the UCR the following ratios were computed:

(1a)

arrest rates of 16-year-olds (where JUVENILE)

arrest rates of 13-15-year-olds
(in states where 16-year-olds are juveniles)

(1b)

arrest rates of 16-year-olds (where ADULT)

arrest rates of 13-15-year-olds
(where 16-year-olds are adults)

(2a)

arrest rates of 17-year-olds (where JUVENILE)

arrest rates of 13-15-year-olds
(where 17-year-olds are juveniles)

(2b)

arrest rates of 17-year-olds (where ADULT)

arrest rates of 13-15 year-olds
(where 17-year-olds are adults)

(3a)

arrest rates of 16-year-olds (where JUVENILE)

arrest rates of 18-year-olds
(where 16-year-olds are juveniles)

(3b)

arrest rates of 16-year-olds (where ADULT)

arrest rates of 18-year-olds
(where 16-year-olds are juveniles)

(4a)

arrest rates of 17-year-olds (where JUVENILE)

arrest rates of 18-year-olds
(where 17-year-olds are juvenile)

(4b)

arrest rates of 17-year-olds (where ADULT)

arrest rates of 18-year-olds
(where 17-year-olds are adult)

The purpose of computing these ratios was to control for the potential differences between states that set different ages for juvenile/adult status. By figuring in the arrest rates of 13-15-year-olds, we controlled on potential differences among states in the general level of juvenile crime committed which may differentiate more urban from more rural states and which may be related to the state's age of juvenile jurisdiction. This also controlled on the arrest and reporting levels of the law enforcement agencies, which also may be related to the state's age of juvenile jurisdiction. Comparable control is introduced by figuring in the arrest rates of 18-year-olds; but these control for potential differences in the handling of adult rather than juvenile crime.

We compared the ratios across categories of states with different ages of juvenile jurisdiction (for example, compare ratio 1a with 1b). No statistical test is appropriate for determining the "significance" of the differences between ratios because no sample is involved. We assume that the UCR includes the *universe* of arrests in which we are interested (while we are aware of the omissions in these data). This is the reason for analyzing seven years of data: Each year is a replication. The reliability of the results will be reflected in the degree of consistency over the seven years. (One might assume that the seven years are a *sample of years* and apply statistical tests; but we do not believe the years 1970-1976 are a "sample" of years, and they are a very small "sample" if a "sample" at all.)

In our analyses of the NSY data we considered only those youth who had lived in their residence for at least one year at the time of the 1972 interview. This was done to maximize the likelihood that the 16- and 17-year-olds would be correctly classified as living in the state where they were either juveniles or adults at the time they committed the offense to be tallied. Only those offenses committed since the respondents' last birthday were tallied.

Youth from the National Survey of Youth were classified into the state/age categories defined above. Then the same ratios were computed with the NSY72 self-report data as described for the UCR data, except that we are dealing with *offense rates* (number of offenses/number of youth in the state-age category) rather than arrest rates.

Statistical tests of differences are appropriate for evaluating differences between ratios computed from the NSY72 data because the youth are a random sample. The ratios were submitted to statistical comparisons with sampling errors based on the characteristics of the NSY72 sample and the exigencies of comparing the quotients of double ratios (the detailed data may be obtained from Gold).

The hypothesis, as previously stated, is that youth defined as adults will have lower arrest rates in the UCR and lower rates of self-reported offenses in the NSY72 than youth defined as juveniles. This hypothesis will be supported by UCR data if there is a consistent pattern over the years 1970-1976 of a juvenile cohort having higher arrest ratios compared to their same-aged adult cohort. The hypothesis will be supported by the NSY72 data if the test of critical ratios shows a significantly lower ratio of offenses for youth defined as adults than for youth defined as juveniles.

RESULTS

The initial analyses of the UCR data revealed a curious pattern in the data. When we controlled for differences among

the states by assessing the offenses of 16- and 17-year-olds as proportions of the offenses by youth 13 through 15 years old, the data over the seven years were not consistent (see Table 2a). In four of the seven years, the 16-year-old juveniles proved to be more delinquent, and in three, the 16-year-old adults. Similarly, in two of the seven years of the UCR data, the 17-year-old juveniles were more delinquent than the 17-year-old adults. But when differences among the states were controlled by computing offenses as proportions of the offenses by 18-year-olds, the data assumed uniformity; in all seven years the juveniles, either 16 or 17 years old, proved more delinquent than the adults (see Table 2b).

It is illuminating to identify the reason why controlling on offenses of 13 through 15s yielded less consistent results than did controlling on 18-year-olds' offenses. Note that in Table 2a in each year that adults accounted for a larger rate of offenses, there was a sharp rise over the previous years in the ratio of adults' offenses to 13 through 15s. The rise from 1974 to 1975 (and maintained in 1976) is marked for the ratios involving 16- and 17-year-old adults; and between 1972 and 1973 only for 16-year-old adults. The increase in the adults' ratios boosted the ratios for adults over the ratios for juveniles; the ratios for juveniles remain fairly steady. Furthermore, looking closely at the figures (not presented here) revealed that these sharp rises were attributable to declines in the offenses charged to 13-15s, not to increases in the offenses of 16- and 17-year-old adults. In sum, in those years in which adults were responsible for proportionately more crime than their same-aged juvenile peers in other states, it was because the recorded offenses of 13-15s declined sharply.

In line with our previous reasoning concerning the deterrent effect of adult versus juvenile status, we wondered whether the transition from juvenile to adult jurisdiction might not be critical, either for the behavior of the youngsters or for the response of the justice system. In order to focus more sharply on this transition, we repeated the above analysis, but com-

TABLE 2a
Arrests of Juvenile and Adult 16- and 17-Year-Olds as Ratios of Arrests of 13-15s in Their States

Year	16s/15s-and-under			17s/15s-and-under		
	* N of states	Juvenile 16s	adult 16s	*N of states	Juvenile 17s	adult 17s
1970	44	.299	.259	34	.286	.246
1971	44	.307	.242	33	.292	.243
1972	44	.306	.235	35	.288	.239
1973	45	.320	.380	35	.290	.286
1974	45	.330	.273	36	.309	.293
1975	46	.351	.391	38	.332	.345
1976	47	.361	.374	37	.329	.347

* In some years the number of states (plus the District of Columbia) is less than 51 because data are missing from the UCR or the maximum age of jurisdiction changed during the year.

TABLE 2b
Arrests of Juvenile and Adult 16- and 17-Year-Olds as Ratios of Arrests of 18s in Their States

Year	16/18s			17/18s						
	*N of states	juvenile 16s	N of states	adult 16s	*N of states	juvenile 17s	N of states	adult 17s		
1970	44	1.21	7	0.89	j>a	34	1.21	17	0.91	j>a
1971	44	1.23	6	0.95	j>a	33	1.20	17	0.93	j>a
1972	44	1.24	6	0.96	j>a	35	1.21	15	0.93	j>a
1973	45	1.25	6	1.03	j>a	35	1.22	16	0.91	j>a
1974	45	1.20	5	1.04	j>a	36	1.21	14	0.96	j>a
1975	46	1.14	5	1.01	j>a	38	1.15	13	0.89	j>a
1976	47	1.19	4	1.03	j>a	37	1.17	14	0.94	j>a

*See note to Table 2a.

pared only those youth at with those just beyond the maximum age of juvenile jurisdiction. In other words, we compared only those 16-year-old juveniles from states where 16 was the maximum age for juvenile status with 16-year-old adults from states where 16 was the minimum age for adult status; likewise, we compared only those 17-year-old juveniles from states where 17 was the maximum age for juvenile status with 17-year-old adults from states where 17 was the minimum age for adult status. This analysis employed some data different from the first analysis and some that were the same. The difference was due to the fact that the oldest juvenile 16-year-olds were only a subset of all the 16-year-old juveniles (16-year-olds living in states with 17-year-old juveniles were omitted from the second analysis) and the youngest 17-year-old adults were only a subset of all 17-year-old adults (omitting those living in states with 16-year-old adults). Some data were the same because all of the 16-year-olds were youngest adults (there were no 15-year-old adults in our data) and the 17-year-old juveniles were almost all the oldest juveniles in the states (since only one less populous state, Wyoming, defined 18-year-olds as juveniles during the seven years).

This second analysis proved fruitful. The pattern we found in the earlier analysis was changed (see Tables 3a and 3b). The ratios that controlled on the records of 18-year-olds less consistently showed that the 16-year-old juveniles were more delinquent than adults: In 1975 and 1976, the oldest 16-year-old juveniles were no more delinquent than the youngest adults. And the ratios for which we controlled on the records of youth 13 through 15 became somewhat more consistent: The oldest 16- and 17-year-old juveniles proved to be more delinquent than their youngest adult age mates in six of the seven years.

Thus the UCR data indicate that 16- and 17-year-old juveniles have more delinquency records than 16- and 17-year-old adults, especially under two conditions: when differences among the states were minimized by correcting for the records

TABLE 3a
Arrests of Oldest Juvenile and Youngest Adult 16- and 17-Year-Olds as Ratios of Arrests of 13-15s in Their States

Year	16s/15s-and-under				17s/15s-and-under			
	* N of states	juvenile 16s	adult 16s	N of states	*N of states	juvenile 17s	adult 17s	N of states
1970	10	.309	.259	7	j>a	.286	.239	10
1971	11	.309	.242	6	j>a	.299	.242	11
1972	9	.309	.235	6	j>a	.287	.240	9
1973	10	.335	.380	6	a>j	.289	.266	10
1974	9	.359	.273	6	j>a	.309	.307	9
1975	8	.393	.391	5	j>a	.331	.321	8
1976	10	.395	.374	4	j>a	.329	.338	10

*See note to Table 2a.

TABLE 3b
 Arrests of Oldest Juvenile and Youngest Adult 16- and 17-Year-Olds as Ratios of Arrests of 18s in Their States

Year	16/18s			17/18s						
	* N of states	juvenile 16s	N of states	adult 16s	*N of states	juvenile 17s	N of states	adult 17s		
1970	10	1.17	7	0.89	j>a	33	1.21	10	0.91	j>a
1971	11	1.17	6	0.95	j>a	31	1.21	11	0.91	j>a
1972	9	1.17	6	0.96	j>a	34	1.21	9	0.91	j>a
1973	10	1.12	6	1.03	j>a	34	1.20	10	0.89	j>a
1974	9	1.09	5	1.04	j>a	35	1.21	9	0.93	j>a
1975	8	1.01	5	1.01	j=a	36	1.16	8	0.83	j>a
1976	10	1.03	4	1.03	j=a	34	1.18	10	0.91	j>a

*See note to Table 2a.

TABLE 4a
 Self-Reported Offenses of Juvenile and Adult 16- and
 17-Year-Olds as Ratios of Self-Reported Offenses
 of 13-15s in Their States

	N	offenses		N	offenses	
juvenile 16s	149	71		juvenile 17s	104	52
15s and under	431	211		15s and under	281	135
ratio			.97	ratio		1.04
adult 16s	24	10		adult 17s	94	25
15s and under	57	37		15s and under	207	113
ratio			.64	ratio		.49
			p: ns			p < .01

compiled by 18-year-olds in the criminal justice system, and when oldest juveniles are compared to the youngest adults of the same age in other jurisdictions. These analyses by themselves do not indicate whether the findings reflect differences in the delinquent behavior of the youth or differences in the behavior of the justice systems. It is possible that oldest juveniles are more actively delinquent than their peers in other states where they are considered adults. It is also possible that the juvenile justice system deals formally with more of the oldest youth it encounters than the criminal justice system does with the youngest adults it encounters.

In an attempt to resolve which interpretation is more valid, we turned to the data on self-reported delinquent behavior from the National Survey of Youth, 1972. These data are, of course, independent of the records of the justice system. If they replicate the findings from the official data, this would indicate that the behavior of youngsters was responsible rather than the behavior of the systems. If they do not, then the findings are more likely attributable to the practices of the justice system.

As Table 4 shows, the data for 16-year-olds show no statistically reliable differences between juveniles and adults either when including all of them or when including just the oldest juveniles and the youngest adults. On the other hand, the data

TABLE 4b
 Self-Reported Offenses of Juvenile and Adult 16- and 17-Year-Olds as Ratios of
 Self-Reported Offenses of 18s in Their States

	<u>16s/18s</u>		<u>17s/18s</u>		
	N	offenses	N	offenses	N offenses
juvenile 16s	149	71	juvenile 17s	104	52
18s	113	41	18s	76	24
ratio		1.31	ratio		1.58
adult 16s	14	10	adult 17s	94	25
18s	22	7	18s	59	24
ratio		p:ns	ratio		.65
oldest juvenile 16s	41	14	oldest juvenile 17s	104	52
18s	37	17	18s	76	24
ratio		.74	ratio		1.58
youngest adult 16s	24	10	youngest adult 17s	55	14
18s	22	7	18s	37	17
ratio		1.31	ratio		.55
		p:ns			p<.05

for the 17-year-olds show reliable differences consistent with the analyses of the UCR data: Juvenile 17-year-olds were more delinquent than adult 17-year-olds, whether juveniles were the oldest juveniles in their states or not. (The statistical tests for differences between the ratios presented in Table 4 were described in the method section.)

DISCUSSION

To summarize the empirical findings, the oldest juveniles under the juvenile law tend to appear more often in the juvenile records of their states than do their adult age mates in the other states. Furthermore, this tendency is clearer in the data when factors related to recorded adult crime rather than recorded juvenile crime are controlled for. But it appears that this tendency among 16-year-olds exists in the processes of the juvenile justice system rather than in their actual behavior, for their self-reported offenses reveal no such tendency. On the other hand, this tendency for 17-year-old juveniles to be more delinquent than 17-year-old adults exists in their self-reported delinquent behavior as well.

There is a parsimonious explanation for the pattern these data present. It rests on several assumptions that are amenable to empirical verification and has fairly clear implications for public policy.

Let us suppose that law enforcement officers were ambivalent about the adult status of 16-year-olds in states where 16s are adults. Considering 16s adults, after all, is a distinctly minority position in the United States and, over the years covered by the present data, become even more so, declining from seven states in 1970 to four in 1976. This, we may also suppose, prompted the police to handle a substantial proportion of 16-year-old felons informally so that they did not appear in the official records as often as their actual apprehensions would otherwise have permitted. This fits our finding

that 16-year-old adults were less often recorded in official arrest records than were 16-year-old juveniles.

Let us also suppose that the leniency shown by police to 16-year-old adults was widely known to the 16s and other youth in those states, so that 16s were not so much deterred from crime by fear of criminal prosecution. This fits our finding that actually—that is, according to self-report data—adult 16s were as delinquent as juvenile 16s.

On the other hand, we may suppose that the police were not so reluctant to treat youth older than 16 as adults. After all, while the number of states in which 17s were considered adults also declined from 1970 to 1976, still 17s were adults in at least 13 states during this time. We may further suppose that the 17-year-old adults were aware of the likelihood that they would be handled formally as criminals if apprehended and that awareness deterred them from crime. These assumptions fit the data also; inasmuch as 17-year-old adults appear to have been less delinquent than 17-year-old juveniles, according to both official and self-report data.

The key assumption here is the greater reluctance of police—and perhaps all of the justice system—to subject 16s, compared to 17s, to the adult justice system. From that assumption follow assumptions regarding the awareness of youth of this relative reluctance and its effect on their behavior. These assumptions could be empirically validated in future research on juvenile crime; as far as we know, there are no data bearing on this issue.

Several other facets of the current data are consistent with these assumptions. First, we have seen that the official data fall into a consistent pattern when we control on differences among the states by entering the recorded offenses of 18s but not when using offenses of 13-15s in the ratios. The implication both of this finding and of the set of assumptions we have outlined is that the older the offender, the more likely it is that police will handle his or her case formally. Thus, the more valid official data on 18s better reflect the actual criminal activity in the

states and serve better as control figures. Note also that the self-reports of 13-15s would not, under these assumptions, be less valid than the confessions of 18s, so we would expect that these two controls would yield similar findings in the self-report data. And they do: Both demonstrate no juvenile versus adult differences among 16s and the greater delinquency of juveniles among 17s.

The second facet of the data that is consistent with these assumptions is the effect of focusing on the oldest juveniles and the youngest adults. We have seen that in this analysis a more consistent pattern emerges—higher ratios of official juvenile crime (particularly when the ratios include the arrests of 13-15s). The greater consistency stems from the ratios of oldest juvenile 16s being higher than all juvenile 16s and the ratios of youngest adult 17s being lower than all adult 17s. The ratios of the oldest juvenile 16s are higher in every year (up an average of .19, median of .15); and the ratios for the youngest adult 17s are lower in five of the seven years (down an average of .05; median, .07). We surmise, consistent with our other assumptions, that the police in states where 16s are the oldest juveniles devote time and effort to the formal processing of the 16s, because they want especially to arrest the crime of these youth before they become adults, either because the police believe that as youngest adults the following year, the 16s will often be let off by the criminal courts, or because the police want to spare them the onus of criminal prosecution if their behavior persists. Thus, either punitive or benevolent police might focus their attention on oldest juvenile 16s. Similarly, formal processing of youngest adult 17s is suppressed because we surmise that police themselves believe or anticipate that the criminal courts believe that these youth should be treated leniently. On the other hand, in states where 16s are the youngest adults, the 17s do not appear so youthful.

It may be that the justice system's stringency with regard to the oldest juvenile 16s is more apparent to the youth themselves than is the system's leniency toward youngest adult 17s, for it

seems to affect the behavior of the 16s more than of the 17s. The oldest juveniles are somewhat less delinquent by their own confessions than juvenile 16s generally (see Tables 4a and 4b—the numbers become too small to submit these differences to statistical test). But the youngest adult 17s confessed to about as many offenses as did all adult 17s. (The reader should note, however, that the disparity among the 16s could be greater than the disparity among the 17s because the oldest juveniles among the former constitute only about 28% of the 16-year-old juveniles in the self-report data, while the youngest adult 17s are 59% of the 17-year-old adults. Thus, there is simply more possibility of a greater difference among the 16s than among the 17s.)

In brief, the data may reflect the practice of the justice system of taking age into account in determining whether offenders will be formally processed and, more specifically, become recorded arrests. The system appears less strict with 16- and 17-year-old adults, especially the former. Our data imply that this greater lenience may be known to 16-year-olds, so adult 16s are not deterred from committing even felonies by the spectre of criminal prosecution and are as delinquent as their juvenile counterparts in other states. Seventeen-year-olds appear not to be as well aware of more lenient treatment, perhaps because it is less widely practiced and cannot be counted on so well; this would explain the fact that adult 17s appear to be deterred from crime by their legal status.

In general, then, these data suggest that the issue of the deterrent effect of adult versus juvenile status cannot be considered independently of the response of the justice system to the offender. While it appears that adult status has a deterrent effect on delinquent behavior for the older youth (17-year-olds), it did not have the same deterrent effect on 16-year-olds. It appears that the adult law enforcement system may be reluctant to handle 16-year-old felons as harshly and formally as older youths. This suggests that attempts to use the greater severity of punishment inherent in adult status to deter juvenile

crime could backfire if the minimum age for adult status is set too low. As mentioned earlier, the tendency of legislators in the 1970s has been, in fact, to move toward older minimum ages for adult jurisdiction. Our data suggest that adult status can serve as a deterrent to juvenile crime, but only for youth who are 17 or older.

These data do not seem to fit the literature we have reviewed, which indicate that severity of punishment does not deter apprehended youth from further delinquency. But perhaps we should keep in mind the distinction made earlier between general and specific deterrence—that is, between deterrence of the general population at risk, consisting of all youth, most of whom are not very delinquent and have never been involved with law enforcement agencies, and deterrence of those youth already apprehended for delinquent behavior. General, if not specific, deterrence may be enhanced by a community's consistent representation to youth—in law and otherwise—that by a certain age they will be treated as adults, are expected to behave as adults, and will be held accountable as adults. If the community, including its justice system, makes this representation and acts like it means it, these data suggest that it may deter as yet unapprehended youth from crime.

It is important that the present findings and the assumptions by which they have been interpreted be tested further. Will these findings hold up for other years of official and self-report data? Do youth believe that the adult justice system is more punitive than the juvenile system? Do youth generally know at what age they become adults under the criminal law in their states? Do the more delinquent youth fit these assumptions better than the others? Do the police and the courts believe that 16-year-old adults are typically too young for criminal prosecution?

An ideal design for further research would be a survey of youth living in a metropolitan area that spans a state boundary, where youth in one state are juvenile at age 17 but adult in the other. Arrest and self-reported data could be collected,

along with the knowledge of ages of juvenile jurisdiction in the two states, beliefs about the severity of punishment likely on apprehension, and so on. A concurrent survey of agents of the justice systems in the two jurisdictions could attempt to ascertain their positions regarding strictness/lenience toward 17-year-old offenders.

REFERENCES

- ANDERSON, J. S., T. G. CHIRICOS, and G. P. WALDO (1977) "Formal and informal sanctions: A comparison of deterrent effects." *Social Problems* 25: 103-110.
- BARON, R., F. FEENY, and W. THORNTON (1973) "Preventing delinquency through diversion: the Sacramento County 601 Diversion Project." *Federal Probation* 37: 13-18.
- EHRlich, I. (1975) "The deterrent effect of capital punishment: a question of life or death." *Amer. Economics Rev.* 65: 397-417.
- ERICKSON, M. and J. GIBBS (1978) "Objective and perceptual properties of legal punishment and the deterrence doctrine." *Social Problems* 26: 253-264.
- and G. JENSEN (1977) "The deterrence doctrine and the perceived certainty of legal punishments." *Amer. Soc. Rev.* 42: 305-317.
- FORST, B. E. (1977) "The deterrent effect of capital punishment: a cross-state analysis of the 1960s." *Minnesota Law Rev.* 61: 743-767.
- GOLD, M. (1970) *Delinquent Behavior in an American City*. Belmont, CA: Brooks/Cole.
- and J. WILLIAMS (1969) "The effect of 'getting caught': apprehension of the juvenile offender as a cause of subsequent delinquencies." *Prospectus* 3: 1-12.
- HINTZEN, R., K. INOUYE, and B. IRAMINA (1979) *A Three Year Follow-Up Study of Project '75*. Honolulu: Youth Development and Research Center, University of Hawaii at Manoa.
- MEIER, R. and W. JOHNSON (1977) "Deterrence as social control: the legal and extra-legal production of conformity." *Amer. Soc. Rev.* 49: 292-304.
- STUART, R., M. KRELL, and K. GUIRE (1976) "Penalty for the possession of marijuana: an analysis of some of its concomitants." *Contemporary Drug Problems* (Winter): 553-565.
- VAN DEN HAAG, E. (1977) "Crime, punishment and deterrence." *Society* 14: 11, 21-23.
- WEST, D. J. and D. P. FARRINGTON (1977) *The Delinquent Way of Life*. London: Heineman.
- WILSON, J. G. (1977) "Thinking about thinking about crime." *Society* 14: 10, 19-21.

David J. Ruhland has research interests in social development and in mental health intervention strategies. His articles in the area of achievement motivation and behavior have appeared in the Journal of Educational Psychology and in Child Development.

Martin Gold has published extensively on issues related to adolescence. His books include Delinquency in an American City and Adolescent Development (with Elizabeth Douvan). He recently authored (with Rich Petronio) a chapter on delinquent behavior for Adelson's Handbook of Adolescent Psychology.

Randall J. Hekman is a judge of probate with the Kent County Juvenile Court. He is author of "Dealing Seriously with Juvenile Crime" Michigan Challenge, 1976), which dealt with general deterrence.