

JUVENILE DELINQUENCY
AND
CHILD WELFARE



A REPORT
OF THE
JOINT STATE GOVERNMENT COMMISSION
TO THE
GENERAL ASSEMBLY
OF THE
COMMONWEALTH OF PENNSYLVANIA

FEBRUARY 1949

The Joint State Government Commission was created by Act No. 459, Session of 1937, as amended by Act No. 380, Session of 1939, and Act No. 4, Session of 1943, as a continuing agency for the development of facts and recommendations on all phases of government for the use of the General Assembly.

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LETTER OF TRANSMITTAL

To the Members of the General Assembly of the Commonwealth of Pennsylvania:

Pursuant to House Resolution No. 58, we submit herewith a report dealing with the problems of juvenile delinquency and child welfare in Pennsylvania.

In accordance with Act No. 4, Session of 1943, Section 1, the Commission created a "subcommittee" to facilitate and expedite the survey of juvenile delinquency in Pennsylvania.

On behalf of the Commission the cooperation of the members of the subcommittee is gratefully acknowledged.

WELDON B. HEYBURN, *Chairman.*

*Joint State Government Commission
Capitol Building
Harrisburg, Pennsylvania
February, 1949*

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SUMMARY OF FINDINGS

I. Juvenile misbehavior, as reflected in juvenile court statistics, increased during the war years and since the war's termination has shown a decline.

During and after the war, extreme misbehavior, as reflected in court records, has been more pronounced in metropolitan areas than in suburban areas. Between 1940 and 1945, juvenile cases brought to the attention of the juvenile courts in Allegheny and Philadelphia Counties increased from 1.30% of the total child population to 2.03%. In 1947 this percentage dropped to 1.51%. Similarly, cases adjudged delinquent as percentages of child population in the juvenile courts of Allegheny and Philadelphia counties increased from .67% in 1940 to .95% in 1945 and decreased to .77% in 1947. In the suburban counties of Berks and Montgomery, cases called to the attention of the juvenile court increased from .28% in 1940 to .52% in 1944 and dropped back to .20% in 1947. The number of cases adjudged delinquent in Berks and Montgomery Counties increased from .24% of the child population in 1940 to .48% in 1944 and dropped back to .19% in 1947.

The sample counties, upon which the above statistics are based, represent approximately 39% of the total population of Pennsylvania and about 37% of the child population.

II. Major offenses are relatively more prevalent in suburban than in metropolitan areas. In 1945, 52% of the offenses before the juvenile courts of Berks and Montgomery Counties were major offenses (stealing, injury to person, sex offenses), whereas but 43% of the offenses before the juvenile courts of Philadelphia and Allegheny Counties were in the comparable category.

III. The available data suggest that 67% of the juvenile delinquents who come to the attention of the juvenile courts are below the age of sixteen.

IV. The amount appropriated for institutions to which youthful offenders are committed was \$7,871,127.82 for the biennium 1947-49. It should be noted that these institutions accept juvenile offenders other than those under the jurisdiction of the juvenile courts. Some of the institutions accept youthful offenders up to the age of twenty-five.

V. Youthful offenders convicted of crime by a criminal court are sometimes committed to the State penitentiaries rather than to institutions for juveniles.

VI. The number of repeaters in institutions for youthful offenders and in penitentiaries is relatively great. For example, in 1947, the Pennsylvania Institution for Defective Delinquents (Huntingdon) had 68% repeaters. In the Pennsylvania Industrial School at White Hill, 48% of the inmates were repeaters; the Pennsylvania Industrial Home for Women, 56%; the Eastern State Penitentiary, 73%; and the Western State Penitentiary, 60%.

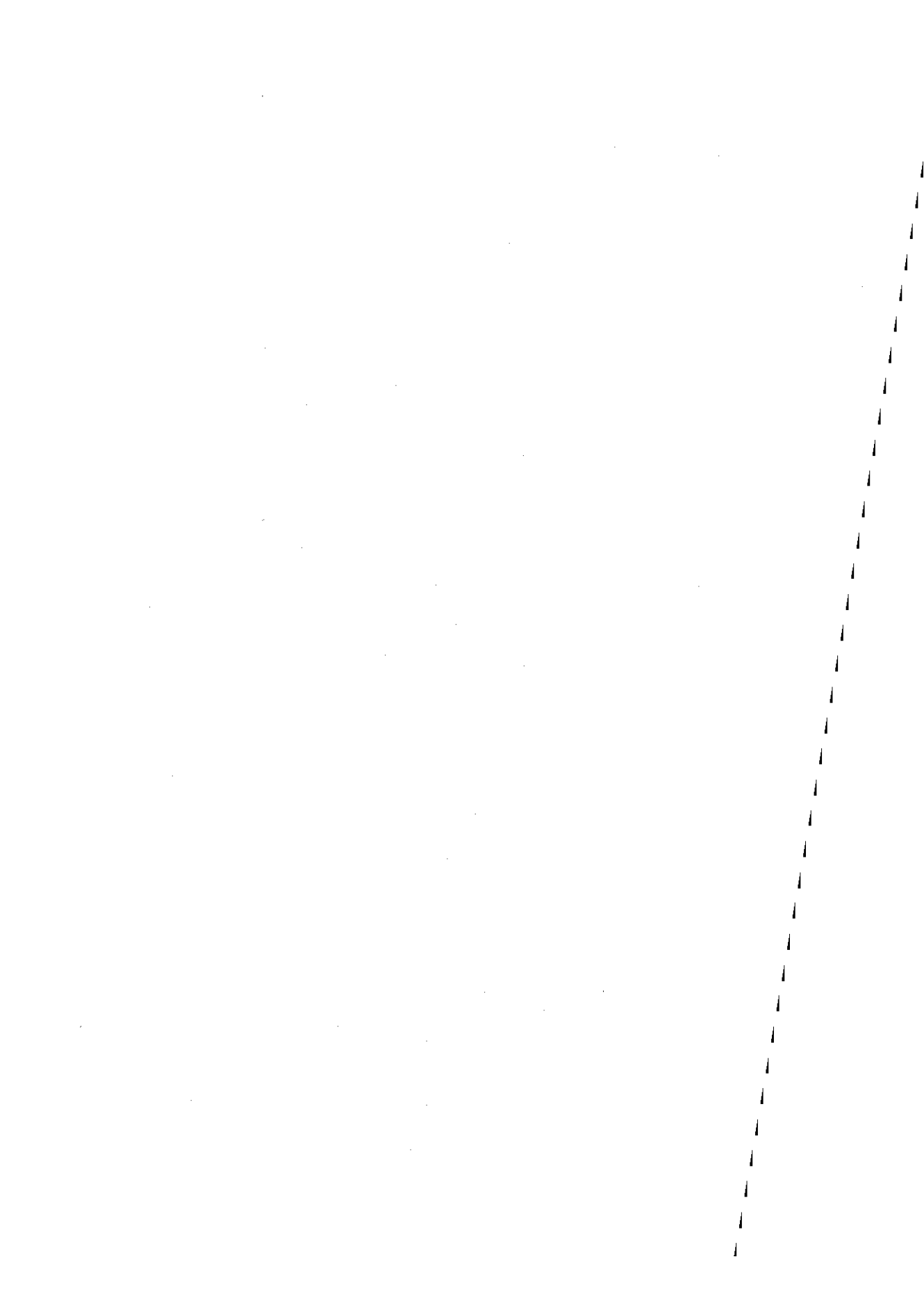
VII. The larger school districts such as Pittsburgh, Philadelphia and many of the school districts coterminous with third-class cities have child guidance clinics to aid maladjusted children.

VIII. The states of California (1941), Wisconsin (1947), Minnesota (1947) and Massachusetts (1948) have established youth authorities. It is a major function of these authorities to aid in the adjustment of juvenile delinquents who are referred to them by the courts. The length of time a juvenile delinquent remains under the jurisdiction of the youth authority is determined by the authority.

IX. There is apparent need of coordination between the various agencies which handle young people once they get into trouble and, further, between the treatment agencies, and agencies serving youth including the home and the school.

X. In the prevention field, there is need for coordination between home, school and the groups dealing with recreation, health, welfare, and law enforcement. While some localities in Pennsylvania have set up youth advisory groups to function in their own communities, a State youth authority would serve as a coordinating body for those already in existence and encourage the formation of others, as well as provide specialists to those communities having no permanent staff.

XI. Juvenile behavior problems should be treated as individual cases.



SUMMARY OF RECOMMENDATIONS

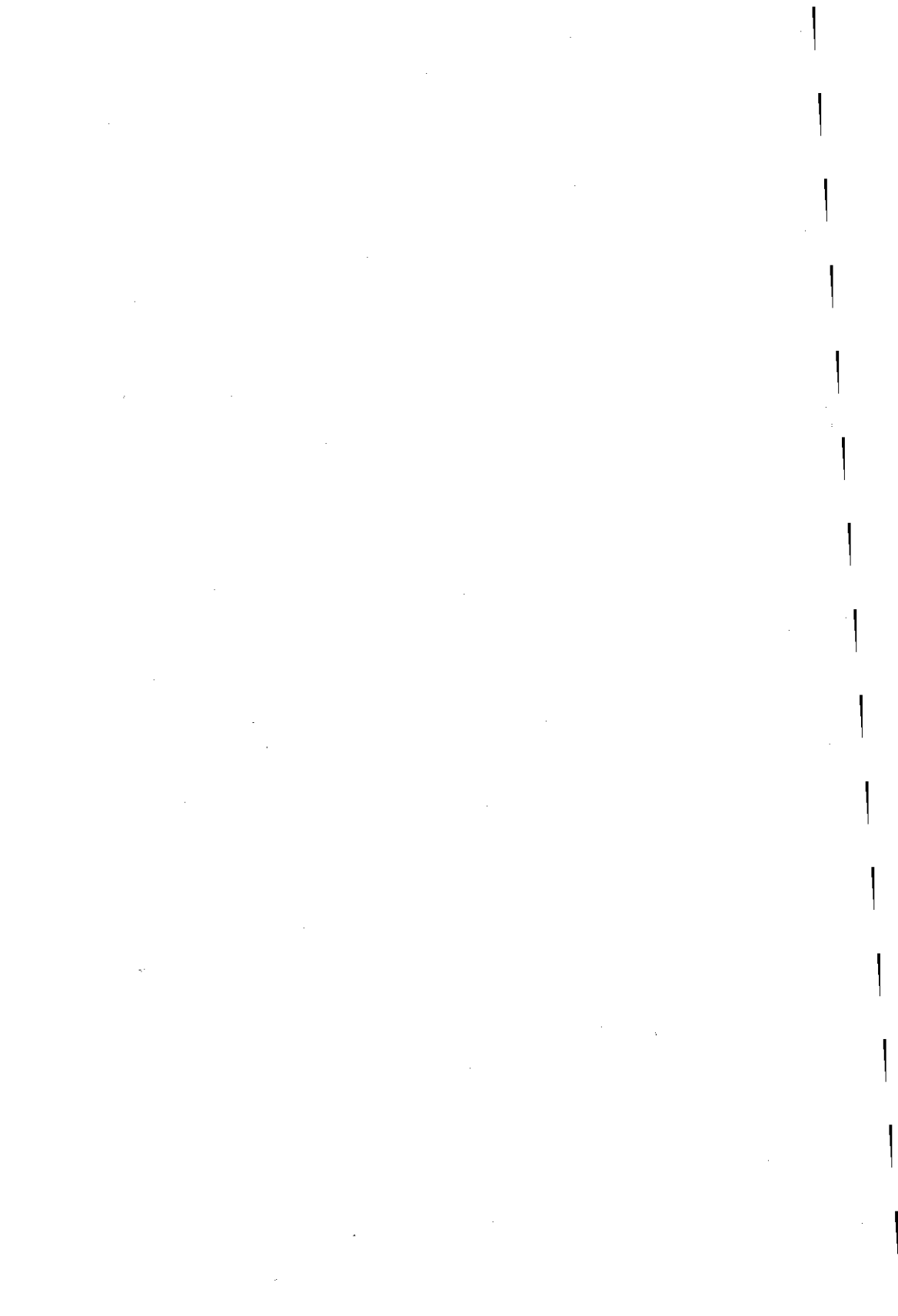
The Joint State Government Commission recommends that:

I. A Youth Conservation Board similar to the agencies established by California, Minnesota, Wisconsin, and Massachusetts, be established in Pennsylvania.

II. Two experimental forestry camps be established under the jurisdiction of the Department of Welfare for the accommodation of youthful offenders whose rehabilitation can be furthered by assignment to such camps rather than to currently available institutions.

III. A youth guidance clinic be established in the office of each county superintendent of schools.

IV. Local school districts be encouraged to make their facilities available to child and adult groups after school hours and during vacation periods.



SECTION I

INTRODUCTION

House Resolution No. 58, agreed to June 4, 1947, directs the Joint State Government Commission to "list, study, and appraise the problems relating to juvenile delinquency, namely, its underlying causes, the adequacy of existing governmental and private agencies to prevent juvenile delinquency, and measures which will conserve and improve the conditions of youth in the Commonwealth."

In accordance with the above mandate, the Subcommittee on Juvenile Delinquency and Child Welfare of the Joint State Government Commission surveyed the available literature on the subject and held a public hearing in Harrisburg on February 11, 1948. At the hearing, lay and professional groups were afforded an opportunity to present such facts and views as in their judgment bear pertinently upon the problem under review.

The basic facts constituting the problem of juvenile delinquency are detailed in the subsequent sections.

SECTION II

JUVENILE MISBEHAVIOR: EXTENT OF THE PROBLEM

The number of cases of children in trouble with courts and other authorities increased steadily from 1940 to an all-time high in 1945. In 1946, the number of juvenile cases dropped sharply and, in 1947, the figures approached those of prewar years.

These statements are broad interpretations of the conditions shown by the records of two metropolitan (Allegheny and Philadelphia) counties and two suburban (Montgomery and Berks) counties for which figures on juvenile misbehavior were available and roughly comparable.

In considering these figures as representative, however, several things should be kept in mind: first, that they show only the misbehavior of the so-called "aggressive" child; and second, that they are based on court records which do not necessarily reflect the total volume of juvenile misbehavior because only those cases referred to the courts are entered on the records, while many are dealt with otherwise and never reach the records, and because they show total number of cases, without indicating those in which the same child is involved several times.

1. The "Aggressive" Child

Observers of juvenile misbehavior differentiate between the "withdrawn" and the "aggressive" child.

Public opinion has been concerned primarily with the so-called "aggressive" child, since it is usually he who runs afoul of established authority and since the legal machinery

for dealing with juvenile delinquents has been designed primarily to deal with such behavior patterns. By and large, it is the "aggressive" child who is labeled a delinquent when his misbehavior becomes a matter of official record. In this connection, however, it should be pointed out that the designation "delinquent" covers a multitude of behavior types ranging from truancy and malicious mischief to theft, burglary, assault, sexual offenses and even homicide.

In view of the fact that the public at large is concerned primarily with the problems presented by the behavior patterns of "aggressive" children, this report is confined to that subject.

2. Source of Information on Juvenile Misbehavior

Accurate knowledge of the extent of juvenile misbehavior is lacking. The only statistics which shed light upon the problem are the court records and the compilations of the Federal Bureau of Investigation.

For the purpose in hand, the compilations of the Federal Bureau of Investigation seem inadequate because (1) the compilations are based exclusively upon fingerprint records, and (2) the juveniles charged with criminal offenses and fingerprinted represent but a small fraction of the juveniles charged with misbehavior.

In connection with court records, it should be noted that they do not necessarily reflect the total volume of juvenile misbehavior nor the total number of juveniles who have been dealt with by the juvenile courts. The total volume of juvenile misbehavior is not shown completely by court statistics because only those cases referred to the judicial authorities are entered on their records. The number of cases which come to the attention of the courts, in turn, depends upon

the procedures of such agencies as the school, the police, public and private youth-serving bureaus and clinics, and the attitude of the community at large.

To the extent that procedures and attitudes differ from community to community, court statistics as measures of juvenile misbehavior are not, strictly speaking, comparable. Again, the statistics of a given court for an extended period of time may not be comparable because procedures and attitudes within its community may change with time. Furthermore, court statistics do not necessarily reflect the number of juvenile delinquents because the courts deal with cases, and the same child may appear several times before a court within the time covered by the report.

3. Pattern of Juvenile Misbehavior in Pennsylvania

In Pennsylvania, roughly comparable juvenile court statistics are available but of limited coverage. Tables I and II present such statistics for two metropolitan and two suburban counties above mentioned. These counties combined represent approximately 39%¹ of Pennsylvania's total population and about 37%² of the child population.

¹ U. S. Census, 1940, Vol. I: *Population*, p. 912.

² Pennsylvania Department of Public Instruction, *Statistical Report*, June 30, 1940, p. 12, 13.

TABLE I
Juvenile Delinquency Cases, Juveniles Adjudged Delinquent, and Cases and Adjudications as Percentages of Child Population
(Allegheny and Philadelphia Counties Combined, 1940-47)^a

Year	Juvenile Delinquency Cases ^b	Number of Cases Adjudged Delinquent ^c	Child Population Ages 5½ to 17, incl. ^d	Percentages of Child Population	
				Total Cases	Adjudications
(1)	(2)	(3)	(4)	(5)	(6)
1940	8,546	4,413	658,340	1.30	.67
1941	8,995	4,654	648,536	1.39	.72
1942	9,510	4,454	647,283	1.47	.69
1943	12,042	5,082	640,092	1.88	.79
1944	12,136	5,511	634,003	1.91	.87
1945	12,655	5,898	622,835	2.03	.95
1946	10,462	4,942	607,692	1.72	.81
1947	8,916	4,539	592,254	1.51	.77

^a *Annual Report of the Philadelphia Municipal Court, 1946 and 1947; and statistical data sheets furnished by the Juvenile Court of Allegheny County, 1940-1947.*

^b The figures for Philadelphia County include boys and girls under eighteen, while those for Allegheny County also include boys and girls eighteen and over, of which there were 50 cases in 1940, 48 cases in 1941, 63 cases in 1942, 53 cases in 1943, 34 cases in 1944, 39 cases in 1945, 45 cases in 1946, and 33 cases in 1947.

^c "Number of Cases Adjudged Delinquent" refers to cases committed to an institution, agency or individual, cases placed on probation, and cases for which fine and costs or money payment has been ordered. It excludes cases dismissed, dismissed but probation continued, referred to other courts, other disposition, disposition not specified, and runaways returned.

^d Pennsylvania Department of Public Instruction, "Summary of Public School Attendance for Elementary and Secondary Schools," *Statistical Report, 1940-1947.*

Inspection of Table I, column two, shows that the number of juvenile delinquency cases for Allegheny and Philadelphia Counties increased from 8,546 for the year 1940 to an all-time high of 12,655 for the year 1945 and then decreased to 8,916 by 1947. Similarly, the number of cases adjudged delinquent increased from 4,413 in 1940 to an all-time high of 5,898 in 1945 and decreased to 4,539 in 1947. Regarding the two columns, it may be noted that although total juvenile cases as well as the number of cases adjudged delinquent increased over the period under consideration, total cases increased at a more rapid rate than the number of cases adjudged delinquent.

The seriousness of the problem of juvenile misbehavior can not be approximated by merely inspecting the total number of cases and the number of cases adjudged delinquent. In order to make the two series meaningful, they must be related to total child population. Column four presents the number of children, ages five and one-half to seventeen inclusive, and columns five and six show the number of cases and the number adjudged delinquent, respectively, as percentages of the child population. Inspection of column five shows that in 1940 the number of cases before the juvenile courts of Allegheny County and Philadelphia County represented 1.30% of the child population. In 1945 the comparable percentage reached an all-time high of 2.03%; and, in 1947, it dropped back to 1.51%.

Similarly, inspection of column six shows that in 1940 the number adjudged delinquent constituted .67% of the child population. In 1945, the number adjudged delinquent as a percentage of the child population reached an all-time high of .95%; and, in 1947, it dropped back to .77%.

In other words, in 1947, only slightly more than three-quarters of one per cent of the child population was guilty

of sufficiently serious misconduct to be adjudged delinquent by the juvenile courts.

Table II shows Juvenile Court cases and adjudications for Berks and Montgomery Counties combined.

It is interesting to compare columns five and six of Tables I and II respectively. Such comparison justifies the following generalizations:

(1) From the point of view of behavior pattern, the series for Allegheny and Philadelphia Counties, two predominantly metropolitan areas, and the series for Berks and Montgomery Counties, two suburban regions, are similar. All series rose markedly during the war and post-war periods and declined with the restoration of peace-time living conditions.

(2) Although the pattern of juvenile delinquency in metropolitan and suburban areas is similar, the extent of the problem, as reflected in court statistics, shows marked variations. For example, in 1940 the number of adjudications in the Juvenile Court of Allegheny County and the Juvenile Division of the Philadelphia Municipal Court constituted .67% of the child population. During the same year, the number of adjudications in the juvenile courts of Berks and Montgomery Counties constituted only .24% of the child population. In other words, in the metropolitan counties under review, juvenile delinquency was nearly three times as extensive as in the suburban counties.

TABLE II

**Juvenile Court Cases, Juveniles Adjudged Delinquent,
and Cases and Adjudications as Percentages
of Child Population**
(Berks and Montgomery Counties Combined, 1940-47)^a

Year	Juvenile Court Cases ^b	Number of Cases Adjudged Delinquent ^c	Child Population Ages 5½ to 17, incl. ^d	Percentages of Child Population	
				Total Cases	Adjudications
(1)	(2)	(3)	(4)	(5)	(6)
1940	290	258	105,398	.28	.24
1941	319	270	104,473	.31	.26
1942	455	390	103,011	.44	.38
1943	500	444	101,614	.49	.44
1944	517	472	99,071	.52	.48
1945	430	362	98,128	.44	.37
1946	284	251	96,885	.29	.26
1947	189	180	95,636	.20	.19

^a *Report of Delinquency Cases Disposed of During the Year by Each Court, State of Pennsylvania, 1940-1945* (U. S. Children's Bureau, Federal Security Agency). Data for 1946 and 1947 obtained directly from the Berks County Court and the Montgomery County Court.

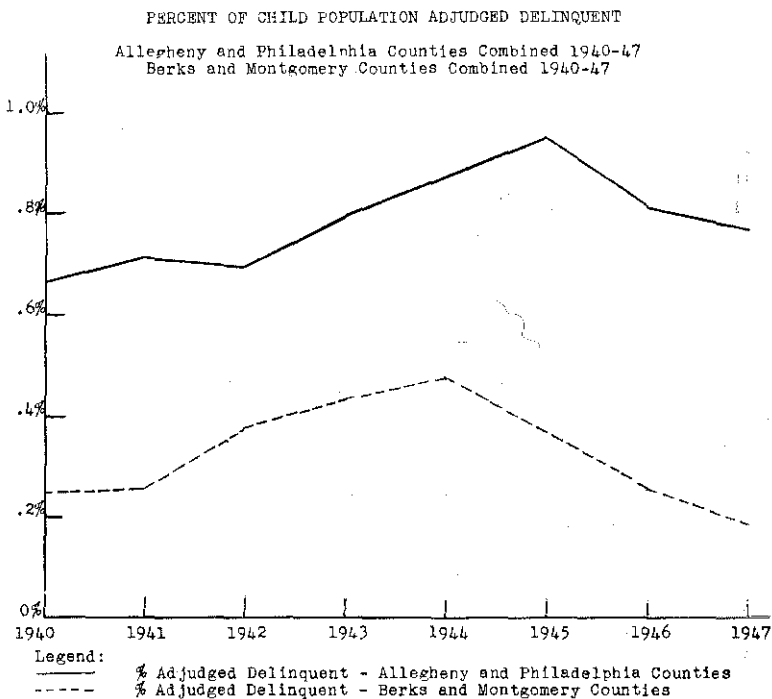
^b These figures include a small number of youths over eighteen as follows: Montgomery County—1 case, 1941; 7 cases, 1943; 6 cases, 1944; 2 cases, 1945. Berks County—2 cases, 1942.

^c "Number of Cases Adjudged Delinquent" refers to cases committed to an institution, agency, or individual, cases placed on probation, and cases for which fine and costs or money payment has been ordered. It excludes cases dismissed, dismissed but probation continued, referred to other courts, other disposition, disposition not specified, and runaways returned.

^d Pennsylvania Department of Public Instruction, "Summary of Public School Attendance for Elementary and Secondary Schools," *Statistical Report, 1940-1947*.

Chart I presents a graphic comparison of the percent of the child population adjudged delinquent in the metropolitan and the suburban counties.

CHART I



Tables III and IV show both number and percentage distribution of offenses committed by juveniles.

Comparison and analysis of Tables III and IV indicates the following tentative conclusions:

(1) On the basis of the tables, major offenses seem to be relatively more important in the suburban counties than in the metropolitan counties. For example, in 1945, major offenses accounted for 52% of the total offenses in Berks and Montgomery Counties and for but 43% of the total offenses in the metropolitan counties. However, this does not necessarily mean that juveniles in suburban counties are more apt to commit major crimes. The distribution is probably due in part to the fact that in suburban counties juvenile misbehavior is quite frequently dealt with in a rather informal manner and hence does not find its way into official statistics unless it approaches a greater degree of seriousness.

(2) Again, it may be observed that in both metropolitan and suburban counties the relative importance of major offenses decreased over the period from 1940 to 1945. For example, in 1940, major offenses constituted 77% of the total recorded juvenile offenses in Berks and Montgomery Counties. By 1945, this percentage had dropped to 52%. The comparable percentages for the metropolitan counties are 48% and 43% respectively.

TABLE III
Number and Percentage Distribution of Offenses Committed by Juveniles
(Philadelphia^a and Allegheny^b Counties Combined 1940-45)

Year	1940		1941		1942		1943		1944		1945	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Total Cases ^c	8,546	100	8,995	100	9,510	100	12,042	100	12,136	100	12,655	100
MAJOR OFFENSES												
Stealing	3,266	38.22	3,360	37.35	3,173	33.36	3,390	28.15	3,399	28.01	4,162	32.89
Injury to Person	375	4.39	330	3.67	361	3.80	571	4.74	672	5.54	663	5.24
Sex Offense	467	5.46	472	5.25	499	5.25	723	6.00	589	4.85	647	5.11
TOTAL	4,108	48.07	4,162	46.27	4,033	42.41	4,684	38.89	4,660	38.40	5,472	43.24
MINOR OFFENSES												
Act of carelessness or mischief	2,224	26.02	2,210	24.57	2,283	24.00	3,179	26.40	3,380	27.85	3,229	25.51
Running away	979	11.46	1,240	13.78	1,361	14.31	1,858	15.43	1,721	14.18	1,641	12.97
Ungovernable	569	6.66	651	7.24	825	8.68	949	7.88	1,024	8.44	1,006	7.95
Truancy	393	4.60	422	4.69	500	5.26	480	3.99	618	5.09	619	4.89
All other Offenses	273	3.19	310	3.45	508	5.34	892	7.41	733	6.04	688	5.44
TOTAL	4,438	51.93	4,833	53.73	5,477	57.59	7,358	61.11	7,476	61.60	7,183	56.76

^a *Thirty-third Annual Report of the Municipal Court of Philadelphia for 1946*, Table II, p. 25.

^b *Report of Delinquency Cases Disposed of During the Year by Each Court, State of Pennsylvania, 1940-1945*, (U. S. Children's Bureau, Federal Security Agency).

^c The figures for Philadelphia include boys and girls under 18, while those for Allegheny also include boys and girls eighteen and over, of which there were 50 cases in 1940, 48 cases in 1941, 63 cases in 1942, 53 cases in 1943, 34 cases in 1944, 39 cases in 1945, 45 cases in 1946, and 33 cases in 1947.

TABLE IV
Number and Percentage Distribution of Offenses Committed by Juveniles
(Berks and Montgomery Counties Combined 1940-45)^a

Year	1940		1941		1942		1943		1944		1945	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Total Cases ^b	290	100	319	100	455	100	500	100	517	100	430	100
MAJOR OFFENSES												
Stealing	195	67.24	193	60.50	307	67.47	320	64.00	340	65.76	189	43.95
Injury to Person	3	1.03	16	5.02	11	2.42	9	1.80	21	4.06	17	3.95
Sex Offense	25	8.62	16	5.02	25	5.50	32	6.40	25	4.84	19	4.42
19 TOTAL	223	76.89	225	70.54	343	75.39	361	72.20	386	74.66	225	52.32
MINOR OFFENSES												
Act of carelessness or mischief	14	4.83	32	10.03	29	6.37	47	9.40	20	3.87	24	5.58
Running away	10	3.45	12	3.76	21	4.62	15	3.00	15	2.90	7	1.63
Ungovernable	22	7.59	16	5.02	29	6.37	28	5.60	33	6.38	35	8.14
Truancy	2	.69	3	.94	4	.88	17	3.40	20	3.87	4	.93
All other offenses	19	6.55	31	9.71	29	6.37	32	6.40	43	8.32	135	31.40
TOTAL	67	23.11	94	29.46	112	24.61	139	27.80	131	25.34	205	47.68

^a *Report of Delinquency Cases Disposed of During the Year by Each Court, State of Pennsylvania, 1940-1945*, (U. S. Children's Bureau, Federal Security Agency).

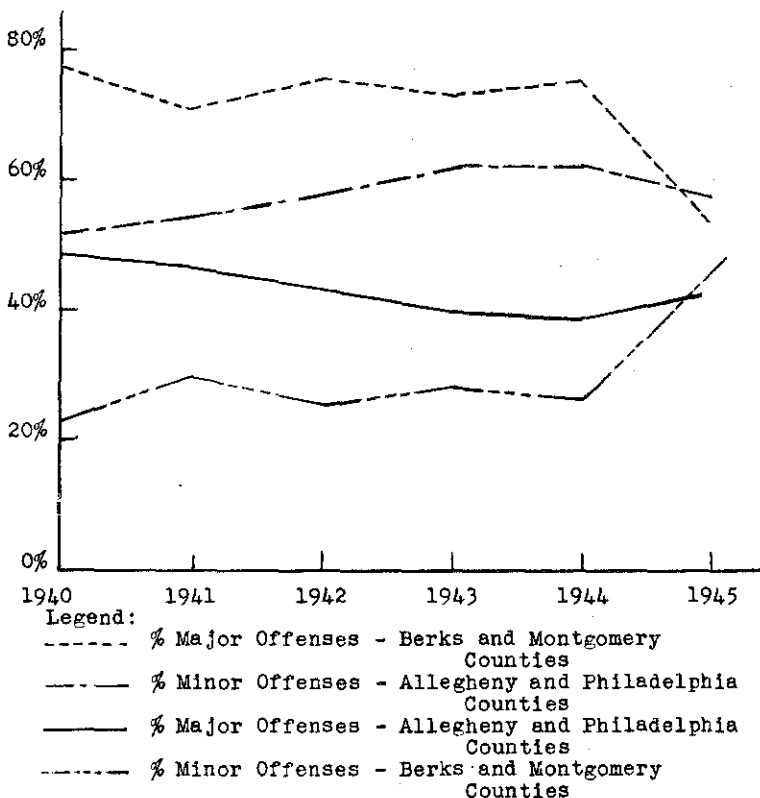
^b The above figures include boys and girls 18 and over as follows: Montgomery County—1 case, 1941; 7 cases, 1943; 6 cases, 1944; 2 cases, 1945. Berks County—2 cases, 1942.

Chart II presents a graphic comparison of juvenile misbehavior measured in terms of major and minor offenses committed by juveniles in the counties under review.

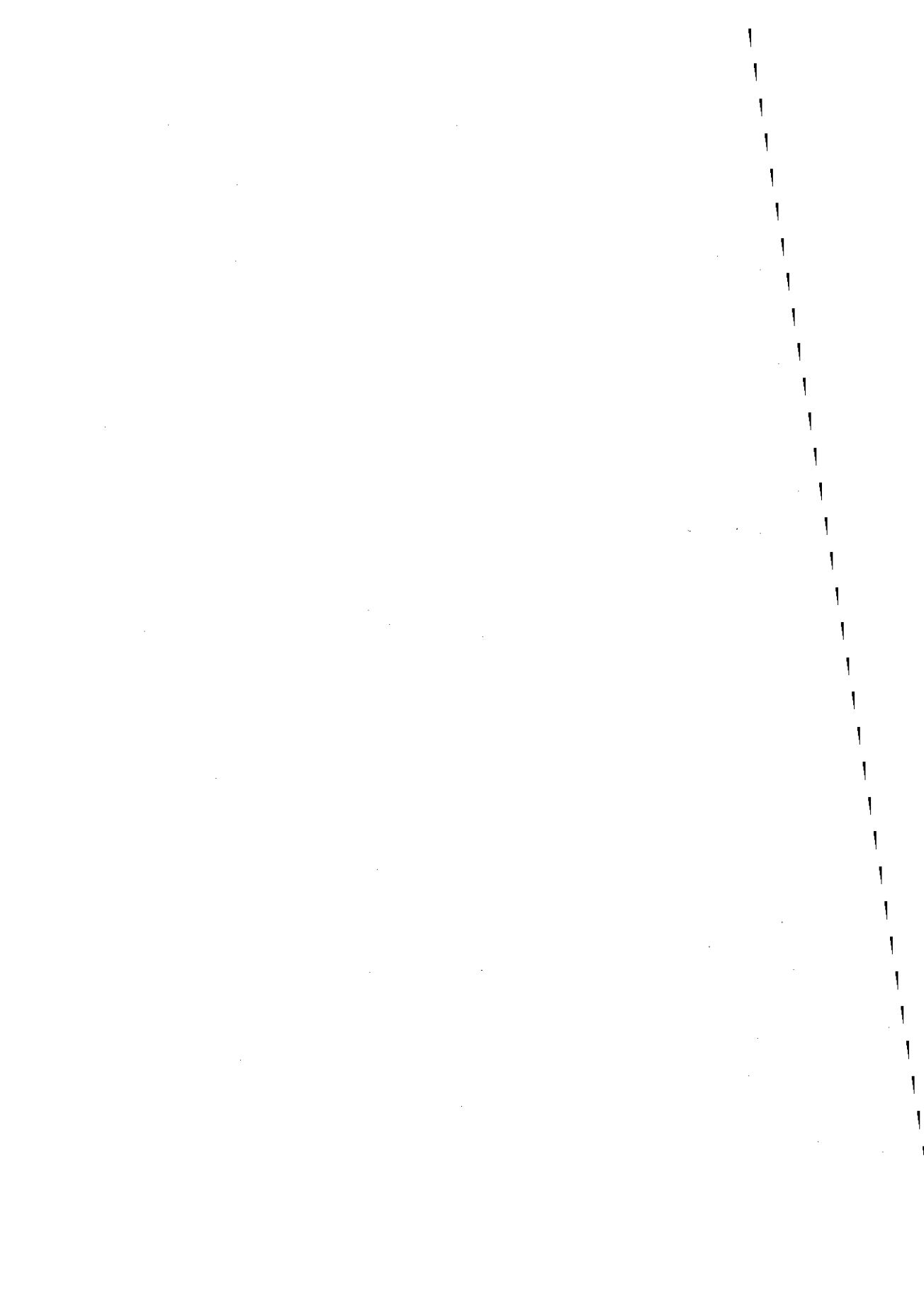
CHART II

PERCENTAGE DISTRIBUTION OF OFFENSES COMMITTED BY JUVENILES

Philadelphia and Allegheny Counties Combined 1940-45
Berks and Montgomery Counties Combined 1940-45



In the light of the above evidence, it may be well to re-appraise the extent and gravity of the juvenile delinquency problem. If one takes the position that the minor offenses listed in Tables III and IV and graphically presented in Chart II are part and parcel of the process of growing up of the typical youngster, the magnitude of the juvenile "crime" problem is substantially reduced. For example, Table I shows that, in 1945, the child population of Philadelphia and Allegheny Counties combined was 622,835. Table III shows that 5,472 delinquents were guilty of major offenses. Therefore, the "crime" rate among juveniles was .89%. Applying the same reasoning to the suburban sample, a "crime" rate of .23% is obtained.



SECTION III

CONTROL OF JUVENILE BEHAVIOR IN PENNSYLVANIA TODAY

It may be generally agreed that the adequacy of the control of juvenile behavior in the home and in the school in large measure determines the volume and character of juvenile delinquency.

1. In the Home

The Wisconsin Joint Legislative Interim Committee on Juvenile Delinquency¹ observes that juvenile misbehavior stems, among other causes, from broken homes caused by death, divorce, or employment of the mother; parental indifference and irresponsibility; drunken, immoral, or criminal parents; absence of religious and moral instruction in the home; insufficiency of family welfare services; and failure to train children for marriage and parenthood.

The importance of parental attitudes and behavior during the child's formative years is indicated in the following observation of the Philadelphia Municipal Court:

The lack of normal family life probably plays a more significant part in the delinquency of girls than of boys. The difficulties which bring girls into court are usually more serious in character and probably more clearly related to home conditions than are the difficulties of boys.

¹ Wisconsin Joint Legislative Interim Committee on Juvenile Delinquency, *Report and Recommendations*, 68th Session, p. 4.

In 52% of the boys' cases but in only 32% of the girls' cases the children were living with both their own parents when referred to court. This difference between boys and girls is probably due to social factors. In only 19% of the boys' cases, but in 24% of the girls' cases, one or both parents were dead.

Of the boys who were living in their own homes with both their own parents married to each other and living together, 33% were probationed or committed as compared with 48% of those who came from broken homes. Fifty-four per cent of the girls from unbroken homes were probationed or committed as contrasted with 66% of those who came from broken homes.¹

2. In the School

Pennsylvania law provides for compulsory school attendance of all children between the ages of eight and seventeen years.² Under the circumstances, the behavior of children within this age bracket is under the joint control of the parents and the schools. The place of the home and the school in prevention is further emphasized by the Philadelphia Municipal Court which reports that 67% of the juvenile cases which come to the attention of its Juvenile Division are below the age of sixteen.³

The available evidence strongly suggests that the schools are an important control agency. For example, the Philadelphia Municipal Court reports that in 1946, 56% of the

¹ *Annual Report of the Philadelphia Municipal Court*, 1947.

² Pennsylvania Department of Public Instruction, *School Laws of Pennsylvania*, 1945, Section 1414, pp. 174, 175. 1937, P. L. 2560, amended 1939, P. L. 786.

³ *Annual Report of the Philadelphia Municipal Court*, 1946, Juvenile Division, p. 27.

children whose cases were disposed of were attending school when referred to court and 22% of those referred were truants. However, only 28% of the juveniles attending school were adjudged delinquent, whereas 72% of the truants belonged in this category.⁴

In passing, it may be noted that the General Assembly of 1945 (Act No. 403, May 29, 1945, P. L. 1112) installed a new school subsidy system. Under the new system reimbursement depends upon the average daily membership in the public schools rather than the number of teachers employed by the schools. The available evidence indicates that this new system has gone a long way toward inducing school authorities to encourage pupils to continue in school.

According to the National Conference on Prevention and Control of Juvenile Delinquency the school's responsibility toward the delinquent or potential delinquent is fourfold:

(a) It should plan an adequate school program that fits the needs of all children and results in wholesome growth and development;

(b) it should identify those children who show signs of being susceptible to delinquent patterns of behavior and take proper preventive or remedial measures to insure better adjustments;

(c) it should work closely with parents and neighborhood leaders to assist them in better understanding of the individual child and help them remove any factors in the neighborhood inimical to child welfare;

(d) it should cooperate with all community agencies and resources in a coordinated plan, bringing their com-

⁴ *Ibid.*, p. 39.

bined influence to play on the individual child in such a way that he will receive maximum help when he needs the experiences provided by a particular agency.¹

3. In Existing Agencies

The larger school districts such as Pittsburgh, Philadelphia, and many of the school districts coterminous with third-class cities have child guidance clinics which attempt to aid mal-adjusted children. However, guidance services are made available to only a limited extent in the rural regions. The establishment of a youth guidance clinic in the office of each county superintendent of schools would provide a more complete coverage of clinical services to children in outlying areas who do not, at present, receive the same benefits provided for children in urban areas.

It is estimated that a county guidance clinic could be effectively operated with a core staff consisting of a psychiatrist, a psychologist, and a psychiatric social worker. In terms of present dollar value, the operation of such a clinic would cost approximately \$15,000 per year and could service a pupil population of approximately five thousand. To provide the service indicated for every five thousand pupils in average daily membership in fourth-class school districts would cost approximately \$1,643,000 per year.

The family and the school are concerned first with prevention; the police, the courts and correctional institutions deal initially with children who have already become delinquent; while rehabilitation is a joint project which must enlist the aid of all these and every other agency which serves youth.

¹ National Conference on Prevention and Control of Juvenile Delinquency, *Report on School and Teacher Responsibilities* (Washington, D. C.: U. S. Government Printing Office, 1947), pp. 3, 4.

4. In Law Enforcing Agencies

As regards law enforcing agencies, the United States Children's Bureau, in connection with its St. Paul experiment, has made the following observations:

A child's contacts with the law-enforcing agencies differ markedly from those with the school. . . . For many children the policeman is a friendly person in whose footsteps they intend to follow; for others he represents authority that restricts and confines, a force to be outwitted. . . . Most children . . . recognize the police as an integral part of their community. Relatively few children have any direct contacts with the courts or any occasion to see them as part of the community's law-enforcement structure. . . .

Our knowledge of behavior problems in children and of the early symptoms of maladjustment suggest that law-enforcing agencies are not in a position to identify problems at an early date. Their immediate responsibility is with children who show maladjustment by general incorrigibility and by violating laws and ordinances, or who are in need of protection. They are not in a position to observe minor changes in attitude that may be the forerunners of more serious trouble. The problems coming to them will, in general, be of long standing and from older age groups. . . . Even when emphasis is placed on early identification, law enforcing agencies are not in a position to identify more than a few children when the earliest symptoms appear.¹

¹ *Children in the Community: The St. Paul Experiment in Child Welfare* (U. S. Children's Bureau Publication No. 317 (1946)), pp. 98, 99, 111.

A child may come into contact with law enforcing agencies on arrest or referral. A child who is "alleged" to be delinquent may come before the juvenile court upon petition of a parent, next friend, or citizen, or upon commitment by a magistrate, alderman, or justice of the peace when arrested for any offense other than murder. There is no preliminary hearing, but the juvenile court may make a preliminary inquiry, after which the child may be returned to his parents or guardian, or placed in the charge of a probation officer or in the custody of any appropriate association or society pending final disposition of the case.

a. Hearing of Juvenile Cases

A child or youth appearing in juvenile court is not heard on any specific charge but rather with respect to his peculiar behavior problem. Juvenile court cases are heard separately and without a jury. The delinquency of a child is determined on the basis of a court hearing with the aid of an investigation made by the probation department and the assistance of clinical services if such services are at the command of the court. A child is simply adjudged delinquent and does not receive the usual civil disabilities imposed by the criminal laws of the Commonwealth. The juvenile court may return the child to his own home or place him in a family home under the supervision of a probation officer, or it may commit the child to some appropriate institution or agency, or discharge a child from the care of the juvenile court or from the custody of any institution.

Youths who are under sixteen and who are being tried on a criminal charge other than murder must be heard in juvenile court. Transfer to the juvenile court is discretionary in the case of youths between sixteen and eighteen years of age. The judge of a juvenile court may certify to the district at-

torney the case of a child above fourteen years of age held for any offense, other than murder, which, in the case of an adult, would be punishable by imprisonment in the state penitentiary. No child under twelve may be committed to an industrial school or correctional institution unless, after the supervision of the child under the probation system, such action is determined to be in the best interests of the child and of the community. Children over sixteen may be committed to any State industrial school or home for the reformation of youths above the age of sixteen.¹

The juvenile court law further provides:

No child under sixteen years of age, pending or after hearing before the juvenile court, shall be confined in any county jail, workhouse, police station, lockup, or other institution in which adults are confined. . . .

The county commissioners in each county shall provide, furnish, and heat a separate room or rooms, or a suitable building, to be used exclusively for the confinement of all children under sixteen years of age who may be in custody awaiting hearing in the juvenile court of the county, and shall provide for the maintenance and care of such children while in custody.²

When a juvenile is held in a detention place with facilities for medical, psychiatric, and psychological study, the diagnosis is made in the detention home. In the absence of such facilities, the probation officer takes the child to clinics working in cooperation with detention home staff members and juvenile court officers. The child also continues schooling and gets recreation in the detention home

¹ *Laws of Pennsylvania*, 1933, June 2, P. L. 1433, as amended 1939, June 15, P. L. 394.

² *Ibid.*

if it is equipped for the purpose, or he may be sent outside to school and for recreation when facilities are not available in the home.

Detention of juveniles is arranged for in a variety of ways. Of thirty-five counties reporting facilities, nineteen use a detention home, nine use approved children's homes, two use boarding homes, and five use a room in the county home or a separate room in the city hall.

b. Admission and Discharge Policies

There is no uniformity in admission and discharge policies in detention homes throughout the State. Some homes admit and discharge only through the juvenile court and its probation officers. Some admit through the police, magistrates and the court probation officers. Some receive children through private sources as well as through official sources. Detention homes in Pennsylvania have no uniform standards of administration. Some homes are under the administrative direction of the chief probation officer. Some have a superintendent in charge. Some are under the control of the sheriff. Some employ a matron. The equipment in experience and training of those in charge varies widely.

While the larger juvenile courts of Philadelphia County and Allegheny County have well established clinical services located in the detention homes with necessary staffs of physicians, psychiatrists, and psychologists, clinical services for the juvenile courts are lacking in most of Pennsylvania's counties. Berks County has placed clinical service at the disposal of the court which is financed jointly from public and private sources. A few other counties have followed the same practice. In the Harrisburg area, the federally supported Tri-County Child Guidance Clinic is available to the courts of the region. Courts in other parts of the State use physicians and psychiatrists of the State institu-

tions who hold clinics periodically, usually once or twice a month.

c. State Institutions for Minors

At present there are four State institutions to which minors within the age limits of juvenile court jurisdiction are committed—Huntingdon Institution for Defective Delinquents over 15 years, White Hill Industrial School for Boys, Muncy Industrial Home for Women, and Morganza Training School for both boys and girls. It is to be noted here that, in 1937, the General Assembly authorized the establishment of the Pennsylvania Industrial School at White Hill to replace the State industrial school located at Huntingdon.¹ Upon completion of the new institution at White Hill, the Huntingdon Industrial School was to become the Pennsylvania Institution for Defective Delinquents.² In this connection, the Ashe Committee, appointed by Governor Martin in 1944, made the following observation:

Until 1941, the school at Huntingdon continued as the only reformatory in the State. In that year, however, a new Pennsylvania Industrial School was opened at White Hill in Cumberland County. It is a large institution with a total capacity of 1,414. The legislature intended that the new reformatory replace the one at Huntingdon, with the latter institution becoming a school for defective delinquents. This has not been done, and both institutions continue to operate as reformatories.³

¹ *Laws of Pennsylvania*, 1937, June 21, P. L. 1944.

² *Ibid.*, 1937, May 25, P. L. 808.

³ *Report of the Committee Appointed by Hon. Edward Martin to Survey the Penal and Correctional System of the Commonwealth of Pennsylvania* (Stanley P. Ashe, Chairman), July, 1944, p. 10.

. . . We do not believe the Huntingdon institution to be the proper institution for defectives of this State. In the first place, its capacity is twice as large as is needed; and, further, an institution for defective offenders should be basically of the farm type. The structure at Huntingdon can be more useful as a medium security prison. . . .¹

The Pennsylvania Industrial School at White Hill receives male criminals between the ages of fifteen and twenty-five years not known to have been previously sentenced to any State penal institution.² The Industrial Home for Women at Muncy receives females over the age of sixteen who have been convicted of a criminal offense. The Pennsylvania Training School at Morgantown receives delinquent boys and girls under twenty-one on commitment by the courts from the western district of the State.

The Glen Mills School, the Sleighton Farm School at Darlington, the Boys Industrial Home at Oakdale, and George Junior Republic at Grove City are State-aided private corporations and therefore have the legal right to refuse or accept any boy or girl committed by the juvenile court. The managers of Glen Mills and Sleighton Farm may receive, at their discretion, boys under twenty-one and girls under eighteen years of age respectively. The authority of the managers over inmates ceases when they reach twenty-one years of age. The Boys Industrial Home admits

¹ *Ibid.*, p. 42. In this connection it should be noted that in 1945 the General Assembly authorized the construction of a new institution for delinquent defectives at Rockview. (Act 231, approved May 15, 1945, P. L. 571).

² Act of 1881, June 8, P. L. 63 § 8, 61 P. S. § 482; 1937, June 21, P. L. 1944, § 5, 61 P. S. § 545-5.

dependent, neglected, and incorrigible boys from eight to sixteen years of age on commitment by county juvenile courts, county commissioners, child welfare agencies, and parents. Authority over boys committed to this institution extends until they are eighteen. George Junior Republic accepts boys from ten to seventeen years of age committed principally by the courts of western Pennsylvania.

Costs and expenses for the maintenance of inmates at White Hill, Muncy, and Morganza are paid from the State appropriation, but the Commonwealth is reimbursed by the respective counties from which the inmates are committed. One-half the cost of maintaining children committed to State-aided institutions is borne by the county from which the child is received, and the remainder is paid from the State appropriation. The amount appropriated for institutions to which juvenile delinquents are committed was \$7,871,127.82 for the biennium 1947-1949.

d. Admission and Classification

Under Pennsylvania's present system the penal and correctional institutions are mass custody establishments. In them are lumped first offenders, habitual offenders, and sex deviates with children who are merely truants from school or impossible home situations. The sick and defective are grouped with the well; near feeble minded with the brilliant psychotic type; the dangerous with the trustworthy; boys of fifteen with men of twenty-nine and girls of sixteen with women as old as eighty. Each institution is under the direction of a separate board of trustees, classification programs differ and rehabilitation efforts are not coordinated.

e. Sentence and Probation

In Pennsylvania, juvenile institutions operate on the basis of an indeterminate sentence under the maximums set by statute. The indeterminate sentence permits the release of an offender as an administrative act. In the case of a child or youth committed by the juvenile court, discretion lies with that court; whereas the Parole Board exercises discretion in the case of an adult offender or a youth sentenced by a criminal court. Glen Mills, Sleighton Farm, and Morganza have their own parole officers who supervise juveniles released from these institutions. Boys released from the Boys Industrial Home and George Junior Republic are supervised by probation officers of the juvenile courts of the counties from which they were committed. With the exception of children and youths committed by the juvenile court, inmates released from Huntingdon, White Hill, and Muncy are supervised by parole officers of the State Parole Board.

4. Coordination Between Agencies Lacking

The facts reviewed above indicate that there is no coordination among the agencies which handle children and youths once they get into trouble; and, further, that there is no coordination between the treatment agencies and the home and school.

The need for coordination has been felt by various citizen groups. For example, referral plans have been instituted in Philadelphia County and Fayette County. The objective of these two programs is to obtain a better understanding of the child and his difficulties in order to bring about a more wholesome adjustment. Briefly, the Philadelphia plan operates through forty-nine organizations

throughout the city to whom follow-up referrals are made of boys who have come in contact with the police either as a result of arrest or complaint. In Fayette County, juvenile court delinquents, school pre-delinquents, and home incorrigibles are referred to a Juvenile Committee representing law enforcement agencies, civic groups, professional and business men, churches, and veterans' organizations. In April 1947, it was reported that the Uniontown Committee had enrolled more than 430 youngsters of whom only thirteen had been returned to juvenile court for institutional placement since the committee's organization in March 1943.¹

5. Institutional Treatment

The correctional activities in institutions for the most part, have not proved effective rehabilitation measures. For example, in 1947, the Pennsylvania Institution for Defective Delinquents (Huntingdon) had 67.9% repeaters. In the Pennsylvania Industrial School at White Hill 48.4% of the inmates were repeaters. In the Pennsylvania Industrial Home for Woman 55.9% were repeaters; the Eastern Penitentiary, 73.3%; and the Western Penitentiary, 59.9%. Thus it is evident that piecemeal measures are inadequate and that the separate phases of a preventive and correctional program must be integrated into a coordinated approach to the whole problem.

¹E. Preston Sharp, *Report of Fayette County Youth Guidance Program* (Pennsylvania Department of Welfare), prepared for discussion at Fifth Annual Child Guidance Conference of Fayette County, April 17, 1947, p. 2.

SECTION IV

REMEDIAL LEGISLATION

1. Youth Authority

Effective control of juvenile misbehavior calls for coordinated action at both the State and local levels.

In recent years, the states of California, Wisconsin, Minnesota and Massachusetts have led the way in creating youth authorities to administer correctional programs at the state level and systematically to aid all counties to develop and strengthen the correctional and preventive programs at the local level.

One of the basic principles behind the youth authority idea is the achievement of continuity of treatment from the time the court commits the child, to the final replacement of that child in society.

In treating children, it is generally agreed that the emphasis should be put on rehabilitation rather than punishment. This, the youth authority could do, with treatment applied on an individual basis.

It is the general concensus of opinion that the majority of youthful offenders can be reclaimed.

2. Model Plan

The American Law Institute, in 1940, drafted a model plan for the treatment of youthful offenders.

Briefly, the plan suggested by the model draft provides for the creation of a Youth Correction Authority, to which the courts would commit youthful offenders who need State care. The authority then would exercise complete control

over the child through all the steps from commitment to final replacement in society. These steps can be broken down into three major categories:

1. Diagnosis
2. Treatment and training
3. Reestablishment in the community

The plan calls for the establishment of a three-member board operating on a State-wide basis to which the courts would commit offenders under twenty-one years of age. If a death sentence were involved, the case would not go to the youth authority.

The three-member board would first determine why the offender is an offender, and on the basis of diagnosis, proceed with the treatment of the child with a view to his rehabilitation and eventual reestablishment in the community.

The Youth Authority plan also suggests a survey team consisting of specialists in juvenile police work, probation, recreation, community organization, health, child guidance, welfare, and attendance. This team could be sent into a county at the invitation of the county board of supervisors, the judge of the juvenile court, the head of the school system, or other public and private groups serving children one way or another.

The survey group would try to make all agencies serving youth in every locality realize their interdependence and to develop methods of coordinating their activities.

3. Summary

Classification and segregation, adequate personnel, and constructive programs are the tools by which a youthful offender may be rehabilitated. In this connection, the establishment of forestry camps would facilitate the rehabili-

tation of youthful offenders who required minimum security arrangements. At the present time, the California Youth Authority operates four forestry camps as a part of its Division of Training and Treatment. These camps accommodate between 60 and 70 boys each. Two general types of programs are developed in the camps. The first group is composed of a large number of boys who have completed their training program at one of the institutions and are transferred to a forestry camp to complete their treatment in a 90-day pre-parole camp program. A second group of boys with a less aggravated delinquency record are placed in the camps for their entire period of training and treatment.

Correction and prevention at the local level involves the far larger task of improving all the existing correctional services—police, detention, probation, case work, etc.—in the community. The model act provides that local units may be set up. In California the Youth Authority may establish, or assist in establishing, local public councils or committees whose purpose is the prevention or decrease of misbehavior among young people. The Wisconsin statute provides that the Youth Service Commission shall assist localities to secure specialized services. Massachusetts has followed the pattern set by California in providing for assistance to local authorities of any county or municipality when so requested by the governing body thereof in planning preventive programs and in coordinating existing services.

It has been found that in many cases, a child's first appearance before established authorities was for a minor offense. Had the child received immediate care and treatment, the later offenses might have been avoided. Truancy is often the first offense. Investigation of truancy cases reveals that the child may have been a truant because of failure in school due to bad eyesight, bad hearing or other

physical defects, or low mentality. If these children are committed to an institution where they are associated with others with more serious records, they are exposed to an influence which may readily lead to more serious offenses on their part when released, and the defect which prompted their misbehavior in the first place never will have been corrected. Individual treatment of such children through the offices of a Youth Authority might in many instances have remedied the defects and would have prevented contact or association with other types of offenders by segregating the various groups of youthful offenders according to the seriousness of their offenses and according to their individual needs. Under the present system, this is not accomplished except where local youth agencies already have created diagnostic facilities.

The role of the public in the acceptance and support of such a program cannot be overlooked. This has been recognized in the laws of Wisconsin and Massachusetts, where provision has been made for the creation of a citizen advisory board for the purpose of making recommendations, interpreting the program to the public and enlisting public cooperation.

It must be realized that the Youth Authority Plan cannot be regarded as a complete answer to the question. It is generally agreed that there is no cure-all for juvenile misbehavior. However, the youth authority should provide treatment of youthful offenders on an individual basis, in a more scientific manner and without the waste or duplication of work inherent in an uncoordinated system of treatment of juvenile offenders. Also the Youth Authority Plan should serve as a channel for the promotion of a worthwhile crime prevention program on a State-wide basis.

RECOMMENDATIONS

It is recommended that:

I. The General Assembly enact legislation establishing a Youth Conservation Board to serve all youth of the State more effectively, to reduce and prevent delinquency and to carry out a program of rehabilitation having continuity of treatment from commitment to final replacement in society and administered to meet the needs of each individual case.

II. Two experimental forestry camps be established under the jurisdiction of the Department of Welfare for the accommodation of youthful offenders whose rehabilitation can be furthered by assignment to such camps rather than to currently available institutions.

III. A youth guidance clinic be established in the office of each county superintendent of schools.

IV. Local school districts be encouraged to make their facilities available to child and adult groups after school hours and during vacation periods.

