2 THE CREATION OF DELINQUENCY

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CHAPTER OBJECTIVES

After reading this chapter, you should be able to

- Describe how youth were treated during ancient times, the Middle Ages, and the colonial period.

- Analyze the shifts in social constructions about youth that took place in the early "child-saving" era and the Industrial Revolution in terms of race, class, and gender.

- Explain the philosophical reasoning behind the creation of adolescence and the first juvenile court in the United States.

- Contrast the different ideas about youth and the social control of their behavior in modern times.

- Analyze the moral panics about children's media consumption and the social factors behind them.

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CHAPTER PRETEST

Test your knowledge of this chapter's material by determining whether the following statements are true or false. Be sure to compare your answers with the answers at the end of the chapter.

1. The primary vision of delinquency that developed in Western societies resulted in the similar labeling of youth across all social statuses.

2. In ancient times and during the Middle Ages, there was no formal concept known as juvenile delinquency.

3. The age at which youth were thought to be capable of having a "guilty mind" has changed over time.

4. Houses of Refuge and other institutions housed white children in need of care along with those labeled delinquent or predelinquent in an effort to "save" them.

5. The creation of the first juvenile court was based on the philosophy of retribution.

6. In the 21st century, it is clear that moral panics about violent music, websites, and films as causes of delinquency are justified by scientific research.

7. Youth of color, particularly boys, are often portrayed by the media as people to fear rather than people to protect.

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To Hon. Caleb S. Woodhull, Mayor of the City of New York (1849)

I deem it to be my duty to call the attention of your honor to a deplorable and growing evil which exists amid this community, and which is spread over the principal business parts of the city. It is an evil and a reproach to our municipality, for which the laws and ordinances afford no adequate remedy.

I allude to the constantly increasing numbers of vagrant, idle and vicious children of both sexes, who infest our public thoroughfares, hotels, docks, &c. Children who are growing up in ignorance and profligacy, only destined to a life of misery, shame and crime, and ultimately to a felon's doom. Their numbers are almost incredible, and to those whose business and habits do not permit them a searching scrutiny, the degrading and disgusting practices of these almost infants in the schools of vice, prostitution and rowdyism, would certainly be beyond belief. The offspring of always careless, generally intemperate, and oftentimes immoral and dishonest parents, they never see the inside of a school-room. . . . Left, in many instances to roam day and night wherever their inclination leads them, a large proportion of these juvenile vagrants are in the daily practice of pilfering wherever opportunity offers, and begging where they cannot steal. In addition to which, the female portion of the youngest class, those who have only seen some eight or twelve summers, are addicted to immoralities of the most loathsome description. Each year makes fearful additions to the ranks of these prospective recruits of infamy and sin, and from this corrupt and festering fountain flows on a ceaseless stream to our lowest brothels—to the Penitentiary and the State Prison.

In presenting these disagreeable facts for the consideration of Your Honor, I trust that I may be pardoned for the suggestion, in conclusion, that in my opinion some method by which these children could be compelled to attend our schools regularly, or be apprenticed to some suitable occupation, would tend in time more to improve the morals of the community, prevent crime, and relieve the City from its onerous burden of expenses for the Alms-House and Penitentiary.

—Respectfully submitted, Geo. W. Matsell, [NYC] Chief of Police[1]

In 2010, New York City mayor Michael Bloomberg indicated that he was concerned about the numbers of young people being detained in juvenile institutions and the fact that they were

often placed far from their homes and families.[2] He noted that juveniles placed in institutions tend to recommit acts of delinquency after release, and to return to those same institutions is, ultimately, an unproductive cycle. Bloomberg stated that it would be best for young people who engage in nonviolent delinquency to be treated under a rehabilitative model and to have access to services within their own communities.[3] As a result, Mayor Bloomberg eliminated the Department of Juvenile Justice in December 2010 and subsumed it within the Administration for Children's Services in order to break the cycle of delinquency and treat juvenile misbehavior, first and foremost, as a child welfare issue.[4] This trend continued in 2015, when another New York mayor, Bill De Blasio, worked with city and state agencies to campaign for an increase in age of criminal responsibility for youth. As a result, Raise the Age legislation was passed in 2017 geared at ensuring that youth under 18 are treated in a developmentally appropriate way at all stages of the juvenile justice process.[5]

As the opening stories about juvenile delinquency in New York City written over a century apart demonstrate, **social constructions of delinquency** or mainstream ideas about youth and misbehavior, and what to do about youth and misbehavior, change over time. In order to understand how the concept of juvenile delinquency developed and culminated in the creation of the juvenile justice system, it is important to consider how differing ideas about youth have emerged over the course of history. These ideas about youth are difficult to generalize about because they are socially constructed differently in different places and cultures around the world.[6] (Just think about the generally shocked reaction that we have in the United States to the toddlers running errands by themselves on the Japanese reality show, *Old Enough*, to see the contrast in ideas about children and their capabilities.) Although in Western countries, we tend to automatically think of teenagers when we think about juvenile delinquency, this concept is not recognized in a similar way in all cultures of the world, nor do Western countries themselves frame the years of adolescence in exactly the same way. As we discuss in this chapter, the very notion of adolescence did not always exist—it was created in light of social and economic changes that necessitated a new, more extended, experience of childhood.

The concept of juvenile delinquency emerged out of a particular Western vision of what it is to be a child or a young adult, and entire systems of justice were developed to address the special needs of youth labeled as "juvenile delinquents." And even within a given Western society, we can observe that the labeling of youth as juvenile delinquents occurs much more in certain segments of our communities than in others. As Mennel explains, "When considered a violation of mores, juvenile delinquency becomes less a fixed concept and more a description of certain kinds of behavior by certain kids living in certain places."[7] Popular ideas about youth and their behaviors have been shaped by race, class, and gender biases and concerns. In this chapter, we highlight the historical ideas about juveniles and their behavior that eventually led to the creation of the first juvenile court in the United States in 1899. In addition, we consider the role of popular culture (music, films, books, games, etc.) in moral panics about delinquency both preceding and following the creation of state juvenile justice systems in the United States.

PREMODERN SOCIAL CONSTRUCTIONS OF YOUTH AND DELINQUENCY

Young people certainly acted up or misbehaved prior to being labeled juvenile delinquents by society. Consider this description of an event experienced by one young man named Ariston (estimated to be 17–19 years of age) at the hands of another young man, Ktesias, and his father, Kronon, in ancient Greece (4th century BCE):

> First they tore my cloak off of me, and then, tripping me up and pushing me into the mud, they struck me so violently that they split my lip and caused my eye to close up. They left me in this sorry condition, so that I could neither get up or utter a word. While I was lying there, I heard them making a number of abusive comments, much of which was so offensive that I would shrink from repeating some of it in your presence. . . . After this I was picked up naked by some passers-by, for my assailants had carried off my cloak.[8]

As explained by Garland, although this act involved violence of one youth against another (with the *help of his father*, something we generally do not see too much of today), it would not have been labeled as delinquency because such behaviors were not seen as related to age at that point in history.[9] The acts committed were fueled by the consumption of alcohol on the part of both Ktesias and his father, and they took place within the context of military service. Based upon the historical data available, it appears as though Greek society at that time encouraged misbehavior among male youth and that this example was not an isolated one. There was even a law at that time that stated that young men should not beat their parents, which indicates that parental beating by children must have raised the concern of at least a few lawmakers. There are limited sources of data for scholars to explore specifically related to juvenile misbehavior in ancient cultures, but data related to other social practices of the time indicate that youth were often treated and punished in ways that were comparable to those of their adult counterparts.[10] Youth were treated as the property of their fathers, corporal punishment was common, and youth were often beaten harshly.

If we skip ahead in history to examine a period in which scholars have had more luck finding information, the Middle Ages (5th century CE–15th century) in Europe, we can see that still very little distinction was made between human beings based upon age.[11] At that time and place in history, society was heavily interdependent, living and working together in large groups. This was because the economy was agricultural, and lots of bodies, young and old, were needed to prepare and work the crops. Because of this, the biggest age-based distinction that played a role in the process was whether a child had mastered the basic physiological and emotional functions needed in order to work in the fields. Usually, once children turned 7 years of age, they were for all intents and purposes considered adults. Seven-year-olds could usually speak well (they had no need to know how to read because there was not yet any printed material), and their oral communication skills were considered sufficient preparation for many of the daily tasks of the adult world.

Life was not easy for children of this period, and they were often subjected to practices of abuse and neglect that resulted in short life spans.[12] Those who did survive engaged in many of the same activities as adults, including drinking alcohol, gambling, and engaging in sexual behavior. These behaviors were accepted among youth, and adults did not see any need to shelter their children from what are seen today as adult behaviors; extended families and communities lived very closely together, and there was very little privacy to be had, even if it was desired. Everyone had an eye on one another, and this informal social control kept a lot of young people from misbehaving.

Although young people engaged in behaviors that we would label as delinquent today, they were not labeled as such in ancient times.

As the Europeans began to colonize North America, the ideas about childhood that they employed in the "New World" were similar to those that they employed prior to the Colonial period. Youth were seen as developing over time, but there still was not a tradition that emphasized age in the manner that we have today. There was a notable labor shortage during this period, so the tradition of youth working at a young age was especially helpful to adults. Gender-based distinctions developed further at this time, and boys were encouraged to develop their skill sets as apprentices in the working world, while girls were encouraged to learn to serve and care for others by becoming domestic servants or wives.[13] The raising of children and young adults remained a group project, as the people for whom the youth worked or apprenticed had a large role in their upbringing. There was no sense of the nuclear family in the manner that is emphasized today, but extended families were seen as the primary source for disciplining and educating youth.

In the Middle Ages and in most of the Colonial era, legal assumptions were made about young people that mirrored the idea that young people were not that different from adults. The English common-law tradition that was employed focused upon whether youth were capable of *mens rea*, or having the guilty mind needed to preplan an act of wrongdoing. Once again, the 7-year mark was seen as an important one. Generally speaking, individuals under 7 years of age were seen as too young to be able to rationally plan an act of harm in advance. But once people turned 7, their capacities for such forethought and planning were debated. This held true for all individuals between 7 and 14 years of age; they were assumed not to have the capability to plan a crime, but exceptions were made to that assumption on a case-by-case basis. (An age

The development of the printing press brought about a major shift in many societies' ideas about childhood and the needs of young people.

Daniel Maclise

within this period that was considered important was 10.5 years of age—before that, it was deemed less likely that a youth would be a rational planner, but after that, it was seen as more likely.) After individuals turned 14, they were considered to be basically adults and were held to have the same abilities to reason and make decisions, and to have a brain mature enough to harbor a guilty mind.[14] There were no medical technologies available at that time to measure physiological development accurately, so that assumption went largely unquestioned. Over the course of this time in history, juries were very wary of convicting white youth and sending them to jail with adults, because the jurors believed they would simply be dooming these youth to lives of crime. One critic of this approach in the early 1800s, John Pintard, embodied this common sentiment in his description of prisons as a place where "little Devils are instructed to become great ones and at the expiration of their terms turn out accomplished villains."[15] The same concerns about the corruption of youth did not hold true, however, for Black youth, who were "overcriminalized, adultified, and dehumanized in the criminal courts and prison systems of early America."[16] As we demonstrate later in this chapter, judges and juries have treated youth of color much more harshly than white youth throughout the course of U.S. history.[17]

SHIFTING IDEAS ABOUT YOUTH AND DELINQUENCY IN THE EARLY "CHILD-SAVING" ERA AND THE INDUSTRIAL REVOLUTION

As society began shifting from an agrarian to an industrial economy, a shift in ideas about youth followed. The development and spread of the printing press inspired a major transformation in the idea of what it meant to be a child or an adult, which gradually established a stronghold between the 16th and 18th centuries.[18] Once the printing press was put into use, an assortment of books, newspapers, and other materials were printed. The mainstream of society suddenly had access to a wealth of ideas, but people's access to these ideas depended on their ability to read. It takes time to learn to read, and thus adults began to recognize that young people needed time to do so. Parents who were literate began teaching their children at home or enlisting the help of neighbors to teach their children. The initial efforts to create schools in which children received a more formalized education began during this period, but at that point, schools did not separate students into different classes by age; they were all included in the same classroom. Children generally did not attend school consistently because they had to balance school and work. Yet a shift away from seeing children as mini-adults early on in their lives was clearly under way because of the perceived need for formalized education. In addition, the loosening of informal controls that came from urbanization and industrialization changed the habits of working-class youth in ways that were visible and that garnered attention by the media. For example, a newspaper article from 1791 in Philadelphia, Pennsylvania, noted,

The custom of permitting boys to ramble about the streets at night, is productive of the most serious and alarming consequences to their morals. Assembled in corners, and concealed from every eye, they can securely indulge themselves in mischief of every kind.[19]

As more youth from the lower social ranks began spending time on the streets, adults from privileged social classes became concerned about the number of youth who appeared to be without adult protection. The concept of juvenile delinquency began to take a particular shape at this time. As Mennel explains, "Thus, during the eighteenth century, juvenile delinquency slowly ceased to mean a form of misbehavior common to all children and became instead a euphemism for the crimes and conditions of poor children."[20]

In order to address what some saw as serious social problems, large-scale organized efforts to address the issue of neglected and abandoned youth, as well as delinquent youth, were undertaken by religious and social reformers, such as those associated with the Religious Society of Friends (commonly known as the Quakers). Beginning in the 1820s, a number of different institutions were created in the United States to provide youth with the discipline that founders believed they were no longer experiencing in their own families, to keep youth out of adult prisons, and as a means for reformists to deal with what they perceived as the negative aftereffects and threats posed by immigration,[21] which they framed primarily as an issue of begging or pauperism. The institutions that were created included almshouses or "poor farms," in which poor children and adults were housed; asylums, farm schools, and labor schools for homeless and/or delinquent youth; and **houses of refuge** that were assigned by state and local courts to take in youth ruled to be in need of care (dependent or neglected children) or deemed delinquent or predelinquent. It is important to note that youth labeled as either poor or in need of discipline were treated as one and the same in these institutions, conceived of as a means for "saving" youth who had not yet been fully corrupted.[22] These institutions were aimed at teaching youth the value of hard work and individual responsibility, typically by means of religious and moral instruction. The development of the first houses of refuge in New York (1825), Boston (1826), and Philadelphia (1828) was followed by the opening of many other such institutions in the Northeast and Mideast in the years prior to the Civil War.[23]

The superintendent of the Chicago Reform School annually wrote reports about the state of the boys who were part of the institution. In this report, he included a number of tables that addressed a variety of topics, such as those in Table 2.1, in which he enumerated what he saw as the causes of each boy's history of delinquency. Some of his categories are still used today. A few are indicative of the period in which he wrote. We would not, for example, expect to see the categories "naturally ugly"

TABLE 2.1 ■ Hypothesized Causes of Juvenile Delinquency (in 1859)			
Intemperance of parents	**91**	**Half-orphans**	**25**
Bad company	33	Cruelty of parents	14
Want of parental control	24	Bad occupation	31
Orphanage	48	Bad home	21
Parental neglect	33	Truancy from school	13
Stepparents	9	Familiarity with vice	13
Hereditary criminality	10	Squalid poverty	6
Naturally ugly	193	Love of a wandering life	9
Love of strong drink	0	Idleness	12
Improper recreations	6	Total number included in this table	428

Source: Nicols, D. B. (1970). Fourth annual report of the officers of the Chicago Reform School . . . for the year ending September 30, 1859. In W. B. Sanders (Ed.), *Juvenile offenders for a thousand years: Selected readings from Anglo-Saxon times to 1900* (pp. 395–397). University of North Carolina Press.

Note: Table shows the probable cause of delinquency as ascertained from the facts of the inmates' previous history.

(which he used the most), "hereditary criminality," and "love of a wandering life" utilized by administrators dealing with youth today.

Once a large number of children in society were deemed in need of special care, there was an accompanying shift in the ways in which reformers characterized their parents as well. Typically, the characterization was that the parents of the children in the institutions were lazy, incompetent, or otherwise deficient human beings. Oftentimes parents wanted their children removed from an institution, but they met with resistance in legal justification rooted in *parens patriae*, the concept that in some cases, the state is justified to step in and serve as a substitute parent. In the precedent-setting case of *Ex parte Crouse* (1838), the Pennsylvania Supreme Court refused to let the father of Mary Ann Crouse remove her from a house of refuge:

> The object of charity is reformation, by training its inmates to industry; by imbuing their minds with principles of morality and religion; by furnishing them with the means to earn a living; and above all, by separating them from the corrupting influence of improper associates. To this end, may not the natural parents, when unequal to the task of education, or unworthy of it, be superseded by the *parens patriae*, or common guardian of the community?[24]

Youth placed in houses of refuge were subject to days full of moral and religious training and a great deal of labor. Boys would make goods such as shoes, nails, or furniture, and the folks running the houses of refuge would receive small sums of money from contactors for the labor of each boy who helped them run the institution.[25] Children were often placed in apprenticeships outside of the institution; boys were placed on farms away from the city, on whaling or merchant ships, and with tradespersons, and for girls, the only type of apprenticeship deemed acceptable was to be indentured as maids. All these practices separated youth from their families and worked to weaken the bonds formed by everyday interaction; sometimes parents were not even notified where their children were sent.[26] Although the institutions were touted as places of treatment and labeled as houses of refuge, scholars of these institutions note that sometimes little actual refuge was found, and instead youth were often subjected to abusive conditions, a lack of adequate food and water, and essentially prison-like conditions.[27]
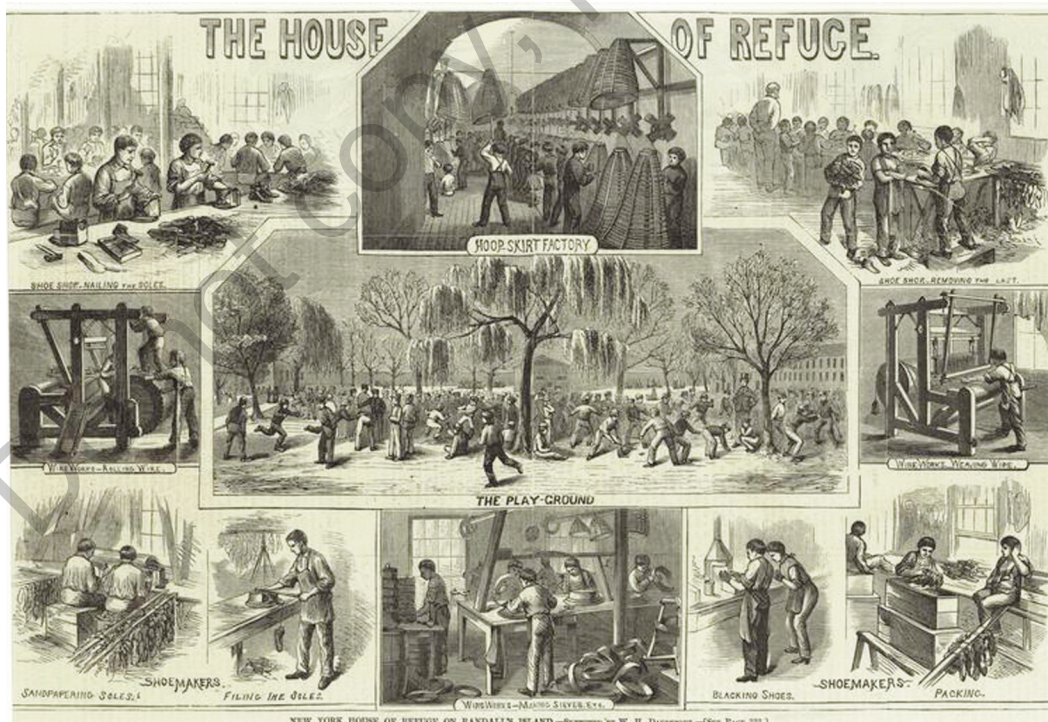
Although the stated intent behind houses of refuge was to positively influence young people through discipline and labor, scholars today note that the outcomes of institutionalization were often negative ones.

New York Public Library

The development of houses of refuge and other institutions was driven by different ideas about white male youth and white girls, as well as of youth of color in general.[28] Those who ran institutions treated youth of color and girls as inferior beings.[29] For example, during the years of slavery in the southern United States, Black youth who misbehaved were disciplined within that system, and the delinquency of white youth generally was ignored.[30] Black children in free states were generally not admitted to the houses of refuge, but in the cases in which they were, they were segregated and treated as less important than the white youth.[31] Unlike the shift in ideas of youth that white youth experienced in the early 1800s, Black youth were still treated as virtual adults and were typically housed in adult prisons.[32] Not until 1850 was a house of refuge designed specifically for Black children created, the House of Refuge for Colored Children in Philadelphia, Pennsylvania. As Frey explains, there were racialized and classed motives behind its construction:

> Since reformers believed that early habit formation of a child could make him into either a good citizen or a criminal, and since they believed that the earlier a child was admitted to the House of Refuge, the better were his chances for reformation, it follows that they also believed that the early admission of Black children to such an institution could transform these children from potential criminals into law-abiding citizens who would accept the white, middle class values of the Managers.[33]

White girls of this period were not placed into institutions as frequently as white boys were, but when they were, it was often because they were judged to be "fallen women" who were engaging in sexual behavior,[34] behaviors that were generally ignored when engaged in by boys. Gendered notions of what it was to be a girl made it a commonly held perception (arguably still held by many today) that girls were weaker and more vulnerable to temptation than boys. Some went as far as to say girls and women needed to be watched over more closely than their male counterparts because they were innately more sinful. Based upon these presumptions, reformers thought it was important to intervene in suspected girls' lives as early as possible and to watch over them for as long as possible.[35] Girls of poor and working-class European immigrant families were considered much more likely to be delinquent and were more likely to find themselves in an institution than native-born white girls.[36] When girls were put into institutions with boys, they were segregated within the institution. In 1856, the first reform school specifically for girls, the Lancaster Industrial School for Girls, opened in Massachusetts. It housed delinquent girls from 7 to 16 years of age. After a girl in the school turned 16, she was indentured to serve a family outside of the institution until her 18th birthday.[37]

Large-scale shifts in society came to the United States with the advent of the Industrial Revolution. Most notable the development of machines and technology that changed the economic base of the society from agricultural to industrial and a significant rise in the rate at which people were immigrating to the United States. People were needed to work in the factories that had been established, and the labor force began shifting away from the fields and farther from home. As capitalism took hold, opportunities for wage labor unrelated to the apprenticeship system multiplied. Requirements for factory labor were not high, and a young person could obtain a job quite easily. Over a million children between the ages of 10 and 15 were workers, according to the 1880 census.[38]

CENTERING (SOME) YOUTH AS IN NEED OF PROTECTION: THE CREATION OF ADOLESCENCE AND JUVENILE COURTS

The predominant social construction of what it meant to be young during this period was in transition. In the late 1800s, the concept of adolescence began to be utilized as an extended period of childhood.[39] Adults began to consider children as delicate people in need of protection and began organizing their family lives in a way that focused on their home and their immediate family. This conceptualization was at odds with child labor, a practice that involved low-income and immigrant youth who were forced to work to help their families make ends meet. Movements for social change gained momentum

as activists, often middle- and upper-class white women and men, considered how to best address the role of youth in society's institutions and to spread their ideals about childhood and parenting in light of the challenges being posed by modernization, immigration, and the rise of technology.[40] Their actions became known as those of the Progressive movement, a social movement that began in roughly the 1890s and lasted until the beginning of World War I in 1914 and one in which reformers believed that they could utilize the expert knowledge provided by science to improve society. In order to protect youth and to allow them a longer period to develop and to be nurtured into well-rounded adults, reformers successfully campaigned for mandatory, and eventually age-graded, public schooling, which was put into effect by most northern and midwestern states by 1900,[41] and for child labor laws that resulted in the establishment of minimum age requirements for jobs and restrictions on the number of hours that youth could work. These changes were attempts to force parents to exclude their children from contributing in any significant way to the economic stability of their families and to take what were seen as adult responsibilities out of the hands of youth.[42]

The general child-saving movement primarily focused on white children as vulnerable and in need of saving. At the same time, white reformers generally saw children of color in a different light, as inferior and more culpable than white children. For example, in California, boys in reformatories were subjected to standardized testing that did not take into account familiarity with the English language or the cultural norms informing test questions.[43] As a result, many Latino and Black youth were labeled as "feebleminded," and staff recommended that they be sterilized so as not to pass on their defective traits to offspring.[44] Youth of color typically were not included in the special juvenile institutions that were created for white youth. As a result, Black child savers stepped in and worked to create institutions to care for these young people.[45] Eventually, in some states, government officials created segregated reformatories with different policies and rules. For example, in Maryland, during the 100-year period that there were segregated reformatories, Black youth were heavily policed and punished while white youth were cared for and nurtured.[46]

The idea of adolescence reinforced ideas about youth and delinquency that had been developing over the course of the 18th century. The psychiatrist who coined the term *adolescence*, G. Stanley Hall, stated, "A period of semicriminality is normal for all healthy boys . . . those whose surroundings are bad will continue it, but others will grow away from it as they reach maturity."[47] The idea that youth were redeemable and that minor acts of delinquency did not doom an offending youth to a life of crime fueled reformers' desires to address youth misbehavior in new ways. The houses of refuge, reform schools, and industrial schools established until that point began to be criticized by observers in light of acts of violence and abuse exposed there.[48] Reformers became less enthusiastic about the ability for these institutions to be the primary means of shaping wayward youths' behavior and began campaigning for a more substantial change—the separation of the adult and juvenile justice systems.

The first juvenile court was created in 1899, in Cook County, Illinois, and it marked one of the most important historical changes in the treatment of juveniles. By 1925, all but two states had established their own juvenile courts.[49] We will examine the common characteristics of the various state juvenile justice systems that were developed near the turn of the 20th century in detail in the last section of the book. For now, it is sufficient to note that the development of the juvenile court was predicated upon the notion that youth are markedly different from adults and that they are developing and are in need of protection by and from adults. The first court employed a rehabilitative philosophy, the idea that children who had engaged in misbehavior could be influenced to change their behaviors to more socially acceptable ones. **Rehabilitation** was a popular philosophy during the Progressive Era, and it was linked to the acceptance of psychological and sociological theories of crime and delinquency at that time—theories that located the reasons for misbehavior not as purely rational choices for which the offender was fully responsible but as factors outside of the conscious control of the actor. In other words, if physical, psychological, and/or social factors were related to the creation of delinquency and crime, they could be scientifically identified and then changed or eliminated (see also Chapter 11).

A FOCUS ON RESEARCH

SHEDDING LIGHT ON THE BLACK CHILD SAVERS: GEOFF WARD, VERNETTA YOUNG, AND REBECCA REVIERE

The role of Black women in the child-saving movement has historically been underexamined.

Granger

Geoff Ward's book, *The Black Child Savers: Racial Democracy and Juvenile Justice* (2012), examines a gap in the sociohistorical analysis of the child-saving movement that occurred at the turn of the 19th century, as well as the greater omission of discussions of race that characterizes most scholarship on the history of juvenile justice. He explains that whiteness has long been centered in juvenile justice practices and studies: "White adults controlled juvenile justice systems, and those systems were typically reserved for white youths, denying nonwhite youths and adults equal recognition, opportunity, and influence."

Ward builds on the groundbreaking work of Vernetta Young (1994) on the underexamined role of the Black child-saving movement and the inequitable treatment of Black youth during the Progressive Era. He finds that Black people were vital to efforts that started in the late 1800s to stop stereotyping Black youth as adult criminals and sending them to adult prisons as punishment. Ward explains that the Black child-saving movement began in the southern United States and spread to the North and to the West. Unlike their white counterparts who were often part of the existing power structure, Black child savers, by virtue of institutionalized racism, had a much bigger challenge at hand in their efforts to bring about the humane treatment of Black youth in the juvenile justice system.

As outlined by Young in her original study on the topic (and in her later 2015 study with Rebecca Reviere), Black women's social clubs had been heavily involved in opposing the unequal treatment and disregard of Black youth since the late 1800s. The clubs' members came from all walks of life, ranging from day laborers and domestic workers to highly educated social workers, educators, and administrators. The women worked hard to keep Black youth out of the adult criminal justice system and paid extra effort on behalf of girls. Young and Reviere explain that given the racism, sexism, and classism that these Black organizers faced, it is amazing that they were able to persevere in their efforts. It may have been the "Progressive" Era for white people, but for Black people who were under Jim Crow laws and threats such as lynching, it was anything but. Despite this, Black women successfully worked to create institutions for children of color in numerous states,

including Alabama, Delaware, Florida, Illinois, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

The scholarship of Geoff Ward, Vernetta Young, and Rebecca Reviere shows that mainstream accounts of juvenile justice history have not fully included the contributions of people of color.

For your discussion: What subjects related to race, juvenile delinquency, and juvenile justice do you think may be underexplored? Why do you suspect this is the case?

Sources: Ward, G. (2012). *The Black child savers: Racial democracy and juvenile justice* (p. 3). University of Chicago Press.

Young, V. (1994). Race and gender in the establishment of juvenile justice institutions: The case of the South. *Prison Journal, 74*(2), 244–266.

Young, V., & Reviere, R. (2015, Summer). Black club women and the establishment of juvenile justice institutions for colored children: A Black Feminist approach. *Western Journal of Black Studies, 39*, 102–113.

The stated purpose of the juvenile court was to address the needs and behaviors of youth who had allegedly misbehaved (delinquent youth) and those who were in need of care because they had been neglected, abandoned, or abused (dependent and/or neglected youth). In order to distinguish between the juvenile court and the adult court, a completely different language for every stage in the process was created—cemented in an idea that had been percolating for some time: that juvenile *delinquents* should not be equated with adult *criminals*.[50] It served as response to arguments made by parents of youth institutionalized indefinitely in cases such as that of Mary Ann Crouse, discussed earlier, and made it so youth could have their time in court. Scholars have cautioned against looking back on the child savers' creation of the juvenile court as a purely benevolent or kind move as the operation of the courts favored white boys who were thought to have the potential to be reformed and molded into valuable citizens, unlike girls of all races and boys of color.[51] In addition, the juvenile courts made it possible for the state to intrude upon family life in ways that were previously never allowed, and juvenile court actors created a whole other category of offenses known as status offenses (acts labeled inappropriate for youth, simply because of their age, such as drinking alcohol, running away from home, truancy, and walking outside at night; see also Chapters 1 and 6) that expanded the number of youth who would one day find themselves wrapped up in the juvenile justice system.

MODERN VIEWS OF YOUTH AND DELINQUENCY

The views about youth upon which the juvenile court was based were not questioned in any substantial way until the 1960s.[52] The 1960s were a time of a rise in the teenage population as the large population of children born after World War II (i.e., the generation known as the baby boomers) entered adolescence. This generation garnered quite a bit of attention and, as a subset, experimented openly with drugs, protested against social and legal institutions, and rose up against the status quo. The group's actions were often tied to the many movements for social change that had grabbed the attention of the public during this period of U.S. history. Large numbers of people had become active in social movements such as the civil rights movement, the peace movement (also known as the anti–Vietnam War movement), and the feminist movement, all of which shared concerns about legal fairness and equality.

The creation of juvenile courts at the turn of the 20th century marked a new era in how youth were dealt under the law.

Lewis Wickes Hine, Library of Congress Prints and Photographs Division Washington, DC.

Urbanization had resulted in racial and ethnic diversity in major cities and increased attention to the legacy of discrimination that remained even after the abolishment of segregation in 1954 and other Jim Crow laws (laws that allowed for a two-tiered social system in which Black Americans were disadvantaged) with the 1964 Civil Rights Act. Frustration with racism and classism led to several uprisings as people became more conscious of the injustices that they faced. There were over 164 of these uprisings or "race riots" in just the first 6 months of 1967, along with protests at college campuses across the country.[53] These events brought social tensions to public awareness, and it became apparent that the U.S. justice system was seen by many to target communities of color and the poor and working class. Less discussed, but present as well, were the numerous ways that juvenile justice courts and detention centers were used to deviantize and abuse LGBT youth and to attempt to "cure" them of their sexual orientation and/or gender identity through rehabilitation programs.[54] Others were threatened by the social unrest and were looking to get tougher on juvenile misbehavior. As we will examine in Chapter 11, this era marked the beginning of a due process revolution in which young people who were accused and/or adjudicated delinquent gained additional legal rights.

The treatment of the subject of youth and delinquency has had a long history, full of twists, turns, and repetitions. In contemporary society, adults portray youth in two fundamentally different ways:

> Children play a dual role in terms of innocence and brutality, protection and control. We can justify excess in protecting children, and increasingly, we can excuse excess in punishing them, particularly—and paradoxically—if extreme sanctions will protect the innocence of children.[55]

In the last decade of the 20th century, following the well-publicized school shooting in Columbine, Colorado, media sources increasingly spread the message that youth were often more frequently people to be afraid of, rather than people to protect.[56] In keeping with our historical past, Black and Brown youth, particularly young men, were characterized as people law-abiding adults should be afraid of and protected against.[57] Girls, although not seen as quite as threatening as their male counterparts, were also the objects of heightened concern, as claims that they were getting out of control—joining gangs, acting like boys, and being overtly assertive and violent—were publicized.[58] LGBT youth were demonized and abused by the public and in juvenile institutions by adults who were charged with protecting them.[59] These messages about youth have not disappeared in the 21st century. As Henry Giroux explains, "Put bluntly, American society at present exudes a deep-rooted hostility and chilling fear about youth."[60]

Despite the widespread fears about youth that persist, we can look at many of the Supreme Court decisions made in the early 2000s (as we will in Chapter 11 of this book) and see that the justices used the same social characterization of young people who engaged in delinquency that Progressive reformers did over a century ago—as people who are developing mentally and socially, deserve time to do so, and can redeem themselves in light of any mistakes that they make during their childhood and adolescent years. Although in the 2020s, we see small signs that this shift may not be lasting, it is important to acknowledge that when based in science, ideas about children, adolescents, and delinquency are at least partially distinct from those about adults and criminal behavior.

FROM THE CLASSROOM TO THE COMMUNITY

YOUNG WOMEN'S FREEDOM CENTER—"BRINGING DIRECTLY IMPACTED YOUNG WOMEN AND TRANS YOUTH OF ALL GENDERS FROM THE MARGINS TO THE CENTER"

Young Women's Freedom Center (YWFC) has built upon insights from cutting-edge and critical explorations of youth justice issues for the past three decades. As explained on their website, the center was founded in the early 1990s in San Francisco. Members have been actively involved advocating for Black and Brown girls and trans youth who have experienced institutionalized oppression and violence inside and outside of juvenile justice systems and draw upon their own experiences to fuel social change. YWFC expanded in 2018 and 2019 and now has three additional branches based

in Oakland, Santa Clara County, and Los Angeles, California, and 14 chapters across the United States.

YWFC's mission distinguishes it from many organizations due to its emphasis on sharing power and letting youth be where they are literally and figuratively:

Mission: To build the power and leadership of directly impacted young people and inspire them to create positive change in their lives and communities.

We meet young people where they're at: on the streets, in jails and detention centers, and in the neighborhoods and communities where we live.

Together, we build our personal and collective power, heal from trauma, advocate on behalf of ourselves and each other, and gain access to education and work to transform the conditions, systems, and policies that lead to intergenerational cycles of violence, incarceration, and poverty.

Their vision for a way forward is also grounded in transformative justice and is stated as, "A world in which all young women and trans youth of all genders have the support they need to recognize and end all forms of oppression, to heal, and to live self-determined lives."[61]

Branches of YWFC invest in youth, advocate and organize with and on behalf of youth, and host a research institute. To invest in youth, YWFC provides them with resources, training, and employment opportunities to help strengthen their financial stability and autonomy. YWFC's advocacy and social movement organizing revolve around diverting youth from harmful juvenile system involvement and incarceration, reducing probation's involvement in youths' lives, keeping families together, and advocating for positive legislative and policy changes. Their Freedom Research Institute centers the voices of people who were negatively system-impacted as children and teens and uses that knowledge to advocate on behalf of community programs and policies that truly address youths' needs. As Jessica Nowlan summarizes, "We need to resource communities and allow folks to step into the solutions and resilience and brilliance that is already there. That is what the Center does."[62] As someone who was able to develop her own potential at the center 20 years prior to becoming executive director of YWFC, she has firsthand knowledge of its groundbreaking approach.

For your discussion: Are you aware of any groups in your region that value system-impacted youth and put their experiences at the center of their work? If so, what are they? If not, look online to see if you can discover some and take notes on their mission, methods, and goals.

Sources: Satterberg Foundation. (2022, February 10). *Grantee partner stories: Young Women's Freedom Center: Sparking brilliance.* https://satterberg.org/young-womens-freedom-center/

Young Women's Freedom Center. (2022). *Bringing directly impacted young women and trans youth of all genders from the margins to the center.* https://youngwomenfree.org/

MORAL PANIC ABOUT YOUTH AND THEATER, BOOKS, FILMS, MUSIC, AND VIDEO GAME CONSUMPTION

Now that we have taken an in-depth look at some of the major changes in the way that youth and juvenile delinquency were defined historically prior to the development of the juvenile justice system, it is revealing to look at some of the accompanying **moral panics** or scares about delinquency that have occurred over the course of U.S. history.[63] These scares typically share a number of elements: The news and/or entertainment media spread exaggerated information about the prevalence and seriousness of delinquency and/or an alleged source of juvenile delinquency in the community, interested community members pick up on the information, and attempts are made to fuel some sort of change or reform to the system. Regardless of whether any meaningful change is accomplished, the particular characterization of the juvenile delinquency problem tends to fade away and subsequently reemerges in another form.[64] What is interesting about these scares is that they often involve competing images about youth simultaneously: the idea of youth as vulnerable and impressionable and the idea of youth as mini-adults ready to pounce on any opportunity to engage in something dangerous.

These panics not only are fueled by the stories about delinquency *generated by* media sources, such as television shows, news stories, and print journalism, but also by adults' concerns that the *consumption and/or use* of media and leads to delinquency. In this section of the chapter, we focus on some of the
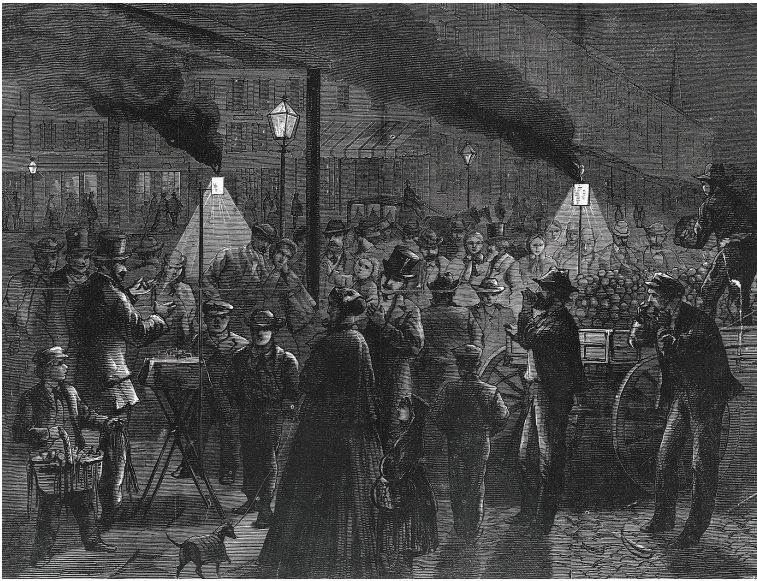
In the Bowery district of New York, sometimes hundreds of kids would go out at night to dime museums and theaters.

Chronicle/Alamy

means of communication and entertainment that have grabbed the attention of politicians, scholars, newsmakers, and the public because of their alleged links with juvenile delinquency. There have been other sorts of scares related to juvenile delinquency as well; scares about youth drug use and are also popular and discussed in Chapter 10 of this book.

When we examine these historical panics about delinquency and popular culture, it helps us place current moral panics about delinquency in the proper context. Then, when we consider, for example, heightened concerns about the effect of Internet use on youth delinquency in the 21st century, we can attempt to be more objective about the issues at hand. Are such concerns deserving of serious attention, or are they simply the result of overzealous adults targeting a trend because it is popular with young people or because they misunderstand it?

Some of the first scares about the influence of music and the arts came early in the history of the United States. In the late 1700s, there was a burgeoning concern about the dangers of "explicit" songs and photos as inspirations for juvenile delinquency, as explained in the words of an English doctor of the time:

> Even ballad singers and street musicians are useful in their spheres to promote vice. . . . Observe who listen to and buy those lewd ballads, you will find that young people of both sexes, particularly apprentice boys, servant maids, and gentleman servants, are the purchasers. They read them with the greatest avidity, and thereby poison their morals, by affording them fuel to their turbulent passions.[65]

The concerns about music and photography were followed with a related concern—acting and drama and their purported negative influence upon youth. The concern was that youth would be corrupted not only by watching acting but also by engaging in acting. An administrator in the Philadelphia House of Refuge described his perception of this threat:

> A new source of juvenile corruption has been opened in the city, which deserves to be noticed. They allude to what for want of a more appropriate phrase may be called children's theatres . . . the actors and the audience are minors of both sexes, though it is supposed that the whole is under the direction and for the benefit of adults. They are established in obscure places, the price of admission is low, and there is unlimited license in them for every sort of vicious indulgence.[66]

In the Bowery district of New York City in 1882, a child welfare investigator stated that on a single night, he observed hundreds of unsupervised children at one of the local theaters. He estimated "at least 200 children between 7 and 10 years of age, 500 under 14" went to Volk's Theatre and was alarmed at the possibilities for delinquency there and in other similar venues.[67] When street kids, including newsboys (and a few girls) and bootblacks, founded their own theater, the Grand Duke's Opera House, in a cellar, there was a panic that this attempt at the arts would only fuel debauchery among the youth[68] (rather than keep them out of trouble as we would probably assume today).

In the early decades of the 1900s, there were concerns about all forms of media as delinquency instigators. Dime novels, small, cheap books that tended to have extreme plots full of action, were thought to be full of bad ideas that would tempt young people into wrongdoing.[69] As one delinquency theorist of the time noted, "It is not unknown to find counterfeiting and even murder springing from bad reading."[70] The "flaming youth" era of the silent films of the 1920s and the "talking films" of the 1930s were seen by some adults as providing youth with easy exposure to provocative and dangerous

ideas.[71] During this period, a lot of negative attention was focused on jazz music as well. Magazine articles with titles such as "Does Jazz Put the Sin in Syncopation?" were written as a means of raising awareness about the dangers of jazz.[72] The music form was accused of bringing out evil in the listener. Jazz dancing and jazz music were considered dangerous for the youth, and part of the concern was rooted in racism because jazz was closely associated with Black musicians. Claims about jazz and delinquency typically had the following tone:

> Anyone who says that "youths of both sexes can mingle in close embrace"—with limbs intertwined and torso in contact—without suffering harm lies. Add to this position the wriggling movement and sensuous stimulation of the abominable jazz orchestra with its voodoo-born minors and its direct appeal to the sensory center, and if you can believe youth is the same after this experience as before, then God help your child.[73]

Communities across the country passed laws prohibiting jazz music in public dance halls as a result of this scare.

Another mass medium began getting a lot of attention in the 1930s and 1940s and in the 1950s reached a peak in terms of the popular attention it was given as a possible source of the corruption of youth.[74] This source of fear was the comic book. Comic books were thought to be very influential during the early 20th century, and by the 1950s, all sorts of comics were being printed weekly—those considered relatively innocent, such as *Donald Duck* and *Archie*, and then a variety of others that raised the concern of many adults, such as comics having to do with romance, crime, and horror. (*Tales From the Crypt* was one that garnered quite a bit of negative attention in the horror genre.) J. Edgar Hoover used comics to advertise the crimefighting of the Federal Bureau of Investigation, but by the 1950s, the main concern discussed among social scientists, government officials, law enforcement agents, and members of the Catholic Church was that comic books were being used as tools to learn how to commit acts of delinquency and crime. These comic books, along with other media, were the focus of a series of televised congressional hearings on the causes of juvenile delinquency in 1954 (known as the Kefauver hearings for one of the senators who helped lead them). Ultimately, a rating system for comics was put into place as a result of these concerns, the Comics Code Authority, and comic books stamped with approval were ones deemed safe for young people to read.[75]

Music continued to be targeted throughout the decades as a cause of delinquency—in the 1950s with rock music and worries about the influence of a gyrating Elvis Presley—and in the 1960s and 1970s with concerns over "hippies" and the influence of groups such as the Grateful Dead. In the 1980s and 1990s, more scares about music entertainment garnered attention. This time, the concern was not with jazz or mainstream rock music but with heavy metal rock music and rap music.[76] The concern with heavy metal music occurred in the mid-1980s, and at its root was the idea that its lyrics might corrupt youth. Indicative of this argument was that the "lyrics glamorize drug and alcohol use, and glorify death and violent rebellion, ranging from hatred of parents and teachers to suicide—the ultimate act of violence to oneself."[77] In 1985, the issue of what was called "porn rock" was investigated by the U.S. Senate, and the Parents' Music Resource Center (PMRC), a group led by women who were tied to the political power structure in Washington, D.C., at the time (e.g., Tipper Gore, who was married to Senator Al Gore, and Susan Baker, who was married to Treasury Secretary Al Baker), was asked to participate in the hearing. A psychiatrist working with the PMRC claimed that

> the individual identified in the newspapers as the Night Stalker has been said to be into hard drugs and the music of the heavy metal band AC/DC. . . . Young people who are seeking power over others through the identification with the power of evil find a close identification. The lyrics become a philosophy of life. It becomes a religion.

The PMRC also claimed that listening to heavy metal music would lead children to violence against others: teachers, parents, and women.[78] They claimed that a good deal of heavy metal music was linked to Satanism, and worship of the devil would certainly lead teenagers to nothing but negative behavior. According to their argument, youth needed to be protected from the threats posed by such music. Many record companies began to put parental advisory stickers to signify explicit lyrics on albums that same year.

Panics over the effects of playing video games on youth violence have been common since the 1990s.

CasarsaGuru/iStock

Beginning in the early 1990s, delinquency and crime became associated in the mainstream media with rap music. As Binder explains, the concerns about rap music immediately were framed differently than those around the predominantly white genre of heavy metal music—rap and rap listeners were almost always characterized as a danger to society.[79] When the PMRC or others voiced concerns about rap music's effect on youth, they tended not to ever voice concern about the young men of color who might be "corrupted" by the lyrics, as they did with heavy metal, but instead considered the threats these young men might pose to others in society in the form of hanging out together and possibly raping women or threatening others.[80] A particular form of rap, "gangsta rap," became popular in the early 1990s with groups such as N.W.A. and rappers such as Snoop Dogg and Dr. Dre at the top of music sales. These rappers garnered a lot of negative attention from concerned adults because of their songs' explicit lyrics, gang references, and use of violent and sexist language.[81] The concern was once again that the music would provoke delinquency, but delinquency on the part of young men of color, particularly young Black men, was at the crux of the uproar. This concern has remained until the present day. In fact, despite all the concern about rap music in the 1990s, it was not until 2007 that a congressional subcommittee conducted a hearing on the issues of language and violence in rap music. Lawmakers quoted rapper 50 Cent's lyrics and analyzed the role of the explicit music on young listeners.[82] In the 21st century, concerns about the dangers of some forms of cultural consumption, such as listening to electronic and other forms of music at raves, are not always characterized by moral outrage; instead, they are highly bureaucratized efforts at "quiet regulation."[83] Despite the different form of claims-making present in these regulatory efforts, like moral panics, they ultimately facilitate the social control of media and cultural forms, as well as their consumers.

LOOKING AT POPULAR MEDIA

TIKTOK CHALLENGES—INSPIRING HARMLESS YOUTH (MIS)BEHAVIOR OR SERIOUS DELINQUENCY?

In the early 2020s, TikTok challenges are inspiring many young people to film themselves engaging in norm-breaking, difficult, and/or funny activities and to post their short videos on the app. Although many adults see these challenges as inspiration for relatively harmless pranks, others see them as crossing the line into the realms of delinquency and crime.

The challenges themselves may be relatively innocuous, but they have some harmful effects. In the Door Kick Challenge or Door Knock Challenge, youth were encouraged to kick or knock on doors twice to the drumbeat of a song by Kesha, "Die Young." This challenge seemed relatively benign until elders were being frightened by teens kicking in their doors thinking they were breaking into their homes.[84] In the Bathroom Challenge or Devious Licks Challenge, students filmed themselves damaging and sometimes stealing items from school bathrooms, such as light fixtures, faucets, and soap and paper towel dispensers. In states across the United States, school administrators and law enforcement agents quickly labeled these behaviors as vandalism and theft.[85] The Orbeez Challenge motivated some TikTok users to shoot strangers and unsuspecting people with Orbeez gel pellet guns. Although they came from a toy gun, the pellets hurt people in multiple ways—causing physical damage and scaring people who thought they were victims of actual shootings.[86, 87] In

addition, adults across the country raised concerns that shooting drivers and bicyclists increased the risk of accidents, was dangerous, and constituted a crime.[88]

As a result of the uproar about children's participation in social media challenges, TikTok administrators have posted information about assessing challenges and added a warning to the app. They encourage users to stop after they see a challenge that may have disturbed them, think about what could have happened and speak to others about it, refrain from doing challenges that are risky or harmful, and report potentially harmful challenges to TikTok administrators.

For your discussion: Think about these TikTok measures: Are they enough to stop kids from taking part in these challenges? Why or why not?

Sources: 12 News. (2022, March 23). 4 Arizona teens accused of shooting gel pellets as part of Orbeez challenge. WMAZ. https://www.13wmaz.com/article/news/crime/4-arizona-teens-facing-criminal-charges-for-dangerous-tiktok-challenge-march-2022/75-32486c50-fbda-4f35-95a3-9dccb1f773a9

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Galvan, A. (2022, April 18). 2 children shot with Orbeez in Sioux Falls, police say. *Sioux Falls Argus Leader.* https://www.argusleader.com/story/news/crime/2022/04/18/orbeez-shootings-happening-sioux-falls-police-say/7357119001/

Another moral panic about media effects on youth occurred in the 2000s, and this panic was focused on playing video games or "gaming." Although video games played at home on a TV or computer have been popular since the 1980s, the concern about violent or sexually suggestive video games and their effects on youths' behavior did not become a major concern until the 1990s. In 1992, a video game called *Night Trap* ignited the fears of many adults who misconstrued its content as gratuitous violence that could lead to aggression among the youth who played it, particularly boys. Uproar over the concern led to another set of congressional hearings on offensive video game content, and ultimately, by 1994, the video game industry began a rating system to indicate which games were appropriate for which age groups. Despite this "solution," adult concern over violent video games as a gateway to violent acts of delinquency continued. In the 2000s, the games became increasingly realistic due to sophisticated technology. Claims that playing games such as *Grand Theft Auto*, which has three-dimensional graphics and players who assume roles as characters who engage in virtual crimes, led teenagers to engage in such acts themselves began being heard in courtrooms across the United States. Politicians led the charge yet again against the video game industry in an effort to protect youth gamers. In 2010, California, following several other states,[89] attempted to pass a law stating that "extremely violent video games" could no longer be sold to minors. The U.S. Supreme Court in *Brown v. Entertainment Merchants Association* (2011) agreed with a lower court that ruled that the law was unconstitutional.[90] The majority decision made reference to the many moral panics about delinquency and youth that had come prior to the violent video game scare before claiming that such a restriction violated the right to free speech.

In December 2012, the shooting of 20 children and six staff members at Sandy Hook Elementary School in Newtown, Connecticut, renewed interest in the effects of violent video games on youth and young adults. The 20-year-old shooter, Adam Lanza, was barely out of his teenage years when he shot his mother at home, took three of her guns, and went to Sandy Hook Elementary to commit a mass shooting and then killed himself.[91] Some news stories that followed the tragedy claimed that Lanza spent a lot of time playing violent video games, like *Call of Duty*, in his basement.[92] Although these claims were ultimately disputed, public concern about violent video games gained

international attention as the vice president of the United States, Joseph Biden, met with gaming industry executives to encourage them to think twice about the promotion of violence for entertainment.[93] Legislation was proposed in the House of Representatives to ban the sale of violent video games to minors, and President Obama encouraged Congress to dedicate $10 million to the study of the connection between violent video games and societal violence.[94] In Southington, Connecticut, there were efforts to gather and burn a bunch of violent video games as a statement of outrage (that never came to pass).[95] Less than 6 months later, Nathon Brooks, a 14-year-old from Moses Lake, Washington, received widespread attention beginning in March 2013 when he was accused of shooting both of his parents after his parents took his video games away.[96] He told police that he was playing video games "24/7" until he was grounded and his parents took his electronic devices away. Brooks took a pistol out of the family safe and shot both of his parents, who survived. He was first charged with two counts of attempted murder, but ultimately, he pled guilty to two charges of assault, a lesser punishment for which his parents argued.[97]

IN THE NEWS

BUFFALO SHOOTING SUSPECT SOUGHT GUN, GEAR ADVICE FROM DISCORD BEFORE CRIME

In May 2022, a white 18-year-old, Payton Gendron, was accused of traveling to the Tops Friendly Market in a largely Black community in Buffalo, New York, shooting 13 people and killing 10 of them. He wore camouflage, a helmet, and a bulletproof vest that protected him from the gunshots fired by the Tops security guard. Gendron livestreamed the mass shooting on the video game app, Twitch, and it appears that two days before the shooting, he posted an almost 200-page-long racist manifesto on Google Docs. As noted in news stories across the country shortly after the mass shooting, there was evidence that Gendron's white supremacist hate crimes were orchestrated over time, beginning when he was in high school. In fact, he had already been investigated for telling fellow students he wanted to do a shooting around the time of their graduation in 2021.[98] Police at that time referred him to mental health evaluation and counseling.

In a May 15, 2022, news article, Danielle Ong,[99] drawing upon the investigative journalism of Dan Feidt in *The International Business Times*,[100] reported that between August 1, 2020, and January 1, 2021, Gendron (when he was 17) allegedly posted 83 chat messages on the social media app, Discord. He posted to the server, "Plate Land," under the name "jimboboiii," the same name he used to stream the mass shooting on Twitch. Gendron revealed to Plate Land community members that he had just bought a gun and asked for advice about how to penetrate body armor. He also shared that he was trying to sell tactical armor on Ebay, but his account had been suspended.

At the time we are writing this, Gendron has not gone to trial yet for his alleged crimes. Undoubtedly, the information highlighted in recent news articles about Gendron's use of social media as a teen and its influence upon his behavior will be confirmed or refuted during the trial.

Sources: Feidt, D. (2022, May 14). Buffalo mass shooter likely sought combat gear advice on online chats. *Unicorn Riot.* https://unicornriot.ninja/2022/buffalo-mass-shooter-likely-sought-combat-gear-advice-on-online-chats/

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Amid all the heightened attention given to a possible video game–violence connection, there were some opposing voices. For example, psychologist and video game scholar Christopher Ferguson noted in an editorial for the *Hartford Courant* newspaper,

Of course most young males play at least some violent video games; by this standard it would be possible to link almost any crime by men under 40 to them. That's about as meaningful as linking crime to anything else almost everybody does—watching *Sesame Street* as a kid, wearing sneakers, drinking soda. Newtown was an opportunity for moral crusaders to harrumph over violent video games as they did over rock music in the 1980s and comic books in the 1950s.

By focusing, uselessly, on violent video games, these debates suck the air out of discussions of real issues such as tackling mental illness before it can do harm. During the past 20 years in which video games have soared in popularity, youth violence has dropped by almost 90 percent. We would do well to remember this, concentrate on more pressing matters such as poverty, and forgo discussion of cultural issues, if we are really serious about crime.[101]

Ferguson's points reflect the findings of one arm of recent video game research that do not support the assertion that violent video games lead to real-life violence and claim that the harmfulness of video games is often assumed by clinicians and researchers, in part because of a generational divide.[102] Adachi and Willoughby found that the *competitive element of* video game play is linked to an increase in aggression over time, not necessarily the violent content of a given game.[103] They also claimed that it is important to shift the attention from the negative effects of video games to the more positive—such as the role of strategic video games in developing prosocial skills that help adolescent gamers do well academically.[104] A 2015 statement by the American Psychological Association also emphasized that the bulk of recent research shows there is a link between playing violent video games and aggression, but there is not enough evidence to claim that this aggression leads to delinquency or violence.[105]

On February 14, 2018, another mass shooting at a Marjory Stoneman Douglas High School in Parkland, Florida, revived attention to the connection between video games and violence once again. Nikolas Cruz, a 19-year-old former student of the high school, came onto the campus and killed 17 people and wounded 17 others.[106] After the shooting, President Trump insinuated that the cause of the shooting was the influence of video game violence. He then invited the makers of games like *Grand Theft Auto* and *Doom to the White House* to discuss the relationship between video games and school violence.[107] Several of the same parties that talked to former vice president Biden about the issue after the Sandy Hook shooting were there again for the talk. Video game advocates stated that a rating system is already in place, there is no scientific evidence that video games cause violence, and parents can make informed choices for their children if they choose to do so.[108]

The debate about video games continues today with attention given to the effect of popular games such as *Fortnite*.[109] Recent research demonstrates that gender bias, sexism,[110] and the reinforcement of toxic masculinity in the gaming world[111] affect girl and women. Zhang, Cao, and Tian (2021)[112] found that in experimental conditions, boys and girls playing a violent video game were more likely to show aggressive thoughts and behaviors than participants who only observed the violent game. On the other hand, Suziedelyte (2021)[113] found that although boys playing a newly released violent video game were more destructive at home, gaming did not translate to violence against others. In fact, playing the video game kept them inside and made them less likely to get into trouble with peers outside of the home. The American Psychological Association created a new task force in 2019 that reviewed scholarly studies. It stood by its previous stance that there is a consistent, but small, effect of violent videogame exposure on aggression. Task force members added the recommendation that their report should not be used by others to support overly simplistic statements claiming violence and mass shootings are directly related to video game use; they noted many factors are instead at play.[114]

In addition to the ongoing interest in the effects of violent video games, adults have also turned an eye to possible online inspirations for youth delinquency and misbehavior. In the 2010s, online storytelling, found on websites such as Creepypasta, started getting a lot of negative attention. Creepypasta is a website with a compilation of scary stories and urban legends that have been cut and pasted to the website or have been created on the Creepypasta Wiki.[115] The stories are often ghost stories or horror stories, and although they may include stories of murder and suicide, website founders state the purpose of the website is a literary one. They had to defend their website repeatedly after the commission of violent acts by teens who said characters on Creepypasta motivated them. In the most publicized

example, two 12-year-olds in Wisconsin, Morgan Geyser and Anissa Weier, went with their mutual friend, Payton Leutner, into the woods and allegedly stabbed her 19 times.[116] They claimed that they did so in order to please a character known as Slender Man that they had read about on Creepypasta Wiki: a tall, thin, faceless character who wears a suit, has tentacles on his back, and abducts children.[117] The girls noted that they had hoped to gain his favor through the blood sacrifice of killing their friend and, ultimately, to be protected from any harm that he might otherwise do to them.[118] In 2015, another incident involving Creepypasta came to light in Elkhart, Indiana. A 12-year-old girl allegedly stabbed her 50-year-old stepmother, Maria Torres, because she thought a Creepypasta clown named Laughing Jack told her to do so.[119] The Laughing Jack character is portrayed online as a clown that approaches children, gains their trust, and eventually kills them and stuffs them with candy.[120] In both these cases of preteen violence, the mental health of the perpetrators was called into question,[121] yet popular interest in the stories remained fixated on the role played by the words and images on the Internet.

Another example of online content that adults and news organization expressed serious concern about was related to the Momo Challenge of late 2019. As described in one news story,

> It's creepy, it's scary, and potentially deadly. The latest internet challenge has parents in a panic around the world. It is called the Momo Challenge and targets kids.
>
> Parents said a creepy image pops up on the screen while children are watching videos on YouTube. But that's not the scariest part. Supposedly through the WhatsApp messaging app, Momo encourages participants to take on various challenges then send a photo as proof, or they will be cursed. The challenges start small and could lead to self-harm, even suicide.[122]

The potential that the challenge could cause children to harm themselves or engage in otherwise forbidden acts scared adults in the United States, Canada, the United Kingdom, and Australia. The panic over Momo, a scary image of a face with bulging eyes, stringy black hair, and a giant mouth that goes across its whole face, was fueled by posts on social media and news stories such as the one described earlier. The Momo threat spread when people began reporting that videos of Momo were being spliced into the middle of children's videos on YouTube, and it was giving violent and/or suicidal directions to viewers. WhatsApp was also another social medium where these messages from Momo were said to influence young people. The concern of adults spread rapidly. For example, in the United Kingdom, several law enforcement agencies created flyers about what parents needed to know about Momo, explaining that the videos sometimes started with warning messages about disturbing messages that could be easily bypassed and that children could be traumatized as a result of watching them. They also recommended turning off the "up next" feature on YouTube because if one Momo video is shown, other frightening ones will likely follow.

Despite the fright about Momo, some news organizations set out to debunk the panic. A. J. Willingham and Harmeet Kaur of CNN wrote an article explaining that Momo is actually a mixed-media sculpture by a Japanese visual arts company, and it was not involved in the hoax. They noted that although suicide deaths of two children in India were linked to the Momo Challenge and parents in Sacramento, California, and the United Kingdom reported their children attempted to harm themselves or commit violence on behalf of the Momo character, there was not enough evidence to justify such a panic. As we will see in Chapter 9, there are additional examples of heightened concerns related to children's use of media for networking with peers, norm-breaking, and serious delinquency. Some of these concerns are justified by data, while others are not.

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SUMMARY

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Adults' ideas about who young people are and how they should be treated have undergone large shifts over time. Social constructions of youth from ancient times to the Middle Ages provided a common understanding that young people over the age of 7 were capable of handling an ever-increasing amount of responsibility, and when children misbehaved, they were often treated as an adult would be. The English common-law tradition that came to influence the region that is now the United States

was one that focused upon *mens rea*, or whether a young person was capable of having a guilty mind and preplanning an act of wrongdoing in advance. Typically, children from the ages of 7 to 14 were thought to have some ability to do such planning, and those older than 14 were assumed to have the same abilities as adults. After the invention of the printing press and with the advent of industrialization, adults began to question their ideas about childhood and decided that some children, particularly white children from middle- and upper-class families, needed to be formally educated over time. Urbanization that accompanied industrialization led to an increase in population in major cities, as well as a more visible presence of children on the streets who were from working-class and/or poor families. Concerns about the seeming lack of supervision of such children fueled reform efforts in the "child-saving" era of the 19th and early 20th centuries.

The child-saving era brought with it the creation of a number of new institutions that reformers used to address children's behaviors or their family situations: "poor farms," asylums, farm schools, labor schools, and houses of refuge. Most of these institutions functioned to teach lessons about hard work and individual responsibility. The legal justification of *parens patriae*, or the state as a substitute parent for children who were deemed to be abused or neglected or to have parents who could not control them, led to the increased institutionalization of youth. These institutions treated the young people differently depending on their race, ethnicity, and gender. For example, Black youth were not allowed in houses of refuge until 1850 and, unlike white youth, were still treated as adults and housed in adult prisons until that time. Girls from immigrant families and poor and working-class families were much more likely to be placed in an institution for concerns about their immoral behavior than native-born white girls were—and girls in general were watched over more closely and disciplined more often than boys.

In the late 1800s, the concept of adolescence was created, and its increasing acceptance as a stage of human development during the late 19th century culminated in the development of the first juvenile court in Cook County, Illinois, in 1899. This was followed by the creation of juvenile courts across the country, and the founders of such courts claimed that they were based on a rehabilitative philosophy—the idea that young people who had committed an act of delinquency were capable of changing their behavior and staying out of trouble if they were given the support and guidance to do so. Status offenses, acts that are considered problematic because of the age of the person carrying them out (e.g., truancy and curfew violations), were among the many that adult reformers targeted in the day-to-day functioning of the juvenile justice system. Juveniles were considered distinct from adults, and the juvenile justice system was set up to treat them differently from adults; in turn, they were given fewer legal rights than adults. This changed a bit in the due process revolution of the 1960s, when a number of significant legal protections were established. Since that time, we have had laws on the books giving young people some degree of legal rights. These were strengthened in a series of Supreme Court decisions in the early 2000s, but it looks like a reversal of this trend may be under way in the 2020s.

Moral panics about delinquency have accompanied the many shifts in how young people have been viewed over time. These scares typically share a number of elements: The news and/or entertainment media spread exaggerated information about the prevalence and seriousness of delinquency and/or an alleged source of juvenile delinquency in the community, interested community members pick up on the information, and attempts are made to fuel some sort of change or reform to the system. Sometimes media forms themselves are often targeted as the source of delinquency; panics about youth consumption of music, comic books, video games, online storytelling, YouTube videos, and social media apps frequently occur.

DISCUSSION QUESTIONS

1. After reading about the history of the social construction of delinquency in this chapter, what three facts about it did you find the most surprising? Explain why you found them surprising. Did they challenge your understanding of how we have come to define delinquency today?

2. Why is it the case that many scholars look back on the houses of refuge and state that they were misnamed?

3. How did considerations of race, ethnicity, social class, gender, and sexuality affect the ways that authorities throughout history handled delinquency and dependency?

4. In what ways did the creation of juvenile courts shift mainstream perceptions about youth and delinquency at the turn of the 20th century? How did the due process cases of the 1960s and early 1970s later affect perceptions about youth and delinquency? Were these similar or dissimilar effects?

5. What can we learn from analyzing the various moral panics or scares about popular culture and delinquency? What are some current issues in popular culture that are garnering excessive attention for being alleged inspirations for delinquency?

KEY TERMS

Houses of refuge	*Parens patriae*
Mens rea	Rehabilitation
Moral panic	Social constructions of delinquency

CHAPTER PRETEST ANSWERS

1. False

2. True

3. True

4. True

5. False

6. False

7. True