

MINORITY YOUTH AND CRIME: Minority Youth in Court

Youth in general, and young minority males in particular, often are demonized by legislators, the media, scholars, and the public at large. These attacks reinforce stereotypes and place a particularly heavy burden on young Black and Latino males.

—LINDA S. BERES AND THOMAS D. GRIFFITH.

"DEMONIZING YOUTH"¹

In June 2001, Lionel Tate, an African-American boy who was 12 years old when he killed a 6-year-old family friend while demonstrating a wrestling move he had seen on television, was sentenced to life in prison without the possibility of parole. Tate, who claimed that the death was an accident, was tried as an adult in Broward County, Florida; he was convicted of first-degree murder. One month later, Nathaniel Brazill, a 14-year-old African American, was sentenced by a Florida judge to 28 years in prison without the possibility of parole. Brazill was 13 years old when he shot and killed Barry Grunow, a popular 30-year-old seventh-grade teacher at a middle school in Lake Worth, Florida. Although Brazill did not deny that he fired the shot that killed his teacher, he claimed that he had only meant to scare Grunow and that the shooting was an accident. Like Tate, Brazill was tried as an adult; he was convicted of second-degree murder.

Nathaniel Brazill is still incarcerated in a Florida correctional institution. Assuming that none of his pending appeals are successful, he will not be released until 2028, when he will be 41 years old.² Lionel Tate's conviction, on the other hand, was overturned by a Florida appellate court in 2003. The court ruled that Tate should be retried because his competency to stand trial was not evaluated before he went to trial. The state decided not to retry Tate

and instead offered him a plea agreement—Tate pled guilty to second-degree murder in exchange for a sentence to time served (which was about 3 years), plus 1 year of house arrest and 10 years of probation.³ He was released from prison in January 2004. In May 2005, he was back in jail in Fort Lauderdale, Florida, after he allegedly robbed a pizza delivery man at gunpoint. Because he was on probation at the time of the crime, Tate faced a potential life sentence on the robbery charge.⁴ In 2006, he was sentenced to 30 years in prison on a gun possession charge, and in 2008, he was sentenced to 10 years in prison for the robbery.

These two cases raised a storm of controversy regarding the prosecution of children as adults. Those on one side argue that children who commit adult crimes, such as murder, should be treated as adults; they should be prosecuted as adults and sentenced to adult correctional institutions. As Marc Shiner, the prosecutor in Brazill's case, put it, "This was a heinous crime committed by a young man with a difficult personality who should be behind bars. Let us not forget a man's life has been taken away."⁵ Those on the other side contend that prosecuting children as adults is "unwarranted and misguided." They assert that children who commit crimes of violence usually suffer from severe mental and emotional problems and that locking kids up in adult jails does not deter crime or rehabilitate juvenile offenders. Although they acknowledge that juvenile offenders should be punished for their actions, they claim that incarcerating them in adult prisons for the rest of their lives "is an outrage."⁶ According to Vincent Schiraldi, president of the Justice Policy Institute, "In adult prisons, Brazill will never receive the treatment he needs to reform himself. Instead, he will spend his time trying to avoid being beaten, assaulted, or raped in a world where adults prey on, rather than protect, the young."⁷

In 2012, the U.S. Supreme Court ruled that the imposition of mandatory life without parole sentences on offenders who were younger than 18 at the time of their crimes violated the Eighth Amendment's prohibition against cruel and unusual punishments.⁸ At issue were the sentences imposed on two 14-year-old offenders who were tried as adults and who were convicted of murder and sentenced to prison with no possibility of parole. In each case, a life without parole sentence was mandatory. The court ruled, 5-4, that this sentencing scheme prevented judges and juries from considering either the characteristics of youths or the nature of their crimes; it prevented them from considering whether juveniles had lessened culpability and a greater capacity for change than adults found guilty of these crimes. As the Court noted, "By requiring that all children convicted of homicide receive lifetime incarceration without possibility of parole, regardless of their age and age-related characteristics and the nature of their crimes, the mandatory sentencing schemes before us violate [the] principle of proportionality, and so the Eighth Amendment's ban on cruel and unusual punishment."

In January 2016, the Supreme Court issued a ruling that expanded the 2012 decision. In *Montgomery v. Louisiana*,⁹ the Court ruled 6-3 that its decision in *Miller v. Alabama* must be applied retroactively to the estimated 1,200–1,500 cases involving juvenile offenders who were sentenced to life in prison with no possibility of parole prior to 2012. The Court stated that these offenders must have an opportunity to be resentenced or to be argued for parole. According to Justice Kennedy, who wrote the majority opinion, "A penalty imposed pursuant to a

unconstitutional law is no less void because the prisoner's sentence became final before the law was held unconstitutional. There is no grandfather clause that permits states to enforce punishment the Constitution forbids."

LEARNING OBJECTIVES

The prosecution of children as adults, and the potential for racial bias in the decision to "waive" youth to adult court, is one of the issues we address in this chapter. We also discuss the racial/ethnic patterns in victimization of juveniles and in offending by juveniles, the treatment of juveniles by the police, and the police use of gang databases. We end the chapter with a discussion of the treatment of minority youth by the juvenile justice system.

After you have read this chapter:

1. You will understand the myths and realities about victimization of and crime by minority youth.
2. You will be able to discuss the nuances of the relationship between the police and the racial and ethnic minority youth.
3. You will understand what recent research on racial disparities in the juvenile justice system tells us about the treatment of youth by the criminal justice system.
4. You will be able to discuss the findings of recent research examining the reasons for racial disparities in the juvenile justice system.

THE JUVENILE POPULATION IN THE UNITED STATES

According to the U.S. Census Bureau, in 2010 juveniles (i.e., those under the age of 18) made up about one-fourth of the U.S. population.¹⁰ Of these youth, 56 percent were white, 15 percent were African American, 5 percent were Asian, 1 percent were American Indian, and 23 percent were Hispanic.¹¹ The Census Bureau estimates that Hispanics will constitute 30 percent of the juvenile population in 2030 and will make up 36 percent by 2050.

These overall figures mask significant differences among the states. In 2010, about 90 percent of all youth in Maine, New Hampshire, Vermont, and West Virginia were white. By contrast, more than half of the juvenile populations in California and New Mexico were Hispanic, and Hispanics made up 40 percent or more of the population in Arizona, Nevada, and Texas. States with the largest proportions of African American youth in their populations were concentrated in the South: Georgia, Louisiana, Mississippi, and South Carolina. African Americans made up about two-thirds of the juvenile population in the District of Columbia.¹²

Other relevant statistics regarding the juvenile population include the following¹³:

- Twenty-two percent of the juvenile population, but only 14 percent of those 18–64 and 9 percent of those 65 and older, were living below the poverty

threshold in 2010; the percentage of the juvenile population living below the poverty level was 39 percent for African Americans, 35 percent for Hispanics and American Indians, 14 percent for Asians, and 12 percent for whites.

- The proportion of children living in single-parent households increased from 9 percent in 1960 to 27 percent in 2010. The rates were highest for African-American youth (54 percent) and were lowest for Asian (12 percent) and white youth (20 percent).
- Although the proportion of youth who quit school without completing a high school degree was lower in the 2000s than in the 1990s, about 4 percent of all youth enrolled in high school in 2008 left without a degree; there were no statistically significant racial/ethnic differences in the drop-out rate.

YOUNG RACIAL MINORITIES AS VICTIMS OF CRIME

In Chapter 2 we showed that, regardless of age, African Americans have higher personal theft and violent victimization rates than other racial/ethnic groups and that Hispanics generally have higher victimization rates than non-Hispanics. However, information concerning the racial and ethnic trends in victimization for juveniles is scarce. In this section, we examine National Crime Victimization Survey (NCVS) data, supplemented by National Incident-Based Reporting System (NIBRS) data and Supplemental Homicide Reports (SHR) from the FBI. We first discuss property victimization, followed by violent victimization and homicide victimization.

Property Crime Victimization

Information on property crime victimization among juveniles is dated. Using information from the 1996 and 1997 NCVS, the Office of Juvenile Justice and Delinquency Prevention released a brief on "Juvenile Victims of Property Crime."¹⁴ Their findings indicated that one of every six juveniles (defined as youth aged 12–17) had been the victim of property crime.¹⁵ This rate was 40 percent higher than the property crime victimization rate for adults.¹⁶

Table 10.1 offers a comparison of juvenile and adult property crime victimization rates for this time period by race and ethnicity. A ratio of juvenile to adult rates higher than 1:1 indicates that the juvenile victimization rate is higher than the adult rate. The ratio of 1:1.4 for whites, for example, indicates that the property crime victimization rate for white juveniles is higher than the property crime victimization rate for white adults; moreover, as indicated by the asterisk, the difference in the rates for adults and juveniles is statistically significant. A similar pattern is found for all three racial categories. Hispanic property crime victimization rates, however, do not vary significantly between juveniles and adults; non-Hispanic rates do vary.

TABLE 10.1 Juvenile and Adult Property Victimization Rates by Race and Ethnicity (1996 and 1997 Combined)

	Property Crime Rate (Per 1,000 Population)		Property Crime Ratio (Juvenile/ Adults)
	Juvenile	Adult	
Victim Race			
White	162	114	1:1.4*
African American	194	151	1:1.3*
Other	155	108	1:1.4*
Victim Ethnicity			
Hispanic	143	133	1:1.1
Non-Hispanic	170	117	1:1.5*

*Juvenile rate divided by adult rate; significant difference at the 0.05 level or below.

SOURCE: Office of Juvenile Justice and Delinquency Prevention, "Juvenile Victims of Property Crimes" (Washington, DC: U.S. Department of Justice, 2000).

Looking at the victimization rates for juveniles only in Table 10.1, we see that African-American youth have the highest property crime victimization rate, followed by white youth, and then "other race" (American Indian/Alaska Native and Asian/Pacific Islander) youth. With regard to ethnicity, non-Hispanic juveniles report a higher rate of property crime victimization than Hispanic juveniles. The racial pattern of property crime victimization among juveniles, in other words, mirrors the overall pattern for all ages combined (see Chapter 2); both comparisons show the highest rates for African Americans. The victimization rates of Hispanic and non-Hispanic juveniles (higher rates for non-Hispanics), on the other hand, differ from the rates for all age groups combined (higher rates for Hispanics).¹⁷

The FBI also collects information about crime victims through the NIBRS. These data do not represent the entire U.S. population, but they do provide substantial information on the victims of crime in the jurisdictions covered. Using this information, researchers estimate that juveniles with the following characteristics have a relatively high risk for property crime victimization: "African American juveniles, juveniles in urban areas, and juveniles in the West."¹⁸ In short, these victimization patterns closely mirror "the higher risk for adults in these categories."¹⁹

Violent Crime Victimization

In general, violent victimization rates (which include the crimes of rape, robbery, aggravated assault, and simple assault) are somewhat higher for younger age groups than for older age groups. For example, in 2013 the violent victimization rate for youth from 12 to 17 years old was 30.1 victimizations for every 1,000 persons in

that age group, and the rate for those from 18 to 24 years old was 26.8 victimizations for every 1,000 persons in that age group. By contrast, the rate for individuals who were 25–34 years old was 28.5 per 1,000 persons and the rate for those who were 35–49 years old was 21.6. The rates for serious violence, which exclude simple assault, were somewhat lower for those in the 12–17 age group (8.8 per 1,000 persons) than for those in the 20–24 age group (13.6 per 1,000 persons).²⁰

The most recent data on violent victimization by age, race, and gender are for 2007. These data reveal that the overall violent victimization rate, which in years past was higher for African Americans than for whites, was very similar for these two groups in 2007. For example, in 2000 the violent victimization rates for youth ages 12–15 were 66.7 for African Americans and 58.7 for whites; in 2007, the rates were 46.1 for African Americans and 42.1 for whites.²¹ Thus, the victimization rates for both groups declined from 2000 to 2007, but the rate for African Americans fell more sharply than did the rate for whites. However, a report focusing on serious violence in 2010 showed that the rate for African-American youth (25.4) was twice the rates of white (11.7) and Hispanic (11.3) youth. The 2010 simple assault rates for African-American youth (29.9) also were higher than that for white (21.5) or Hispanic (19.0) youth.²²

Data on violent victimization rates for 2007 broken down by age, race, and gender reveal that *young African-American* males have a greater likelihood than other offenders of being victims of robbery, but the rates for overall violence are very similar for young African-American males and for offenders other than white females.²³ These data reveal that in 2007 the violent victimization rate for youth between the ages of 12 and 15 was 46.1 for African-American males, 47.9 for white males, 46.2 for African-American females, and 36.1 for white females. For violent crime in general, then, the rates for African-American males, African-American females, and white males differed by less than two percentage points. By contrast, the robbery victimization rate for African-American males (9.1) was considerably larger than the rate for white males (5.4) and was more than 10 times the rate for white females (0.9) and African-American females (0.0).

A 2003 report by the Bureau of Justice Statistics revealed that African-American and Hispanic youth were more likely than white youth to be victims of crimes committed with weapons.²⁴ This was true for crimes committed with any weapon and for crimes committed with a firearm, and it was true for youth between the ages of 12 and 14 as well as youth between the ages of 15 and 17. Among the 15- to 17-year-olds, for example, the rate of violent victimizations with a firearm for Hispanic youth was twice the rate for white youth; the rate for African-American youth was even higher than the rate for Hispanic youth.

Explaining Racial Differences in Violent Victimization The question, of course, is why African-American and Hispanic youth are more likely than whites to be the victims of violent crime. To answer this question, Janet L. Lauritsen used 1995 data from the National Crime Victimization Survey to explore the effects of individual, family, and community characteristics on the risk for non-lethal violence among youth.²⁵ She disaggregated violent incidents into incidents perpetrated by strangers and those perpetrated by non-strangers, and she

distinguished incidents that occurred in the youth's own neighborhood from those that occurred elsewhere. She found that youth living in single-parent families had higher risks for violence than those living in two-parent families and that the risk for violence was much higher for youth living in the most disadvantaged communities.²⁶

According to Lauritsen, "because family and community characteristics vary among racial and ethnic groups in the United States, it is important to consider differences in victimization risk across racial and ethnic groups."²⁷ As shown in Table 10.2, when she examined the risk for violence by race and gender, she found that young males faced a substantially higher risk of violence than young females; this was true for both stranger and non-stranger violence and for all violence as well as violence that took place in the youth's own neighborhood. She also found that,

- Young white, African-American, and Hispanic males had roughly equal risks of non-stranger violence, but young white males had a lower risk of victimization for stranger violence in their own neighborhoods than African-American and Hispanic young males; and
- Young African-American females faced much higher risks of non-stranger violence than either Hispanic or white young females, and both African-American and Hispanic females were more likely than white females to be victimized by a stranger in their neighborhoods.

To determine whether these patterns could be explained by other factors, Lauritsen used analytical techniques that simultaneously controlled for individual, family, and community characteristics. She found that the amount of time the youth spent at home and the length of time the youth had lived in his/her current home had a negative effect on risk of violent victimization, and that youths

TABLE 10.2 Risk for Stranger and Non-Stranger Violence for African-American, Hispanic, and White Youth

	Stranger Violence		Non-Stranger Violence	
	All Violence	Neighborhood Violence	All Violence	Neighborhood Violence
Males				
African American	34.9	20.2	25.0	14.4
Hispanic	35.8	27.1	25.5	17.1
White	43.4	31.2	24.4	13.1
Females				
African American	33.2	16.6	25.0	14.0
Hispanic	19.8	10.1	23.1	12.8
White	24.3	14.2	30.1	22.7
	22.7	14.1	16.3	10.3
	18.2	8.5	22.7	11.0

SOURCE: Janet L. Lauritsen, "How Families and Communities Influence Youth Victimization" (Washington, DC: U.S. Department of Justice, 2003). Adapted from Table 5.

who lived in single-parent families faced a greater risk than those who lived in two-parent families. She also found that youth who lived in communities with higher percentages of female-headed families and higher percentages of residents under the age of 18 had higher likelihoods of violent victimization.²⁸

The most interesting finding from this analysis was that the racial and ethnic differences in risk for violent victimization disappeared when the characteristics of the youth's family and community were taken into account. The racial and ethnic differences discussed earlier, in other words, "are primarily a reflection of community and family differences rather than the result of being part of a particular racial or ethnic group."²⁹ Thus, African-American and Hispanic youth have greater risks for violent victimization than white youth because they are more likely than white youth to spend time away from home, to live in single-parent families, to have less-stable living arrangements, and to live in disadvantaged communities. As Lauritsen noted, "the sources of risk are similar for all adolescents, regardless of their race or ethnicity."³⁰

Victimization of Young African-American Girls

In *Getting Played: African American Girls, Urban Inequality, and Gendered Violence*, Jody Miller examined the victimization experiences of African-American girls living in disadvantaged neighborhoods in St. Louis, Missouri. She used in-depth interviews with young African-American women and men to investigate "the social contexts in which violence against young women in disadvantaged communities emerges, with an emphasis on the situations that produce and shape such events."³¹

Miller focused on young girls' victimization experiences in their neighborhoods, their schools, and their relationships. Noting that most of the youth interviewed for her study lived in extremely disadvantaged neighborhoods in which drug dealing, street gangs, and violence were commonplace, Miller demonstrated that young girls faced particular risks in these male-dominated neighborhoods. They witnessed violence against other women that occurred in public view, were subjected to sexual come-ons by young men and sexual harassment by adult men, and faced an ongoing risk of sexual assault and sexual coercion. In response to these dangers, girls adopted gendered risk-avoidance strategies: they avoided public places, especially at night, and they relied on others, especially male relatives and friends, for protection. They also criticized girls who engaged in risky behavior or wore provocative clothing, arguing that doing so heightened girls' risk of victimization. According to Miller, "the public nature of violence against women . . . created a heightened vigilance and awareness among girls of their own vulnerability, but it also resulted in coping strategies that included victim-blaming as a means of psychologically distancing themselves from such events."³²

Miller also discussed sexual harassment of girls at school, noting that a majority of the girls she interviewed reported experiencing inappropriate sexual comments or being grabbed or touched in ways that made them feel uncomfortable. She stated that these types of harassment were "an everyday feature of the cultural milieu at school" and were not taken seriously by school personnel.³³ Miller

also noted that the girls who were subjected to this type of treatment had a limited arsenal of effective responses. Avoidance was not an option in schools where youths were constantly in contact with one another and standing up for oneself carried significant risks. As she put it, "Their attempts to defend themselves were read by young men as disrespect, and the incidents quickly escalated into hostile confrontations when young women challenged young men's sexual and gender entitlements. Thus, young women were in a lose-lose situation."¹⁰

One of the most troubling findings of Miller's study is the high rate of sexual violence experienced by the girls. She found that half of the girls, whose mean age was only 16, had experienced some form of sexual coercion or sexual assault and that a third reported multiple experiences with sexual violence. By contrast, the boys who were interviewed did not see their behaviors as violence but as persuasion. Miller noted that much of the sexual violence, including gang rape, took place at unsupervised parties, where drugs and alcohol were readily available. As she explained, "Such social contexts not only made women more vulnerable to sexual mistreatment but also enhanced the likelihood that girls would be viewed as either willing participants or deserving victims."

Miller concluded that her research "points to the clear need to address violence against girls in disadvantaged communities in a systematic fashion."³⁶ Although she acknowledged that "there are no simple answers or easy solutions," she nonetheless suggested that the problem can be ameliorated by "remedies that attend to the root causes of urban disadvantage" and by "improving institutional support for challenging gender inequalities and strengthening young women's efficacy."³⁷ She recommended that policy makers consider ways to make disadvantaged neighborhoods safer, that police adopt community policing strategies designed to engender trust and confidence in the police, that school personnel take a more proactive approach to addressing sexual harassment, and that community service agencies develop ways of providing stable adult role models and mentors for youth at risk.

Homicide Victimization

In 2010, 1 in every 10 murder victims was under the age of 18; of these juvenile victims, 30 percent were female, 42 percent were under age 6, 6 percent were aged 6–11, 7 percent were aged 12–14, and 45 percent were aged 15–17. The Supplemental Homicide Reports (SHR) collected by the FBI indicate that there are important racial patterns to be found in homicide trends. In fact, in 2010, 49 percent of all homicide victims were African American, 47 percent were white, and 3 percent were either American Indian or Asian. Given that whites constituted 76 percent of the juvenile population in 2010 and that African Americans accounted for only 17 percent, the homicide rate for African-American youth was nearly five times the white rate. Among those in the 15–17 age group, the homicide rate for African-American youth was 8.6 times the rate for white youth.³⁸ This report also documented that of the 58,900 juveniles who were murdered between 1980 and 2010, more than half of the victims under age 6 were killed by a parent; by contrast, only 6 percent of those who were 12–14 and only 2 percent of those who were 15–17 were killed by a parent.³⁹

TABLE 10.3 Juvenile Homicide Victimization Rates (per 100,000 population, ages 14–17) by Race and Gender

	1990	1995	2000	2005
White male	7.5	8.6	4.1	4.4
White female	2.5	2.7	1.4	1.1
African-American male	59.0	63.2	25.8	26.4
African-American female	10.3	11.9	4.5	4.0

SOURCE: James Allen Fox and Marianne W. Zawitz, *Homicide Trends in the United States*, (Washington, DC: U.S. Department of Justice, 2010). <http://bjs.ojp.usdoj.gov/content/homicide/homtrnd.cfm>.

Longitudinal data on homicide victimization rates for 14- to 17-year-olds, which are presented in Table 10.3, indicate that homicide rates declined dramatically from 1990 to 2005. For each of the four groups—white males, white females, African-American males, and African-American females—the rates peaked in 1995, declined substantially by 2000, and remained relatively steady from 2000 to 2005. Aside from the changes over time, the most startling finding revealed by the data presented in Table 10.3 concerns the differences in homicide victimization rates by race. Regardless of gender, African-American juveniles have substantially higher victimization rates than white juveniles. Throughout the time period, the rate for African-American females was approximately four times greater than the rate for white females, and the rate for African-American males was six to seven times greater than the rate for white males. In fact until 2005, the homicide victimization rates for African-American females were higher than the rates for white males.

Racial Differences in Victimization: A Summary As the data presented above make clear, African-American youth are overrepresented as crime victims in the United States. African-American juveniles have the highest property crime victimization rates of any group, and African-American males and females are substantially more likely than white males and females to be homicide victims. As the study conducted by Lauritsen revealed, these racial and ethnic differences can be attributed primarily to race-ethnicity-linked differences in the characteristics of the families and the communities in which the youth live.

YOUNG RACIAL MINORITIES AS OFFENDERS

Creating a profile of the juvenile offender is not an easy task. Much of the available data relies on arrest statistics and/or the perceptions of crime victims. Some critics argue that the portrait of the offender based on these data is biased (because of racial differences in reporting and racial bias in decisions to arrest) and suggest that the picture of the typical offender should be taken from a population of adjudicated offenders. We discuss this alternative picture of the juvenile offender in the section on juveniles in the correctional system, which appears later in this chapter.

per 100,000

per

2005

4.4

1.1

26.4

4.0

Source: Bureau of the Census, DC: U.S. Depart-

for 17-year-olds, declined dramatically for white females, peaked in 1995, and declined from 2000 to 2005. Consistent with the data on victimization rates, the rate for males is substantially higher than the rate for females. The rate for males is also seven times the rate for females.

The data presented in Table 10.4 show that the rate of property crime for males and females are similar. As for the differences in the characteristics

Juvenile Arrests

One way to describe juvenile offending patterns is to focus on those who are arrested. Table 10.4 presents UCR arrest data for persons under the age of 18. The racial differences in these arrest statistics are similar to those for offenders in all age groups. The overrepresentation of African-American youth for violent

TABLE 10.4 Percent Distribution of Arrests by Race, under 18 Years of Age, 2014

	% White	% African American	% American Indian	% Asian
Total	63.0	34.5	1.4	1.0
Part 1/Index crimes				
Murder and nonnegligent manslaughter	41.2	57.0	0.9	0.7
Forcible rape	65.6	33.2	0.7	0.4
Robbery	27.5	71.0	0.6	0.7
Aggravated assault	55.3	42.4	1.1	1.1
Burglary	56.4	41.6	0.9	1.0
Larceny-theft	60.8	36.2	1.5	1.3
Motor vehicle theft	51.1	46.8	1.1	0.8
Arson	72.3	24.9	1.3	1.3
Violent crime	45.6	52.4	0.9	0.9
Property crime	59.6	37.6	1.4	1.2
Part 2 crimes				
Other assaults	57.0	40.9	1.2	0.8
Forgery and counterfeiting	61.6	39.6	1.1	1.6
Fraud	58.3	38.8	1.9	0.9
Embezzlement	59.6	37.6	1.1	1.6
Stolen property; buying, receiving, possessing	43.5	52.5	0.9	1.0
Vandalism	72.5	25.2	1.4	0.7
Weapons: carrying, possessing, etc.	58.0	39.8	0.7	1.3
Prostitution and commercialized vice	45.4	52.3	1.0	1.0
Sex offenses (except forcible rape and prostitution)	73.1	24.5	1.0	1.2
Drug abuse violations	74.4	22.9	1.4	1.0
Gambling	19.8	77.7	0.4	1.8
Offenses against family and children	63.9	32.4	3.0	0.6
DUI	90.5	5.9	1.9	1.5
Liquor laws	88.3	7.3	3.1	1.1
Drunkenness	86.3	9.7	2.5	1.3
Disorderly conduct	53.9	44.1	1.3	0.5
Vagrancy	65.8	32.4	1.1	0.4
All other offenses (except traffic)	67.1	30.5	1.3	0.9

SOURCE: Federal Bureau of Investigation, Crime in the United States, 2014: Persons Arrested, Table 43A. <https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/table-43>.

crimes is notable. In 2014, African Americans, who comprised 15 percent of the juvenile population, made up 52.4 percent of all arrests of youth for violent Index crimes (homicide, rape, robbery, and aggravated assault). Among young offenders arrested for homicide and robbery, African Americans constituted 57 percent and 71 percent, respectively, of all arrestees. African-American juveniles also were overrepresented among arrests for serious property (Part 1/Index) crimes, but the proportions are smaller than for violent crimes (37.6 percent for serious property crime versus 52.4 percent for violent crime).

Native American youth make up less than 1 percent of the juvenile population; they were slightly overrepresented in juvenile arrest figures for all offenses (1.4 percent of all arrestees) and, for Part 1/Index offenses, larceny theft (1.5 percent of all arrestees). Asian/Pacific Islander youth, who make up about 5 percent of the U.S. juvenile population, were not overrepresented for any Part 1/Index offenses.

The data presented in Table 10.4 reveal more variability in the race of juveniles arrested for the less serious Part 2 offenses. White juveniles were overrepresented for driving under the influence, liquor law violations, and drunkenness; they represented more than 85 percent of arrestees in each category. African Americans made up fewer than 10 percent of juveniles arrested for these offenses. African-American juveniles were overrepresented among arrestees for many of these less serious offenses, with the largest disparities being found for gambling (77.7 percent), offenses involving stolen property (52.5 percent), prostitution (52.3 percent), disorderly conduct (44.1 percent), other assaults (40.9 percent), weapons offenses (39.8 percent), forgery and counterfeiting (39.6 percent), fraud (38.8 percent), embezzlement (37.6 percent), and drug abuse violations (22.9 percent).

Native American/American Indian youth were overrepresented for three of the liquor-related Part 2 offenses: DUI, liquor law violations, and drunkenness. They made up 3.1 percent of all arrests for liquor law violations, 2.5 percent of all arrests for drunkenness, and 1.9 percent of all arrests for driving under the influence. Asian/Pacific Islander youth were significantly underrepresented for offenses such as liquor and drug abuse violations.

Self-Reported Violent Behavior Data on juvenile offending also come from surveys in which youth are asked to self-report delinquent acts. The National Longitudinal Survey of Adolescent Health, for example, gathered data from students attending 132 schools throughout the United States.⁴⁰ Youth between the ages 11 and 20 were asked to indicate the number of times in the past 12 months they engaged in four types of serious violent behavior: getting into a serious fight, hurting someone badly enough to need bandages or care from a doctor or nurse, pulling a knife or gun on someone, and shooting or stabbing someone.

Thomas McNulty and Paul E. Bellair used these data to examine racial and ethnic differences in violent behavior. As shown in Table 10.5, there were significant differences between white adolescents and each of the four other groups on the first two items. Asians were less likely than whites to have been in a serious fight or to have injured someone else; African Americans, Hispanics, and Native

TABLE 10.5 Self-Reported Violent Behavior, by Race and Ethnicity: Mean Percent Who Reported Engaging in Each Type of Violence

	Serious Fighting	Caused Injury	Pulled Knife or Gun	Shot or Stabbed	Serious Violence Scale
Asian	0.115*	0.032*	0.014*	0.013	0.17*
African American	0.210*	0.102*	0.086*	0.031*	0.43*
Hispanic	0.236*	0.119*	0.066*	0.030*	0.45*
Native American	0.402*	0.166*	0.079	0.009	0.66*
White	0.179	0.074	0.032	0.012	0.30

*Group mean is significantly different from mean for white adolescents ($P \leq .05$).

SOURCE: Thomas L. McNulty and Paul E. Bellair, "Explaining Racial and Ethnic Differences in Serious Adolescent Violent Behavior," *Criminology* 41 (2003), pp. 709-748, Appendix 1 and Table 1.

Americans, on the other hand, were more likely than whites to have engaged in these types of violent behavior. Asians also were less likely than whites to have pulled a knife or gun on someone else, but African Americans and Hispanics were more likely than whites to have pulled a gun or knife on someone or to have shot or stabbed another person.⁴¹ McNulty and Bellair used these data to create a serious violence scale, which focused on the breadth of violent activity (i.e., whether the respondent engaged in the activity or not). The scale ranged from zero (respondent had not engaged in any of the types of violent behavior) to four (respondent had engaged in all four types of violence).⁴² They found that Native American adolescents were the most likely to have engaged in violent behavior (mean = 0.66), followed by Hispanics (0.45), African Americans (0.43), whites (0.30), and Asians (0.17). Overall, then, there were large and statistically significant differences between white youth and youth in each of the other four groups. Asians were less likely than whites to have engaged in violent behavior; Native Americans, Hispanics, and African Americans were more likely than whites to have participated in violence.

Somewhat different results emerged from a study of violent offending among eighth-grade students in 11 cities throughout the United States.⁴³ Dana Peterson and her coauthors used self-report data to examine the prevalence of violent offending, and, for active offenders, their levels of offending (i.e., the average number of offenses committed by offenders who reported engaging in the behavior). When they examined annual prevalence rates (i.e., the percentage of youth who reported engaging in the behavior during the previous 12 months), they found that African-American youth were more likely than white or Asian youth to have engaged in serious violence but that the percentages of African-American, Hispanic, and Native American youth who reported involvement in serious violence were very similar (32 percent for African Americans, 30 percent for Hispanics, and 35 percent for Native Americans). Moreover, the authors also found that there were "no statistically significant race differences in levels of offending once offending begins."⁴⁴

Peterson and her colleagues concluded that the results of their study “call into question the extent to which violent juvenile offending can be characterized as a minority male problem.”⁴⁵ These researchers did find that males and racial minorities were overrepresented among violent offenders, but the differences were not as great as arrest data from the Uniform Crime Reports would suggest. As they put it, “Although there may be a ‘racial gap’ in terms of self-reported violence prevalence, no racial gap appears in frequency of violent offending among active offenders.”⁴⁶

Homicide Offenders Data on homicide offenders reveal that offending peaks at around age 18, that males are overrepresented as offenders, that roughly 50 percent of all homicides are committed by offenders known to the victim (non-strangers), and that the victim and the offender come from the same age group and racial category. The Supplemental Homicide Reports (SHR) collected by the FBI can be used to calculate approximate rates of homicide offending by age, race, and gender. We consider these approximate rates because the data come from reports filled out by police agencies investigating homicides, rather than from convicted offenders. As a consequence, these data may reflect a number of biases and should be viewed with caution.

The SHR data indicate that offending rates vary by age group and that the pattern is similar to that found for victimization rates: the 18- to 24-year-old group has the highest offending rate, followed by the 14- to 17-year-old group, with those 25 and older having the lowest offending rates.⁴⁷ Figure 10.1 displays homicide offending rates from 1980 to 2005 for white males, white females, African-American males, and African-American females aged 14–17.⁴⁸ Two trends are apparent. First, over time, the homicide offending rate for African-American males has been substantially

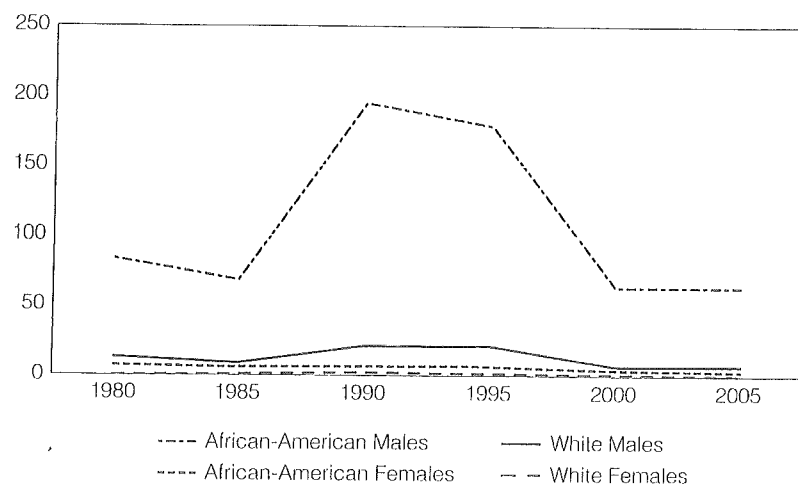


FIGURE 10.1 Homicide Offending Rates for Youth Age 14–17 by Race and Gender

SOURCE: James Allen Fox and Marianne W. Zawitz, *Homicide Trends in the United States*, (Washington, DC: U.S. Department of Justice, 2010). <http://bjs.ojp.usdoj.gov/content/homicide/homtrnd.cfm>.