What’s Ahead in Chapter 20
In this chapter you will study the problem of crime in our society. You will learn about how the criminal justice system deals with people accused of breaking the law.

Section 1
Crime in American Society

Section 2
The Criminal Justice System

Section 3
The Juvenile Justice System

Target Reading Skill
Sequence When you list events in sequence, you put them in chronological order. Putting events in order will help you remember how they are linked. As you read this chapter, you will try out the skills of recognizing words that signal sequence and putting events in chronological order.
Kate slammed the front door behind her. “It’s only me,” she called as she ran into the family room to drop her schoolbooks on the table. Then, she noticed something. “Mom, where’s the DVD player?” she called.

Kate’s mother saw the empty space next to the television set and said, “Kate, I think we’ve been robbed! Stay here while I call the police.”

Kate looked around and noticed that her computer was gone. Her mother’s jewelry had also been stolen.

An officer arrived soon after. He made a list of the stolen items, and then went through the house with Kate and her mother. “Looks like this is how the burglar got in,” he said, examining the broken lock on the kitchen door. “Make sure you get a locksmith out here right away.”

“Will I get my computer back?” asked Kate.

“We’ll do our best,” answered the officer. “But don’t count on it. We don’t recover many stolen items. And many burglars aren’t caught.”

**Citizen’s Journal**  Has anyone ever stolen anything from you or from someone you know? Write a short paragraph about this experience. How did you feel when you discovered the theft? Did you contact the police, and if so, what did they do about it? How was the situation finally resolved?
A jogger is mugged in the park. A four-year-old is kidnapped from his front yard. A bank president flees the country, having stolen millions of dollars from depositors. These are the kinds of crimes that you hear about all too often on the news. Crime is a major problem in the United States today.

**The Problem of Crime**

Crime affects many Americans every year. According to the Federal Bureau of Investigation (FBI), there were nearly ten-and-a-half million property crimes and more than one million violent crimes in 2003. Crime costs people, businesses, and governments billions of dollars every year. Many Americans consider crime to be one of the most important problems facing our nation today.

Some places have more crime than others. In general, there is more crime in urban areas than there is in suburban or rural communities. In addition, poor neighborhoods often have more crime than wealthy ones.

Crime makes people afraid. When people are frightened, they change their way of life. They put extra locks on their doors and may not go out at night. They become suspicious of strangers. As the problems caused by crime worsen, everyone in society suffers.

**Reading Check** Which parts of the country tend to have higher crime rates: cities or suburbs?
The Types of Crimes

Crime is a problem for all Americans. Serious crimes fall into several major groups: crimes against people, crimes against property, white-collar crimes, victimless crimes, and crimes against the government.

**Crimes Against People** Acts that threaten, hurt, or end a person’s life are crimes against people. They are also called violent crimes. Murder, rape, and assault are examples of violent crimes. **Assault** is placing someone in fear without actual physical contact. If physical contact occurs, as with a weapon or a foot, the crime is called **battery**.

Killing someone is known as homicide. When a killing is intentional and the killer has no legally recognized excuse, it is called murder. A killing that happens by accident or in a fit of anger is called manslaughter. Not all killings are crimes. Killing someone in self-defense is not against the law, if such an act is the only way to save your own life.

**Crimes Against Property** Crimes against property occur more often than any other crimes. Most involve stealing. There are three kinds of stealing.

Larceny is taking anything of value that belongs to another person without using violence. Shoplifting and stealing a car are both acts of larceny.

Robbery is a specific kind of stealing. A robber takes something of value from another person by force or by threat of violence. Robbery is therefore both a crime against property and a crime against a person.

When a person breaks into a building and plans to do something illegal inside, that person is committing **burglary**. Burglary is a crime against property. It may or may not involve stealing.

Other kinds of crimes against property include arson and vandalism. Arson is the act of setting fire to a property on purpose. Vandalism is purposely damaging someone else’s property. Breaking windows and painting graffiti on walls are examples of vandalism.

**White-Collar Crime** White-collar crimes are nonviolent crimes by office workers for personal or business gain. One white-collar crime is fraud, or taking someone else’s property or money by cheating or lying. Another is **embezzlement**, stealing money that has been entrusted to your care. If a bank employee put money from other people’s bank accounts into his or her own account, it is embezzlement. Stealing company secrets and not paying taxes are also white-collar crimes.
Each year, Americans file their federal income tax returns. The Internal Revenue Service makes sure that taxpayers fill out the forms correctly and do not cheat.

1. What is happening in this cartoon?
2. Do you think the man made a major mistake on his return, or did he attempt to cheat the government by not paying his taxes? Explain.

**Victimless Crimes** Drug use and gambling are known as victimless crimes, or acts that primarily hurt the people who commit them. Our society calls them crimes because they go against common values.

Should there be laws against acts that do not hurt any innocent people? Some people say that such laws limit the freedom of individuals. Others argue that such acts really do hurt innocent people. They warn that gamblers and drug users are a bad influence, that their families suffer, and that they often turn to violent crime to pay for their habits.

**Crimes Against the Government** Crimes against the government include treason and terrorism. Treason is the betrayal of one’s country by helping its enemies or by making war against it. Terrorism is a crime in which people or groups of people use, or say they will use, violence in order to get what they want from the government or society. The terrorist bombing of a federal government office building in Oklahoma City in 1995 caused the deaths of 169 people. On September 11, 2001, terrorists crashed commercial airliners into the World Trade Center in New York City and the Pentagon near Washington, D.C. These attacks killed about 3,000 people.

**Reading Check** Who are the victims of “victimless” crimes?
The Causes of Crime

In the United States, millions of crimes are committed each year. People disagree about what causes crime. All of the reasons below have been suggested as contributing to the problem.

**Poverty** Poverty and unemployment are closely connected to crime. When people cannot earn enough money to support themselves and their families, they may feel that society does not work well for them. These people are more likely to break the law.

**Social Change and Changing Values** New technology and some economic changes are bringing about great changes in the United States. Many Americans must learn new job skills or move to different parts of the country. Values are changing, too. In the process, some people lose their sense of right and wrong.

**Poor Parenting** Some studies show that an unhappy family life can make a person much more likely to break laws. Children whose parents hurt or neglected them may suffer great emotional pain. Some find it hard to control their behavior as adults.

**Drug Use and Mental Illness** Many crimes committed each year are drug-related. The people who commit them are under the influence of drugs, are stealing to support a drug habit, or are selling drugs. Other people suffering from mental illnesses sometimes commit crimes in an irrational moment. Such mental illnesses can often be treated with proper therapy or medication.

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**Analyze Charts**

### Types and Causes of Crime

<table>
<thead>
<tr>
<th>Causes of Crime</th>
<th>Types of Crime</th>
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<tbody>
<tr>
<td>Poor Parenting</td>
<td>Crimes Against people</td>
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<tr>
<td>Drug Use</td>
<td>Victimless Crimes</td>
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<tr>
<td>Mental Illness</td>
<td>White-Collar Crimes</td>
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<tr>
<td>Poverty</td>
<td>Crimes Against Property</td>
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<td>Permissive Courts</td>
<td>Crimes Against the Government</td>
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<tr>
<td>Rapid Social Change</td>
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<tr>
<td>Not Enough Money for Police</td>
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<tr>
<td>Violence in the Media</td>
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</tbody>
</table>

The chart at left illustrates several types of crime that affect the United States, plus a number of factors that are believed to contribute to crime.  
1. **Analyze** What are three things that may cause crime?  
2. **Apply** What is a crime against the government?

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Target Reading Skill

**Understand Sequence** Note the heading The Causes of Crime. That tells you that each crime listed is an effect of one or more of these causes. In the sequence of events, the cause comes first and the effect comes next.
Permissive Courts Some people place much of the blame for crime on the way our courts treat criminals. Too few criminals are sent to prison, they say. Many receive short sentences. Some are released on technicalities. Some people also feel that those criminals who do go to prison are given parole too soon and that they will continue to commit crimes.

Not Enough Money for Police Crime will not be reduced, say many people, until the chances of getting caught are much higher. More money, they argue, should be given to police departments so that more police officers can be hired. Police officers also need the latest technology and equipment to help them fight crime.

Violence in the Media Every day, millions of children and adults watch violent acts on television, in movies, and in computer games. Many people believe that the more violence people see, the more desensitized they become to violence. They fear that watching a great deal of violence causes people to be more violent themselves.

No Single Cause These and many other aspects of our modern society have been blamed for causing crime. People do not agree about which of these causes are most to blame. Experts do agree that no single cause can explain our crime problem.

Video Violence
The debate continues about how much the violence in video games influences people to become violent.

Support a Point of View Do you feel that violent images in television, films, and video games should be controlled by the government?

**Reading Check** What is the connection between crime and poverty in the United States?

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### Key Terms
Use each of the key terms in a sentence that explains its meaning: assault, battery, burglary, embezzlement, treason, terrorism

### Target Reading Skill
1. **Understand Sequence**
   Summarize the sequence of events that leads to the police officer coming to Kate’s house (page 535).

### Comprehension and Critical Thinking
2. **Explain** Why is crime such a serious problem in the United States?

### Writing Activity
Choose one of the categories of crime described in this section. Look up the statistics in this category for your state over the past decade. Note whether the crime rate is falling or rising. Write a report in which you try to account for the change in the crime rate over time.

**TIP** Reread The Causes of Crime in Section 1. Think about other causes of crime as you write your report. How have changes in laws or in society affected the causes of crime?

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540 Criminal and Juvenile Justice
Identifying Bias

To evaluate evidence correctly, you need to be able to identify whether the evidence is objective or biased. Objective information simply contains facts. However, readers must interpret those facts to find any bias that lies behind them. For example, what bias might the writer of a primary source have felt toward the topic he or she wrote about? What biases does a government's decision indicate? It is important to detect bias, as this may undermine the validity of the evidence.

To the Editor:
The justice system in our state is in need of serious reform. Criminals are spending too little time in prison for committing the most violent crimes. Murderers are released after 10 years in prison or less. Kidnappers receive just a few years in prison.

I have seen the effects of lenient sentences firsthand. My brother suffered at the hands of a violent criminal who attacked him one September evening. My brother spent weeks recovering, but the criminal got a slap on the wrist—just two years in prison.

We must get tough on violent criminals. Giving them short sentences and letting them out early puts all of us at risk. We need to punish the criminals for what they’ve done. We need to keep them locked away from law-abiding Americans.

—Jim Overcroft

Learn the Skill

Follow these steps to identify bias:

1 Identify the main ideas. What is the main point of the evidence?
2 Identify the source. Who compiled the evidence? Whose decisions and actions does it report?
3 Identify any bias. What bias or biases do these actions and decisions indicate?

Practice the Skill

Study the letter above, and then answer these questions:

1 What is the main idea of the letter?
2 (a) Whose actions and decisions are reflected in the letter? (b) What are those decisions?
3 What bias or biases can you find in the letter?

Apply the Skill

Find a newspaper or magazine article about a criminal trial. Read the article carefully, and describe any signs of bias that you find.
The criminal justice system faces a challenge. It must protect society against those who break the law. It must also protect the rights of people accused of crimes. Americans often disagree about how to balance these responsibilities.

The Arrest and Pretrial Process

In order to make sure that people’s rights are protected, there are many steps that must be taken to decide whether a person is guilty of a crime. To follow those steps, suppose that Jack Jones broke into an electronics store and stole portable MP3 players.

The Arrest  Jack Jones enters the criminal justice system when he is arrested by a law enforcement official. To arrest Jack, the police must have probable cause, a good reason to believe that a suspect has been involved in a crime. If the police see Jack commit the crime or if someone reports that Jack has committed the crime, then the police have probable cause to arrest him.

A person can also be arrested if the police have a warrant for his or her arrest. A warrant is a legal paper, issued by a court, giving police permission to make an arrest, seizure, or search. To obtain a warrant, the police must give evidence to a judge.

During the arrest, the officers must tell Jack that he has the constitutional right to remain silent and to have a lawyer present during questioning. This is part of the Miranda warning.
After the arrest, Jack is taken to a police station. The police record Jack's name, the time of the arrest, and the charges, or reason for the arrest. At this time, Jack has the right to make a phone call to a lawyer or to someone who can arrange for a lawyer. Then, he is placed in a jail cell.

The case is given to a prosecuting attorney, or prosecutor. In the state court systems, the prosecutor will be the district attorney (DA) or an attorney on the DA's staff. The prosecutor will lead the government's case against Jack Jones. If the prosecutor decides that the case against Jack is too weak, the charges may be dropped and the suspect released.

**The Preliminary Hearing** On the day of his arrest or soon after, Jack appears in court for a preliminary hearing. The suspect, Jack Jones, is now called the defendant. At this hearing, the prosecutor must show the judge that a crime has been committed and that there is enough evidence against Jack to go ahead with the case. The judge may decide to dismiss the case if the prosecutor cannot show that there is enough evidence that Jack committed the crime.

If the crime could lead to a prison sentence, Jack has a right to the help of a lawyer, or an attorney. If he does not have enough money to pay for a lawyer, the court will appoint one at this hearing. The lawyer may be either a private attorney whom the government will pay to represent Jack or a public defender. Public defenders are lawyers who work full time for the government defending criminal suspects who cannot afford to pay. The defendant's lawyer is called the defense attorney.

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**Target Reading Skill**
**Recognize Words That Signal Sequence** As you read these paragraphs, look for signal words or phrases, such as **during, after, at the same time, and then**. These words clarify the order in which the steps happen.

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**Analyze Charts**

**Serious Crimes Committed in the United States**

The circle graph above shows crime statistics for 2003.

1. **Analyze** Which of the five types of crimes are shown in the pie chart?
2. **Calculate** Find the total percentage of the pie chart for each of the types you identified in the question above.

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**Source:** Federal Bureau of Investigation
Focus On

The Supreme Court

Gideon v. Wainwright (1963)

Why It Matters The case established that every person accused of a crime has a right to a lawyer.

Background In 1961, Clarence Gideon, an unemployed 40-year-old man, was accused of breaking into a Florida poolroom and was arrested. He asked the court for a lawyer, saying he had no money to hire one himself. The judge refused, saying that under Florida law, only people accused of a capital crime (a crime in which the death penalty was a possible punishment) could have a lawyer appointed by and paid by the court. Gideon claimed that under the Sixth Amendment he was entitled to a lawyer even though he could not afford to hire one.

Gideon did his best in representing himself at the trial, but he was convicted and sentenced to five years in jail. From jail, Clarence Gideon wrote a letter in pencil to the U.S. Supreme Court appealing his conviction. The case reached the Supreme Court in 1963.

The Decision The Supreme Court voted unanimously in favor of Gideon, saying that the Sixth Amendment did guarantee Gideon the right to a lawyer. The Court said in denying Gideon the right to counsel (a lawyer), the State of Florida had denied him due process of law, a violation of his rights under the Fourteenth Amendment. The Court’s decision overturned Gideon’s conviction for burglary.

Understanding the Law

1. Why did the Florida judge deny Gideon a lawyer?
2. How did the Gideon case help ensure that people would receive a fair trial?

In either a misdemeanor or felony case, the defendant may enter a plea of guilty, not guilty, or a plea of “no contest” at this first court hearing. (In a “no contest” plea, a defendant does not admit committing the crime but accepts the punishment anyway.)

At this first appearance in court, the judge may set bail. Bail is money that a defendant gives the court as a kind of promise that he or she will return for the trial. If the defendant does not return, the court keeps the bail. The judge may also simply let the defendant go on his or her “own recognizance.” This means that the defendant is considered not to be a risk to society and likely to appear at the trial. If the judge decides the defendant is dangerous to society, the defendant can be held in jail without bail.
**Grand Jury** The Constitution says that a grand jury must review cases involving serious federal crimes. Some states use grand juries, too. The grand jury is a group of from 16 to 23 citizens. Its job is to decide whether there is probable cause for believing that the defendant committed the crime. The grand jury acts as a check on the government. It protects the rights of the individual, making sure there is enough evidence against him or her.

The grand jury may either return an **indictment** (in DITE ment)—a formal charge against the accused—or refuse to **indict**. A defendant who is indicted must appear in court for a felony **arraignment** (uh RAIN ment), a court hearing in which the defendant is formally charged with a crime and enters a plea of guilty, not guilty, or no contest. If the defendant pleads guilty, no trial is needed. If the defendant pleads not guilty, the defense attorney will take the next step.

**Pretrial Motions** If Jack Jones pleads not guilty to the charges against him, there are important steps, called pretrial motions, that may be taken before the actual trial begins.

One of the most important motions is to keep evidence from being presented in court. Sometimes the defense attorney may say that the police obtained the evidence through an illegal search. If the judge rules that key evidence cannot be used in the trial for this reason, the prosecution may have to drop the charges. This rule protects the constitutional rights of the accused. But it may result in people who have actually broken the law being set free.

**Plea Bargaining** Most criminal cases never go to trial. The main reason these cases do not go to trial is that the defendant pleads guilty. A trial is not needed.

If a defendant knows that he has broken the law and that the evidence against him is strong, he might want to make a deal with the prosecutor. Making such a deal is called **plea bargaining**, agreeing to plead guilty in exchange for a lesser charge or a lighter sentence. As a result of plea bargaining, the defendant gets a milder punishment than he or she would probably have received in a trial. Meanwhile, the government saves the cost of a trial.

**Reading Check** Why would a defendant agree to engage in plea bargaining?
Going to Trial

Suppose that, after all of these steps, Jack's case makes it to trial. What happens in the courtroom?

Jury Selection Citizens are called to serve on the jury. They are questioned either by attorneys on both sides of the case or by the judge. The purpose of the questioning is to determine who will listen carefully to the evidence and then make a decision fairly. Sometimes many people must be questioned before a group of jurors is selected.

The Trial The rights granted by the Constitution determine how a trial is run. The trial must be speedy and public. The defendant—Jack—has the right to call witnesses and to question witnesses called by the prosecution. He has the right to be present in the courtroom, but he does not have to answer questions. The purpose of the trial is to decide whether Jack is innocent or guilty.

Analyse Diagrams

Criminal Law: From Arrest to Conviction

When a person is arrested for a crime, there are a number of steps that must be followed to ensure that the person is given a fair trial by a jury of his or her peers. The diagram shows the typical path of events for a person who pleads not guilty to a crime.

a. What must happen before a lawyer is hired or appointed for the defendant?

b. How would the diagram be different if the defendant had entered a plea of guilty?

1. Probable cause or warrant issued

2. Suspect arrested and read Miranda rights

3. Booking at police station

4. Prosecutor determines case is strong enough

5. Lawyer hired or appointed

6. Judge or grand jury decides if evidence is strong enough

7. Bail is set
Usually, statements made by witnesses are the most important evidence in a trial. A witness may be a person who saw the crime take place. A witness may also be the defendant, the victim, or anyone who knows anything about the defendant, the victim, or the crime.

The attorneys in the trial each call their own witnesses, asking them questions in court. After one attorney questions a witness, the other attorney may question that same witness.

At the end of the trial, the attorneys for each side make closing arguments. The judge then gives directions to the jury and sends it out to make its decision.

A jury must decide whether the defendant is guilty beyond a reasonable doubt. If they have any doubts about the defendant's guilt, they must find the defendant not guilty. If the jury cannot agree, it is called a hung jury, and the case may be tried again before another jury.
Sentencing  If Jack is found guilty or pleads guilty, the final step in the courtroom is sentencing. Sentencing is deciding how the defendant will be punished.

The law generally sets a maximum and a minimum sentence for each crime. Sometimes the judge has the power to decide the exact sentence within that range. The judge considers the severity of the crime and the criminal record, age, and attitude of the offender. For example, the judge may give a first-time offender who regrets the crime a lower sentence.

Sometimes, however, a judge must follow sentencing guidelines. These provide a narrower range of sentences, based on the nature of the crime and the defendant’s criminal history.

**Reading Check**  Whom do attorneys for both sides call as witnesses in a trial?

**Correctional Institutions**

Having been convicted, Jack now enters the corrections system. He may be sentenced to a community treatment program, a jail, or a prison.

Cities and counties run jails. They hold people waiting for trial. People convicted of misdemeanors may also serve time in a jail. Both state and federal governments run prisons. People convicted of serious crimes, such as murder and robbery, are usually sent to prisons. In prison, they are called inmates.

An inmate’s time in prison may be reduced for good behavior. Letting an inmate go free to serve the rest of his or her sentence outside of prison is called parole. A group called a parole board decides whether to let inmates go before their sentences are over.

In 2004, there were just over 1.4 million state and federal inmates and about 710,000 inmates in local jails. Our society spends a large amount of money running jails and prisons.

**Reading Check**  Why would the criminal justice system parole a criminal?

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**Addressing the Jury**

An attorney tries to convince the jury to believe his argument. Juries decide a defendant’s guilt or innocence in criminal cases.

**Draw Inferences**  What might happen if an attorney had the facts of a case in his or her favor but was unable to make clear, persuasive arguments?
Challenges Facing the System

Our criminal justice system is challenged by the number of people it must deal with each year. There were more than 9.8 million arrests in the United States in 2002 and almost 9.6 million in 2003. In many courts, there are not enough judges and other court employees to handle all the people waiting for trial.

In the last decade, nearly every state has increased the number of youths under 18 who are processed by adult criminal courts rather than by juvenile courts. This growing population of young defendants and prisoners presents unique challenges to the entire criminal justice system. Lawyers, judges, probation officers, and corrections officials are encountering new problems and looking for guidance in how to deal with them.

Prisons are also overcrowded. The number of people in prison nearly doubled between 1990 and 2001. New prison construction has not kept pace with the growing prison population. A 2005 Department of Justice report stated that state prisons housed up to 16 percent more inmates than they were designed to hold. Federal prisons housed 39 percent beyond their capacities.

What is the impact of rising prison populations on the American correctional system?

Parole
A parole board interviews an inmate. Parole boards have the ability to release prisoners before their sentences are complete.

Make Inferences What factors do you think would influence a parole board when it makes its decision about a specific inmate?

Analyze Charts

**Populations of State Prisons**

<table>
<thead>
<tr>
<th>State</th>
<th>Prison Population</th>
<th>% Women</th>
<th>% Men</th>
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<tbody>
<tr>
<td><strong>Largest Prison Populations</strong></td>
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</tr>
<tr>
<td>Texas</td>
<td>166,911</td>
<td>8.1%</td>
<td>91.9%</td>
</tr>
<tr>
<td>California</td>
<td>164,487</td>
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<td>93.5%</td>
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<tr>
<td>Florida</td>
<td>79,594</td>
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<tr>
<td>New York</td>
<td>65,198</td>
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<td>95.5%</td>
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<tr>
<td>Michigan</td>
<td>49,358</td>
<td>4.5%</td>
<td>95.5%</td>
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<td><strong>Smallest Prison Populations</strong></td>
<td></td>
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</tr>
<tr>
<td>New Hampshire</td>
<td>2,434</td>
<td>4.8%</td>
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<td>Maine</td>
<td>2,013</td>
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<td>Vermont</td>
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<td>Wyoming</td>
<td>1,872</td>
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<td>90.7%</td>
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<tr>
<td>North Dakota</td>
<td>1,239</td>
<td>9.1%</td>
<td>90.9%</td>
</tr>
</tbody>
</table>

SOURCE: Bureau of Justice Statistics, 2005

The chart at left compares the five states having the largest populations of state prison inmates with the five states having the smallest prison populations in 2003.

1. **Analyze** How does a state's overall population affect its ranking by size of prison population?

2. **Calculate** What is the average percentage of women in the prison population in these states?
Proposals for Fighting Crime

Because of public pressure, Presidents, governors, and mayors have been giving top priority to fighting crime. These leaders have many ideas about how to solve our crime problem. However, few of them agree. What someone thinks is the best solution to crime often depends on what he or she sees as the major cause of crime.

Preventing Crime Many people think we should work hardest at preventing crimes. There are several ways to help prevent crime, including neighborhood watch programs.

Meanwhile, many people favor broader ways of preventing crime. They want to attack what they see as the root causes of crime: poverty and other social problems.

Being Tougher on Criminals Others believe that the best way to fight crime is to be harder on criminals. Congress and some states have passed laws calling for mandatory sentences—punishments that are set by law and that a judge must give no matter who the defendant is or the reason for the crime. In some states, for example, anyone who uses a gun while carrying out a crime must be sent to prison.

Many people also favor the death penalty, or capital punishment, as a sentence for serious crimes such as murder. The death penalty, however, has many opponents. Some people point out that innocent people have been wrongly convicted of murder. They feel that the possibility that the government might execute an innocent person makes the death penalty unjust. The Supreme Court, however, has upheld state laws allowing the death penalty.

Citizens Get Involved
In Neighborhood Watch communities, neighbors look out for one another’s property and report problems quickly to the police. An organization called the Guardian Angels works in many urban areas, keeping watch for criminal activity.
Rehabilitation  Rehabilitation is the process of trying to teach inmates how to live productive lives when they are released. Unfortunately, rehabilitation is not working very well. A large number of inmates break laws again after they are released. Many people, however, say that rehabilitation programs can be improved and become an important way of fighting crime.

Some rehabilitation programs take place within prison. Inmates may get counseling that helps them understand and change the way they behave. Educational and job-training programs are also a part of inmate rehabilitation.

Rehabilitation may continue after the inmate’s time in prison is over. Some ex-prisoners live in halfway houses, group homes for people who are returning to life outside prison. There, they get support and help. They can test new skills in a job that brings in a steady income. Some people believe that skills and job training can reduce the number of former inmates who commit crimes again.

**Reading Check**  What are the arguments for and against the death penalty?

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**Inmate Job Training**  A prison inmate in Ohio trains a puppy to become a guide dog for blind people as part of a rehabilitation program.

**Make Inferences**  Why might job training for prison inmates help fight crime?

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**Assessment**

**Key Terms**

Use each of the key terms in a sentence that explains its meaning:

- probable cause
- warrant
- bail
- indictment
- arraignment
- plea
- bargaining
- parole

**Target Reading Skill**

1. **Recognize Words That Signal Sequence**  Review the story of Jack Jones’s arrest and trial. Point out some signal words, and explain what they indicate about the order of events.

**Comprehension and Critical Thinking**

2. **a. Describe**  What is a grand jury? In what kinds of cases is this jury summoned?
   **b. Contrast**  Judges and grand juries can keep a case from going to trial. Why is the grand jury necessary?

3. **a. Recall**  Who selects the jurors for a trial?
   **b. Draw Inferences**  Why might someone who has been the victim of a robbery not be selected for a jury in a robbery case?

4. **a. Recall**  How are prisons and jails different?
   **b. Draw Conclusions**  Some people advocate putting more criminals into community treatment programs instead of jail. They claim that it makes better economic sense. What might be their reason for believing this?

5. **a. Describe**  How did the number of people in prison change during the 1990s?
   **b. Synthesize Information**  Laws imposing tough mandatory sentences on criminals became increasingly popular in the 1980s and 1990s. How might this have contributed to prison overcrowding?

6. **a. Recall**  What are the three major ways of fighting crime?
   **b. Make Decisions**  Which of the three ways of fighting crime do you think is the most effective? Why?

**Writing Activity**

Police must issue the Miranda warning when they arrest someone. Look up the Miranda warning online. Write a brief history of what it is, where it got its name, and why the law requires it.

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**Go Online**

For: An activity on jury duty
Visit: PHSchool.com
Web Code: mpd-7203

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Chapter 20  551
Until the late 1800s, children accused of crimes were treated like adults. They were thrown in jails with hardened criminals and given long prison terms if they were found guilty.

Some people objected to this harsh treatment of young offenders in courts and prisons. They argued that young people need special treatment. About 100 years ago, a group of reformers set out to create a separate justice system for juveniles, or young people.

Juvenile Courts

Juvenile courts are state courts set aside for young people. Their goal is to help juveniles in trouble, not to punish them. The first juvenile court was opened in Illinois in 1899.

Most states identify a juvenile as a person under the age of 18, although a few states set the age at 16 or 17. A youth thought to have broken a criminal law is brought before a juvenile court. A juvenile who is found guilty of a crime is called a delinquent.

Children may also have to appear in juvenile court if they are charged with running away, disobedience, or truancy—skipping school without permission. These acts are not crimes. They are against the law only for young people. A youth who is found guilty of one of these acts is called a status offender. A status offender is a youth who is judged to be beyond the control of his or her parents or guardian.

Why was the juvenile court system created?
Students Make a Difference

Laurel Olsen, a senior at Evergreen Academy in Hackensack, New Jersey, understands that a safe community keeps the channels of communication open between police departments and the people they serve.

At her town’s police department, Laurel participates in an internship program. She is learning how law enforcement works—not only to protect the law but also to educate communities on police matters. “On my first day, for example, I was part of a dual-community task force being set up to investigate complaints of domestic violence, as well as informing the public of resources available in those situations.”

Service Learning

How can you make a difference with your local police department?

Juvenile Court Procedure

Suppose Jenna Williams, a 16-year-old girl, is arrested for shoplifting makeup. The steps she goes through are different from the ones for an adult charged with the same crime.

Arrest and Intake When Jenna is arrested, the police have the power to decide what to do with her. They might return her to her parents or give her case to a social service agency, an organization that helps children and families.

In Jenna’s case, the police do not send her home. Jenna has been charged with shoplifting before, and she has a history of running away from home. For these reasons, the police take her to a county detention home, or juvenile hall.

Next, Jenna goes through an informal court process, called intake, to decide whether her case should be sent to juvenile court. A social worker asks Jenna questions and looks at her past record and family situation. Almost 25 percent of all cases are dismissed, and the juvenile is sent home or directed to a social service agency. Because of Jenna’s past record, however, the social worker sends her case to the next step in juvenile court.

Target Reading Skill

Recognize Words That Signal Sequence The word procedure in the heading on this page is a signal word. A procedure is a series of steps that are followed in a given situation. As you read this section, look for the signal words that will help you put the steps in chronological order.
The Initial Hearing At the initial hearing, the judge must be convinced that a law was broken and that there is good evidence that the young person was the one who broke it. If there is not enough evidence, the juvenile is sent home.

The judge hearing Jenna's case decides that there is probable cause to believe that Jenna stole the makeup. The judge sends Jenna back to juvenile hall.

The Adjudicatory Hearing The third step, the adjudicatory hearing, takes the place of a trial. It is not public, and there is no jury. The young person, however, may have an attorney.

Jenna has an attorney appointed by the court. After the hearing, the judge makes a decision. In this case, the judge finds Jenna to be a delinquent.

The Dispositional Hearing At the next step, the dispositional hearing, the judge decides the sentence. The judge considers the youth's school situation, family, and past behavior.

The judge then decides on a sentence. Should the youth be sent to a state institution for juveniles, placed in a group home or community treatment program, or put on probation? Probation is a kind of sentence in which a person is released but must be under the supervision of a court official, called a probation officer.

Aftercare The purpose of juvenile aftercare is to help young people after they have been released from an institution. Each youth is assigned to a parole officer who can give advice and information about school, jobs, and other necessary services.

Starting Over A probation officer helps juvenile offenders find educational and employment help so that they can avoid future trouble with the law.

Contrast How might the experience of a juvenile offender who has been released from an institution differ from an adult who has been released from prison?

✅ Reading Check What steps does Jenna go through in the juvenile justice system?

Strengthening Juvenile Justice Some people think that the juvenile justice system has been a big disappointment. They see overworked judges who make quick decisions without much knowledge of the children or their families.

Others say that the system is too easy on young criminals. Still other people have argued that juvenile courts should be done away with altogether. It is in the best interests of a young defendant, they say, to go to trial in a criminal court. There, the defendant's rights to due process have much stronger protections.
Community-Based Programs There are many successful programs for juvenile offenders. One is the community residential treatment center. Youths live in small group homes instead of being committed to a large state institution. There, psychologists and social workers help them learn to get along better with other people in their lives and learn to change their behavior. Youths also continue their education, so that they are better prepared for life outside the center.

Diversion Programs Many programs attempt to prevent crime from happening in the first place. They educate youths and show them possibilities other than crime.

Some delinquent youths take part in tough wilderness programs. The idea of these programs is that people’s self-esteem grows as they find that they can do difficult tasks. In the wilderness, youths may discover that they have the power within them to change the way they behave and to affect the world around them in positive ways.

Preventing Juvenile Crime A large percentage of adults convicted of crimes first got in trouble with the law when they were youths. Instead of being rehabilitated, they went on to commit more crimes. Therefore, the better our society is at preventing juvenile crime, the fewer adults the criminal justice system will have to manage.

Reading Check Describe the flaws people have found in the juvenile justice system.

SECTION 3

Assessment

Key Terms
Use each of the key terms in a sentence that explains its meaning:
delinquent, status offender

Target Reading Skill
1. Recognize Words That Signal Sequence Reread the section Juvenile Court Procedure. List signal words from the section that tell you the order in which the steps of the procedure occur.

Comprehension and Critical Thinking
2. a. Recall What offenses would cause a youth to be brought before a juvenile court?

3. a. Describe What happens to a juvenile offender after the adjudicatory hearing?

b. Compare and Contrast How is this similar to what happens to an adult criminal after trial? How is it different?

4. a. Recall How does the system try to rehabilitate juvenile offenders?

b. Evaluate Information Do you think the juvenile justice system punishes and helps young offenders adequately? Explain.

b. Make Generalizations Why is it in the state’s interest to make special laws that apply only to young people?

Writing Activity
Do you think that the juvenile justice system provides appropriate punishment for today’s crimes? Use library or Internet sources to find out more about sentences for juvenile offenders. Write a newspaper editorial expressing your views.

TIP You might compare the juvenile court penalties with the seriousness of the crimes youths commit today. This is a good place to begin an argument for or against reform.
Debating the Issues

Each state court system has its own rules for dealing with juvenile offenders. The maximum age to be considered a juvenile differs from state to state. The penalties and punishments for juvenile criminals are less harsh than those for adults. The court system tries to provide mentors, jobs, and other help for young offenders.

**Should the U.S. Court System Try Juveniles as Adults?**

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>• A crime such as murder is no less serious if the person who commits it is under a certain age. Violent young people should be punished in accordance with the seriousness of the crimes they commit.</td>
<td>• Juveniles are too young to understand fully the consequences of their actions. They cannot reason like adults. It is unfair to punish them as adults.</td>
</tr>
<tr>
<td>• The juvenile court system was designed to deal with petty crimes. Today, teen offenders commit serious violent crimes. They should be tried by the adult courts, which were designed to deal with those crimes.</td>
<td>• Putting young people into prison with violent adult criminals will only harm them further. Prisons are dangerous places for the young.</td>
</tr>
<tr>
<td>• It is more important to protect law-abiding citizens than it is to worry about the rights of lawbreakers. If juvenile offenders are harshly punished, communities will be safer.</td>
<td>• The adult court and prison systems are already overtaxed. Adding juvenile offenders would not result in greater justice for anyone. Instead, the government should spend money on education and rehabilitation programs that will help reform young criminals to become good adult citizens.</td>
</tr>
</tbody>
</table>

**What Is Your Opinion?**

1. **Identify Main Ideas** Should the courts consider an offender’s age when assessing punishment? Why or why not?
2. **Support a Point of View** Should the government set a nationwide minimum age at which children can be tried as adults? Why or why not?
3. **Write to Persuade** Nathaniel Abraham was 11 years old when he killed someone on October 29, 1997. Under a 1997 Michigan law, a child of any age may be tried as an adult for severe crimes. Write an editorial for your school newspaper, arguing that Abraham should or should not have been tried as an adult. Give specific reasons for your position.
Chapter Summary

Section 1
Crime in American Society
(pages 536–540)

- Thousands of crimes are committed in the United States each year.
- Serious crimes fall into the following major groups: crimes against people, such as assault and battery; crimes against property, such as burglary and larceny; white-collar crime such as fraud and embezzlement; "victimless" crimes, such as drug use and gambling; and crimes against the government, such as treason and terrorism.
- The crime rate is high for many reasons, among which are poverty, underfunded police departments, and drug addiction.

Section 2
The Criminal Justice System
(pages 542–551)

- Probable cause or a warrant is required to arrest a suspect. When a suspect is arrested, he or she is jailed and a preliminary hearing is held, at which time bail may be set. An arraignment may also take place before trial.
- A trial may never happen if the suspect engages in plea bargaining. If a trial does take place, it will happen before a jury that has been selected by the attorneys for both sides of the case.
- Those convicted of crimes may enter community treatment programs, jails, or prisons.
- The criminal justice system is challenged by a lack of judges and adequate space for prisoners. It cannot parole prisoners fast enough to make room for the incoming population.

- The three main solutions to the problem of crime are prevention, tougher sentencing, and rehabilitation.

Section 3
The Juvenile Justice System
(pages 552–555)

- The juvenile justice system classifies young people convicted of crimes as either delinquents or status offenders.
- If someone 18 years old or younger is arrested, he or she is detained in juvenile hall, interviewed by a social worker, given an initial hearing and an adjudicatory hearing, and, if found guilty, sentenced.
- Instead of going to prison, many juvenile offenders are sentenced to community service or diversion programs.

Copy the chart below, and then use it to help you summarize the chapter.
Reviewing Key Terms

Fill in the blank with the term that makes each sentence correct.

- bail
- battery
- burglary
- embezzlement
- indictment
- plea bargaining
- status offender
- warrant

1. A youth judged to be beyond his or her parents' or guardians' control is called a(n) ________.

2. The person who broke into Kate's house and stole her computer committed ________.

3. ________ is a white-collar crime in which a person steals funds with which he or she has been entrusted.

4. If the judge thinks a defendant will not come back for trial, he or she may refuse to set ________.

5. In order to arrest a suspect or search his or her property, the police must apply to a judge for a(n) ________.

6. Confessing guilt in exchange for a lesser jail sentence is an example of ________.

7. A person who harms another person with a weapon commits ________.

8. A(n) ________ is a formal charge that a person has committed a crime.

Comprehension and Critical Thinking

9. a. **Recall** What are considered the general causes of crime?

   b. **Determine Relevance** Choose one of the causes you listed and explain its relationship to the crime rate.

   c. **Identify Effects** Explain how crime itself can be the cause of further crime. Give specific examples.

10. a. **Explain** How do people try to prevent crimes from occurring?

    b. **Demonstrate Reasoned Judgment** Do you think these methods are effective? Why or why not?

    c. **Identify Alternatives** What do you think is the most effective way to prevent crime? Explain.

11. a. **Describe** What kind of sentence is a juvenile offender likely to receive?

    b. **Contrast** How is this different from the kind of sentence an adult criminal might receive?

    c. **Support a Point of View** What kinds of sentences do you think are reasonable and constructive for juvenile offenders? Explain.

Activities

12. **Skills** Read the passage to the right and answer these questions: a. What is the main idea of the passage? b. Can you detect any bias? Explain.

13. **Writing** Go online to read about the October 2002 sniper killings in the Washington, D.C., area. Compare and contrast how the criminal justice system handled the two defendants. Do you think the youth should have been tried as an adult? Explain.

   We must do something about reducing or getting rid of mandatory minimum prison sentences for first-time offenders of minor, nonviolent crimes. It is simply ridiculous. This would definitely help reduce prison overcrowding and the cost to taxpayers.
14. **Active Citizen** Work with classmates to design a program to prevent crime in your neighborhood. Present your ideas to the class for discussion.

15. **Math Practice** Suppose you want to go to law school. Choose a school and find out what its tuition charges are. Assume that you can pay for half the tuition and have to borrow the rest. How much debt will you have when you graduate?

16. **Civics and Economics** Some law schools help graduates repay their student loans if they take relatively low-paying jobs in the public sector. What long-term impact might this policy have on the U.S. economy? Explain.

17. **Analyzing Visuals** How does this photo illustrate a problem facing the American criminal justice system? Suggest a way that this problem can be solved and why you think it is a good solution.

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**Standardized Test Prep**

**Test-Taking Tips**

Standardized tests often ask you to answer questions about what you have read. Read the paragraph and answer the questions that follow.

**TIP** When all the answer choices are accurate statements, check the question again to see which answer it indicates.

Since 1920, the term *white collar* has been used to describe those who work at desks, because they dressed formally in white shirts and ties. Even though today’s dress standards are more casual, people still refer to office workers as white-collar workers. *Blue collar* describes the blue work shirts once worn by manual laborers; this term has been in use since 1946. During the 1970s, some people used the term *pink collar* to describe jobs traditionally held by women, such as nurse and switchboard operator. That term has since fallen out of favor.

**Choose the letter of the best answer.**

1. Why did the term *white collar* come into use?
   - A All workers wore white collars during the 1920s.
   - B Office workers wore white collars during the 1920s.
   - C Nursing was a job traditionally held by women in the 1920s.
   - D People began using the term *blue collar* during the 1940s.

   The correct answer is B. All four statements are true, but only choice B relates to the question asked.

2. Why did blue-collar workers avoid wearing white shirts?
   - A Dress standards have become more casual.
   - B Manual laborers are male, and men always wear blue.
   - C White shirts get dirty too easily.
   - D Only office workers are allowed to wear white.

   The correct answer is C.