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JUVENILE CRIME: A RESEARCH PERSPECTIVE

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YOUTH VIOLENCE, GUNS, AND THE ILLICIT-DRUG INDUSTRY

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I. THE GROWING CONCERN OVER CRIME

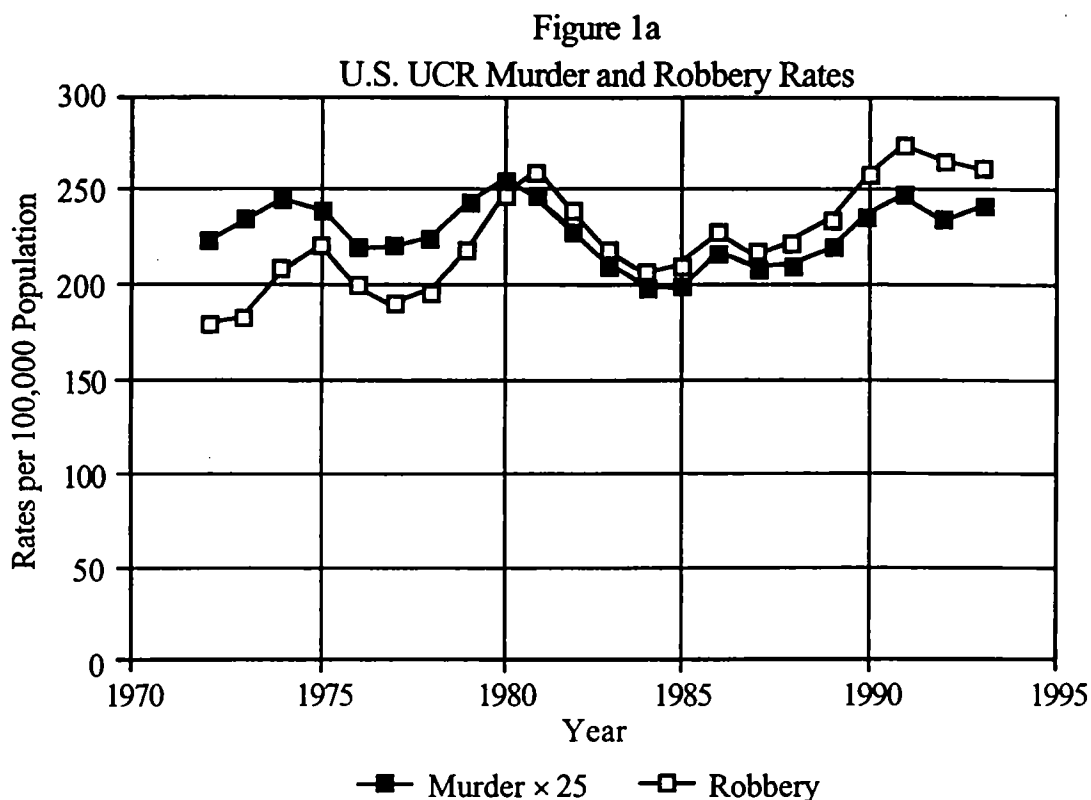
Crime has become an issue of increasing importance to the American public. A growing fear of crime seems to pervade the nation and contributes to crime being reported as the nation's "most serious problem."¹ This Article examines some empirical aspects of changing crime patterns in recent years and identifies the nature of these changes more precisely than is possible from a typical press report or political debate. This Article concludes that the predominant change in homicide is attributable to a dramatic growth in youth homicide beginning in the mid-1980s and attributes that growth to the recruitment of young people into illicit drug markets. Because those markets are illegal, the participants must arm themselves for self-protection, and the resulting "arms race" among young people results in a more frequent resorting to guns as a major escalation of the violence that has often characterized encounters among teenage males.

A. CHANGING CRIME RATES

If one were to ask the American people in 1994 how the crime problem has changed in recent years, most would respond that crime has been growing incessantly worse, especially violent crime. This view is reflected in the "single biggest problem" rating. However prevalent this view may be, it is unfounded. Most Americans would be

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¹ Richard L. Berke, *Crime Joins Economic Issues as Leading Worry, Poll Says*, N.Y. TIMES, Jan. 23, 1994, at A1 (A *New York Times*/CBS poll asked respondents to identify "the single biggest problem facing the nation." The leading issue was violent crime, identified by 19% of the respondents, with an additional 2% citing guns. The next issue of greatest concern was health care—a subject of considerable public discussion at the time—cited as such by 15% of the respondents. Only 3% cited drug abuse.).

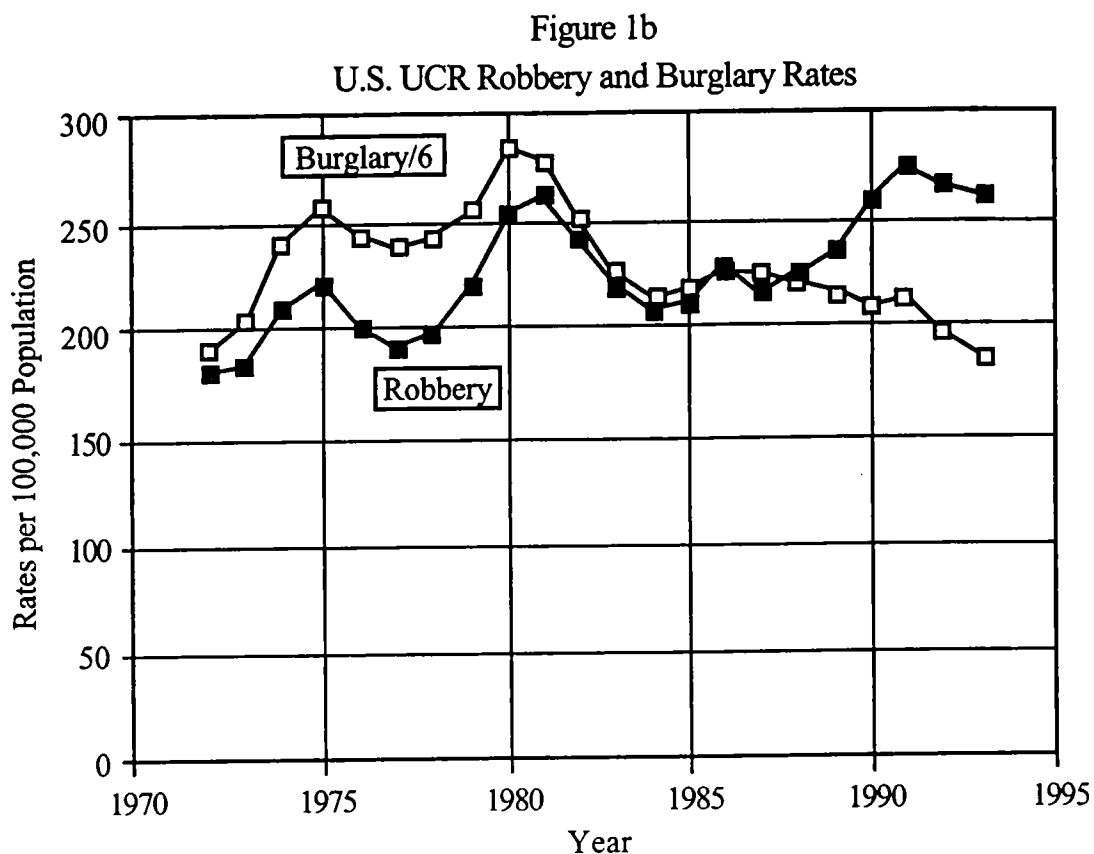


surprised to see Figure 1a,² the graph of the most serious violent crimes, murder and robbery, and Figure 1b, the graph of robbery and burglary,³ over the twenty-two year period from 1972 to 1993.⁴ These graphs present a picture of oscillation around a strikingly flat trend. The crime rates have generally remained within a fairly confined range of 200 to 250 per 100,000 population for robbery, and eight to ten per 100,000 for murder. Both the murder and the robbery rates peaked in about 1980, declined through the early 1980s, and then climbed again during the late 1980s with the intensification of the crack epidemic and the “war on drugs.” Over this period, there is no statistically significant trend for murder, a slight upward trend for robbery (an annual increase of 3.0 robberies per 100,000, or 1.35% of the

² Note that the murder rate in Figure 1a is scaled up by a factor of 25 and the burglary rate in Figure 1b is scaled down by a factor of 6 to make the patterns over time comparable.

³ The data for Figure 1 are taken from FEDERAL BUREAU OF INVESTIGATION, CRIME IN THE UNITED STATES: UNIFORM CRIME REPORTS [hereinafter UNIFORM CRIME REP. in footnotes and UCR in text]. These reports are published annually by the FBI on the basis of reports by police departments, which, in turn, are based primarily on the reports of crimes by victims, with the obvious exception of murder.

⁴ Seeing this long-term pattern is much more useful than the simple year-to-year up-or-down shifts that are usually offered by the press. The typical journalistic practice of reporting an up-tick on page one and a down-tick on a back page undoubtedly contributes to shaping the common perceptions that the trend is upward only.



mean robbery rate over the twenty-two years), and a slight downward trend for burglary (an annual decrease of 10.4 burglaries per 100,000, or 0.77% of the mean burglary rate over twenty-two years).

The oscillatory pattern for the two major bellwether violent crimes, murder and robbery, is quite similar. Both reached a peak in about 1980 as the baby boomers began to emerge from the high-crime ages, and began a downward trend through the early 1980s. That downward trend was anticipated because of demographic considerations,⁵ and was expected to continue until the early 1990s. Unfortunately, however, that downward trend was interrupted and turned upward through the late 1980s, probably as a consequence of the drug epidemic. In more recent years, both rates dropped from 1991 to 1992, but then murder increased while robbery decreased from 1992 to 1993.

The pattern for burglary tracked that for robbery rather closely until the late 1980s, when burglary did not turn up, but continued in a slow decline. If the crime rise in the late 1980s was driven by the growth in the drug market, and if the crimes of theft were strongly influenced by the need to get money to buy drugs, then the diver-

⁵ See Alfred Blumstein et al., *Demographically Disaggregated Projections of Prison Populations*, 8 J. CRIM. JUST. 1 (1980).

gence might be explained as follows: a robbery is a quick and convenient way for a drug user not earning his money from selling drugs to get his drug money. In contrast, a burglar still has to dispose of his property, through a fence or otherwise, and users in urgent need of drugs may choose to avoid that complication.

B. DEMOGRAPHIC-SPECIFIC RATES

The aggregate rates reflect a combination of changes in the crime-committing propensity of particular demographic groups and changes in demographic composition, particularly groups with relatively high crime involvement. One can partition these factors by examining changes in demographic-specific rates. The three principal measured demographic variables—age, race, and gender—account for large differences in the involvement in crime. The measure that accounts for the greatest difference is gender, but it is the least useful to explore because gender composition is not changing appreciably. Age, on the other hand, is one of the most important factors affecting crime rates and *has* been changing significantly in recent years. Therefore, it is useful to examine age-specific crime rates. This section also explores race, an important factor, especially in violent crime.

1. Age

Age is so fundamental a construct that its relationship to offenses is usually designated as the “age-crime curve.” These graphs depict the ratio of the number of people of each age, a , who are arrested for crime type i , $A_i(a)$, to the total population of that age,⁶ $N_i(a)$, as a function of age.

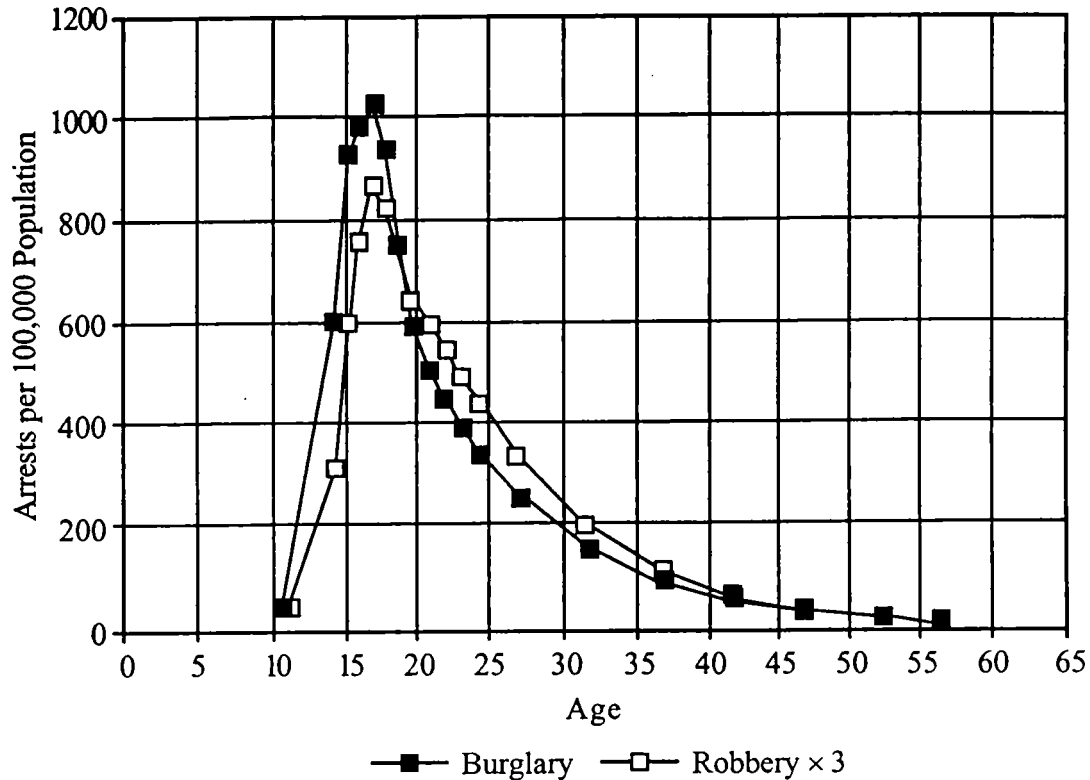
a. Robbery and Burglary

Figures 2a and 2b contrast the patterns for robbery (scaled up by a factor of three)⁷ and burglary in 1985 and in 1992. First, note that

⁶ Arrest is most commonly used as the proxy for offenders because the demographic characteristics of offenders are usually unknown, but are easy to establish for arrestees. Studies that have compared victim reports of the demographics of offenders with those of arrestees (for personal crimes like robbery and aggravated assault) find that the two have tended to be closely related. See, e.g., Michael J. Hindelang, *Race and Involvement in Common Law Personal Crimes*, 43 AM. SOC. REV. 93, 93 (1978). The data on age-specific rates are drawn from the FEDERAL BUREAU OF INVESTIGATION, AGE-SPECIFIC ARREST RATES AND RACE-SPECIFIC ARREST RATES FOR SELECTED OFFENSES, 1965-1992 (1993).

⁷ As was done in Figures 1a and 1b, we have scaled up the robbery arrest rates here by a factor of three to make them comparable with the rates for burglary. Kenneth Powell, of the Center for Disease Control and Prevention, in private communication has raised a question about the distinction between the scaling ratio of six used in Figure 1b (compar-

Figure 2a
Age-Specific Arrest Rates
Robbery and Burglary in 1985

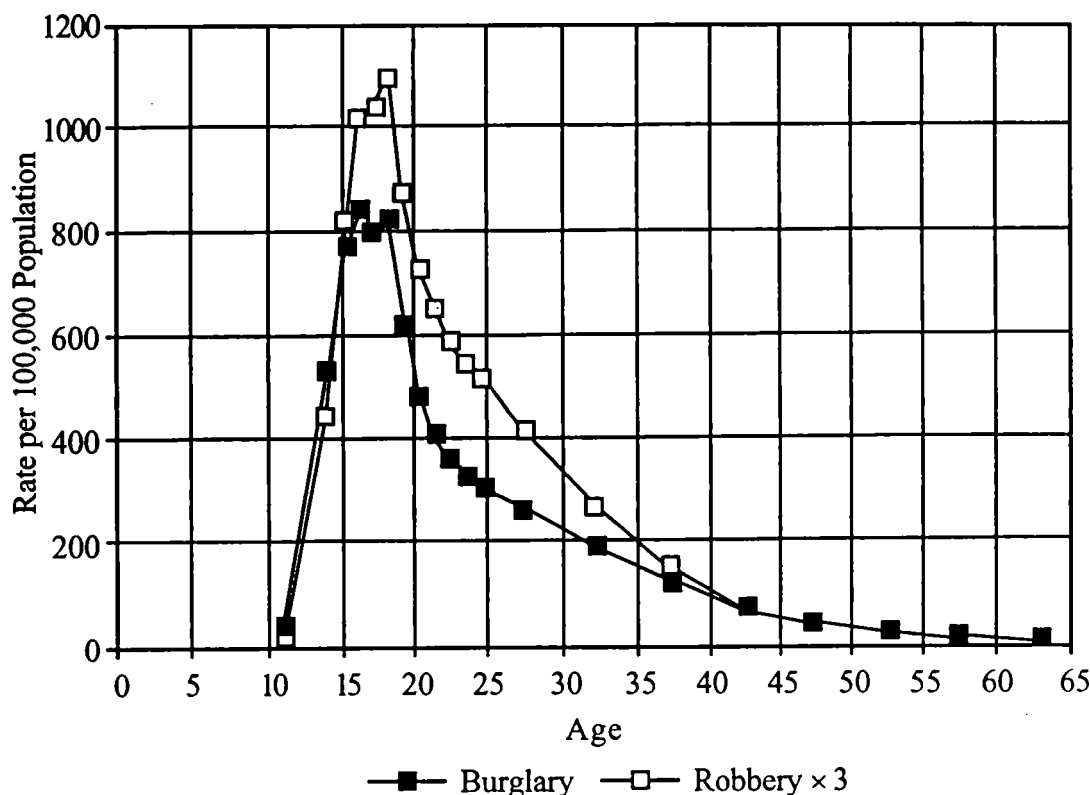


both crimes peak fairly early at about age seventeen, and fall off rather quickly, reaching their half-peak points in the early twenties, about age twenty-one for burglary and about age twenty-four for robbery. This suggests that people start committing robbery a bit later than burglary and also finish somewhat later. But clearly careers in both tend to terminate at a relatively young age.

The pattern for robbery and burglary for 1992 depicted in Figure 2b is very similar to the 1985 picture in Figure 2a. The burglary peak has dropped somewhat and the robbery peak has increased. This observation is consistent with the earlier observation about the aggregate rates in Figure 1b and suggests that the change in the age-specific rates is a principal factor affecting the aggregate rates. Aside from that shift, however, the two patterns are very similar during the two periods.

ing reported *crime* rates for robbery and burglary) and the ratio of three used in Figures 2a and 2b (comparing age-specific *arrest* rates for robbery and burglary). This difference is due to the fact that a reported robbery is about twice as likely to result in an arrest as a reported burglary. Witness identification in a robbery is more likely because of visual contact.

Figure 2b
Age-Specific Arrest Rates
Robbery and Burglary in 1992

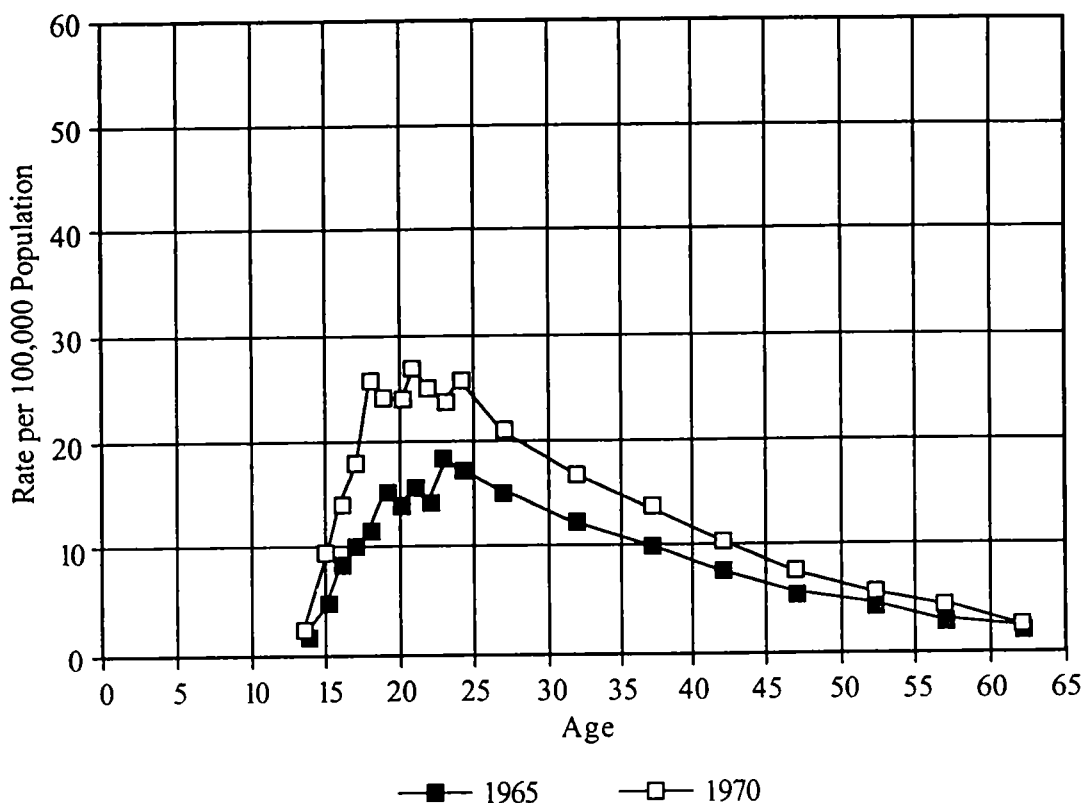


The information of these age-specific patterns is particularly relevant to the various proposals for life sentences without parole for people convicted of their third felony, popularly known as the “three strikes and you’re out” law. The age-specific pattern information is especially relevant if the felonies characterized as “strikes” include robbery, which they often do since robbery is classified as a “violent” crime, or burglary because of the few burglars or robbers that appear at age fifty. “Careers” in these two *property* crimes are relatively short and have largely concluded by the time the offender reaches age fifty. But the life expectancy at age fifty, even in 1991, was still over twenty-five years,⁸ especially with the good care a convicted criminal is likely to get in prison. Strikes should be limited to only serious violent offenses, which display longer criminal careers.⁹ The long duration of

⁸ See U. S. BUREAU OF THE CENSUS, STATISTICAL ABSTRACT OF THE U.S. 87, table 115 (1994).

⁹ See Alfred Blumstein & Jacqueline Cohen, *Characterizing Criminal Careers*, 237 SCIENCE 985 (1987); ALFRED BLUMSTEIN ET AL., CRIMINAL CAREERS AND “CAREER CRIMINALS” 1-12 (1986) for consideration of the issues involved and estimates of the duration of criminal careers.

Figure 3a
Age-Specific Murder Arrest Rate
1965 and 1970



the career and the seriousness of the offending patterns might more reasonably justify the lengthy imprisonment and its associated high cost, at least on incapacitation grounds.

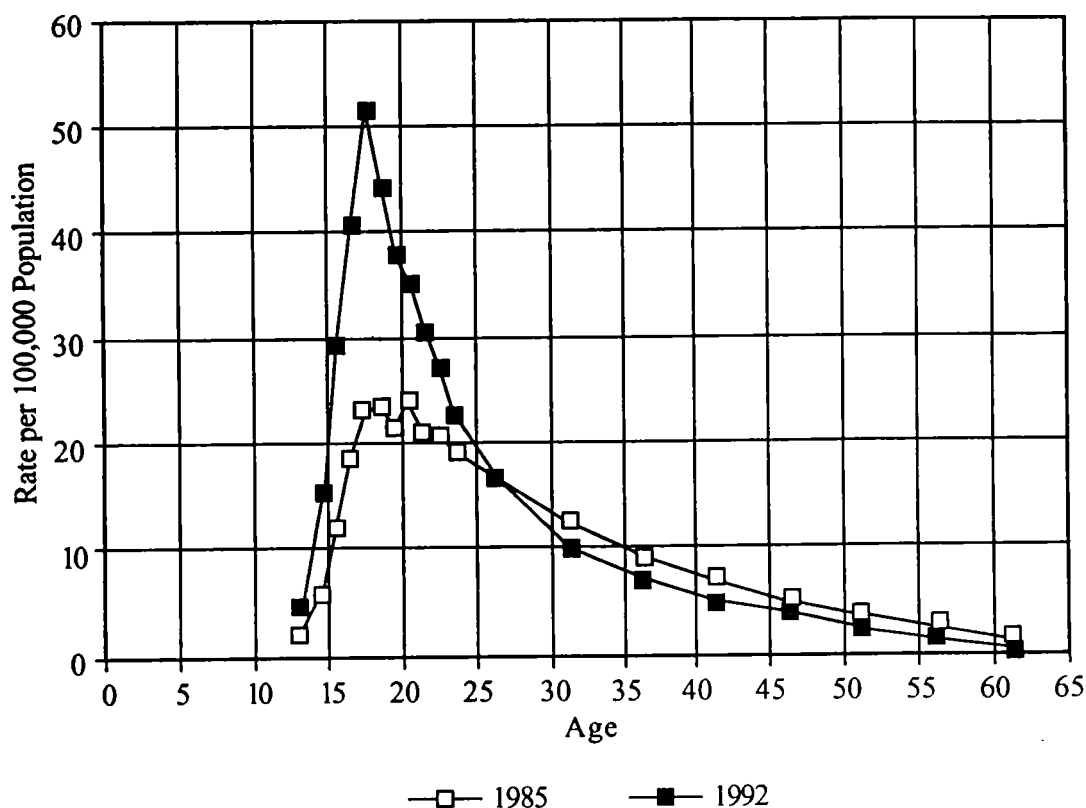
b. Murder

The trends in the age-specific patterns for murder¹⁰ are in marked contrast to those for robbery and burglary. Figure 3a presents two graphs of the shift in age-specific murder rates from 1965 to 1970. This figure displays a clear, across-the-board increase in the age-specific rates at all ages, but the pattern in the two years has not changed. In both cases, there is a rather flat peak over the ages of eighteen through twenty-four, with a relatively slow rise compared to Figures 2a and 2b for robbery and burglary until age eighteen, followed by a relatively slow decline after age twenty-four.

Contrast this situation with Figure 3b, which depicts the same age-specific arrest rates for murder for the years 1986 and 1992. Here,

¹⁰ These, and all other data on age-specific arrest rates, are drawn from FEDERAL BUREAU OF INVESTIGATION, AGE-SPECIFIC ARREST RATES AND RACE-SPECIFIC ARREST RATES FOR SELECTED OFFENSES, 1965-1992 (1993).

Figure 3b
Age-Specific Murder Arrest Rate
1985 and 1992



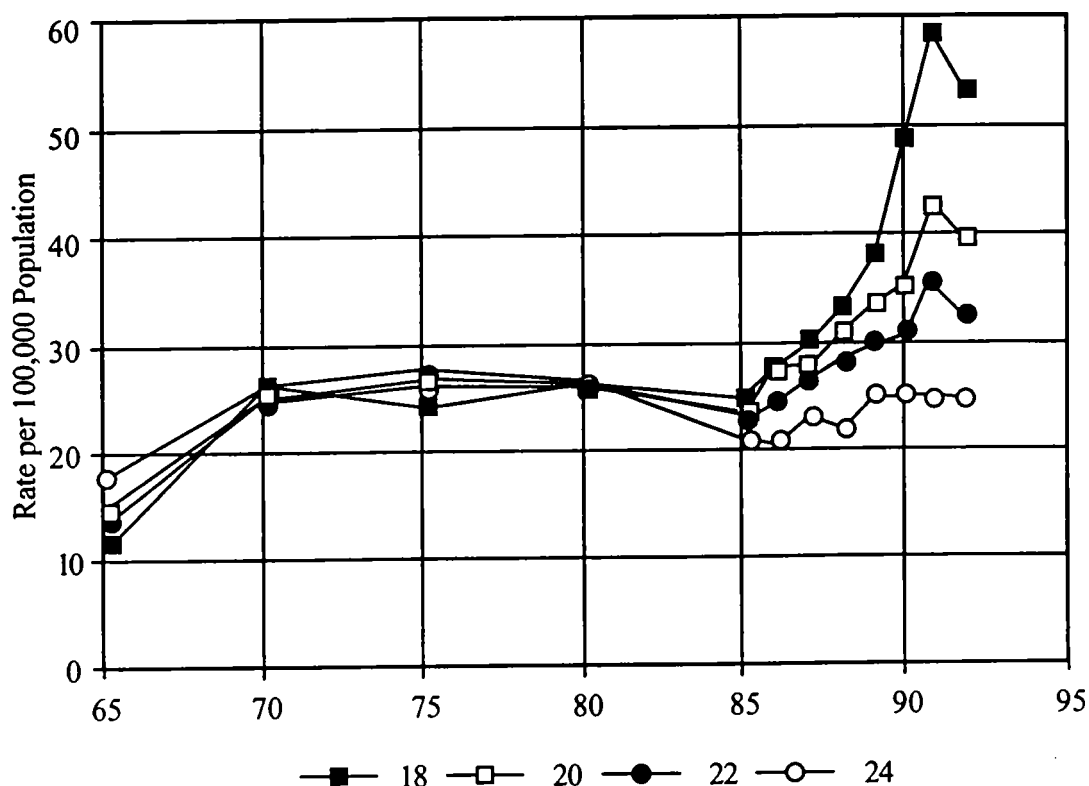
there clearly has been a marked change from the fairly flat-peaked patterns of 1985 (which are very similar to the patterns for 1965 and 1970 of Figure 3a) to the sharp peak that appears at age eighteen and the surrounding ages in 1992.

A different view of these same age-specific arrest rates is presented in Figure 4a,¹¹ which depicts the time trends in the age-specific rates for the individual ages from eighteen through twenty-four, the ages around the peaks of the graphs in Figure 3. From 1965 to 1970 there is a general increase in murder arrest rates at all these ages. Second, the murder arrest rate for ages eighteen through twenty-four was virtually the same throughout the fifteen year period of 1970 through 1985; this reflects the relative flatness of the peak of the graphs for those years in Figure 3.

Third, at age twenty-four there was no strong trend, certainly not an upward trend, and perhaps a slight downward trend, from 1970 through 1992. Figure 3 confirms that this stability is largely the case

¹¹ In Figure 4, for the years prior to 1985, only the five-year points are shown because the rates have been reasonably stable. Annual rates are shown for each of the years 1985 through 1992 because they display much more significant change.

Figure 4a
Trends in Age-Specific Murder Arrest Rates
Trends for Individual Peak Ages, 18-24



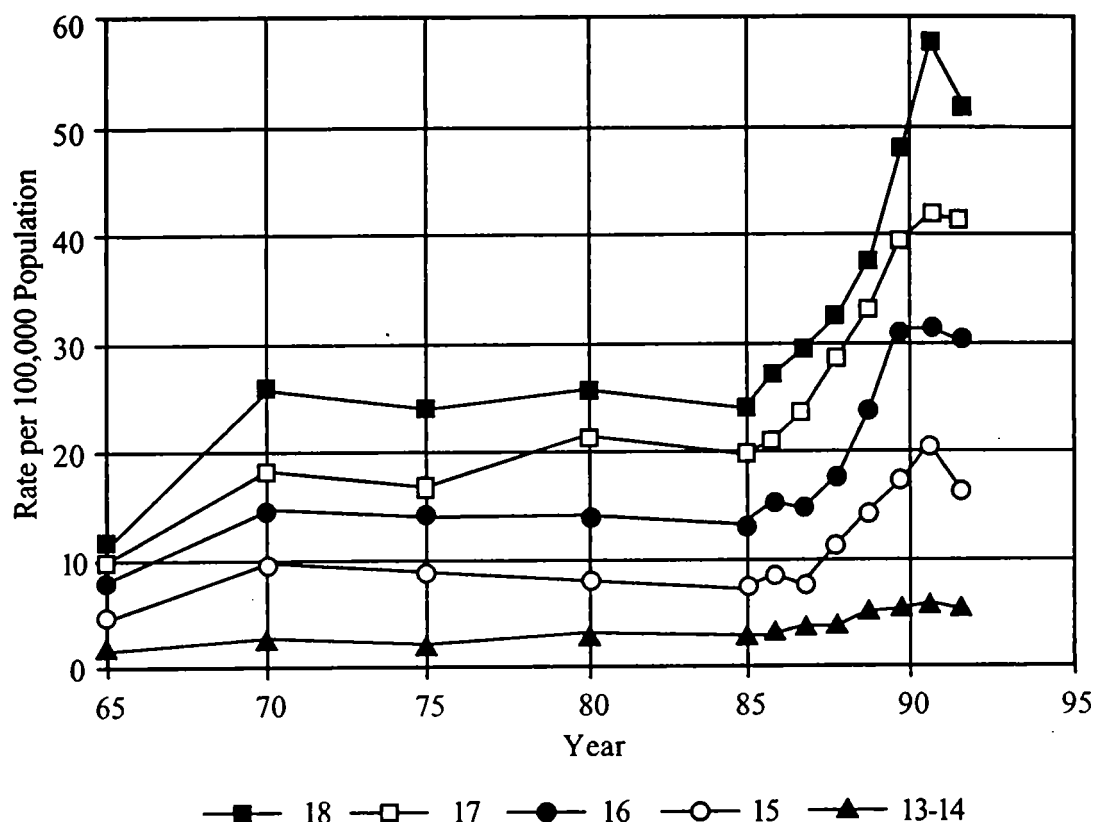
for all ages beyond twenty-four. Indeed, there may even have been a reduction of the rates for those older ages in 1992.

Finally, there were large increases in the murder arrest rates for ages younger than twenty-four beginning shortly after 1985, and the rate of increase was inversely related to age. For age eighteen, the age displaying the sharp peak in 1992 in Figure 3b, the increase from 1985 to 1992 was over 100%.

This shift to younger ages is displayed even more vividly in Figure 4b, which presents the age-specific arrest rates for murder for each age, from eighteen down to the combined group of thirteen and fourteen. For sixteen year olds, for example, whose murder rate prior to 1985 was consistently about half the rate of all the others shown in Figure 4a, the increase from 1985 to 1992 was 138%. Even the thirteen to fourteen year olds, whose rate is still low enough for them not to be a significant contributor to total murders, more than doubled their murder rates between 1985 and 1992.

It is clear that, following a period of relative stability from 1970 through 1985, there was a major increase starting just after 1985 in the murder arrest rate of young people. That increase has not been matched by increases in the older groups of twenty-four and beyond,

Figure 4b
Trends in Age-Specific Murder Arrest Rates
Trends for Individual Young Ages



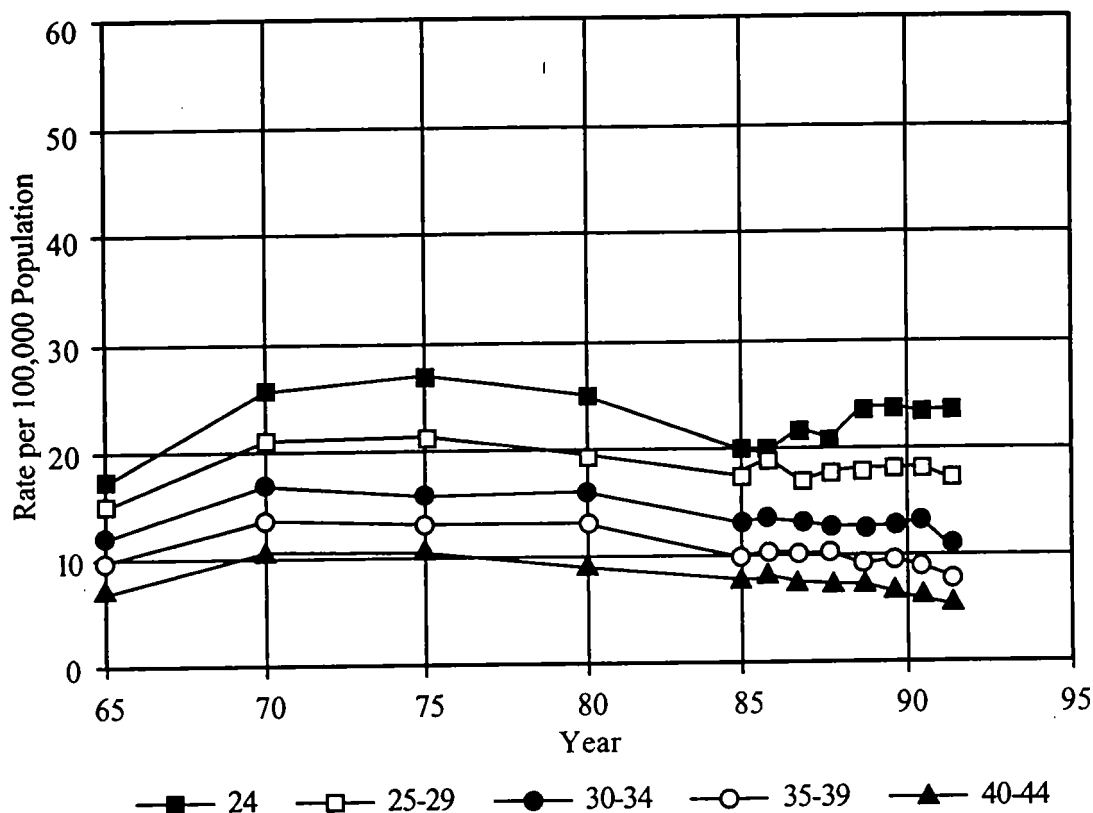
as shown in Figure 4c. Indeed, Figure 4d, which depicts the ratio of the age-specific murder rates in 1992 to that in 1985, highlights the fact that all rates for eighteen year olds and younger have doubled, and those for twenty-five year olds and older have declined.

Much of the growth in the homicide rate in the late 1980s, as shown in Figure 1a, is attributable to the spurt in the murder rate by young people since 1985. This is in marked contrast to the growth between 1965 and 1970, which was largely an across-the-board increase for all ages.

We can estimate the "excess murders"¹² attributable to the rise in the murder rate by the young people covering, for example, the ages of fifteen through twenty-two, from 1986 through 1992. We estimated

¹² We define "excess murders" as those attributable to the increase in the murder arrest rate above the mean rate for each age that prevailed over the 1970-1985 period. The rates are based on arrests rather than on actual murders committed, but since the number of murder arrests in a year is generally roughly equal to the number of murders reported, we make the calculation by assuming one murder per arrest. Since some murders lead to multiple arrestees and some murderers commit multiple murders, this is a reasonable approximation.

Figure 4c
Trends in Age-Specific Murder Arrest Rates
Trends for Older Ages



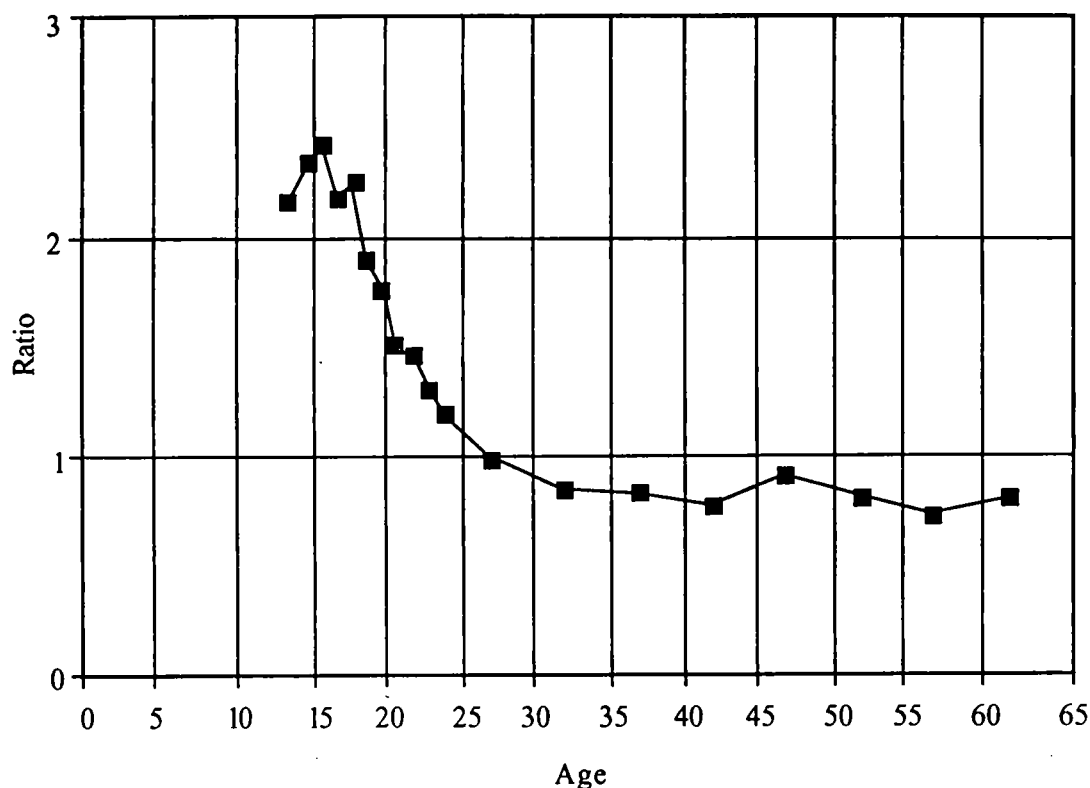
that number to be 18,600 murders for those seven years and eight ages, or an average of 2,660 murders per year. "Excess murders" turn out to be a significant component of all the murders in that period. The average number of excess murders is 12.1% of the annual average of 22,000 murders in those years, or an increment of 43.2% over the base number of 6,150 murders attributable to those eight ages if the pre-1985 rates prevailed. In 1991, these eight ages generated an excess of 5,330 murders, or 21.6% of the total of 24,703 reported in the 1991 Uniform Crime Report.¹³ Eighteen year olds alone contributed 4,000 of the excess murders in the seven years.

2. Race

The race composition of the U.S. population also has changed in recent years. While "race" is a variable that is widely measured, it is important to recognize that "race" has no theoretical meaning in itself; it combines effects associated with differences between the races

¹³ UNIFORM CRIME REP. (1991), *supra* note 3.

Figure 4d
Ratio: 1992/1985 Age-Specific Murder Arrest Rates



in family structure, economic opportunity, community culture, discrimination experiences, and many other individual and group factors that distinguish races, especially blacks from whites in America.

The crime types in which white and nonwhite rates differ most markedly are robbery and murder. Figure 5,¹⁴ which displays the homicide offending rate by males in the fourteen to seventeen age range, highlights the race differences in level and rate of change since 1985. The figure shows the major growth in the rates of homicide since 1985, especially for young African-American males, and their important contribution to the growth of the teenage age-specific murder rates of Figure 4. The annual rate for whites averaged 8.13 homicides per 100,000 population from 1976 through 1987 and then climbed rapidly, almost doubling in the next four years, from a rate of 7.6 per 100,000 in 1987 to 13.6 in 1991. The rates for African-American males more than doubled in those four years, from 50.4 in 1987 to 111.8 in 1991, and tripled from 32.0 per 100,000 in 1984 to 111.8 in 1991.

¹⁴ The data for Figure 5 were generated by Glenn Pierce and James Fox from the FBI's Supplementary Homicide Reports, based on reports on individual homicides by police departments in the United States.

Figure 5
Homicide Rate by 14-17 Year Old Males

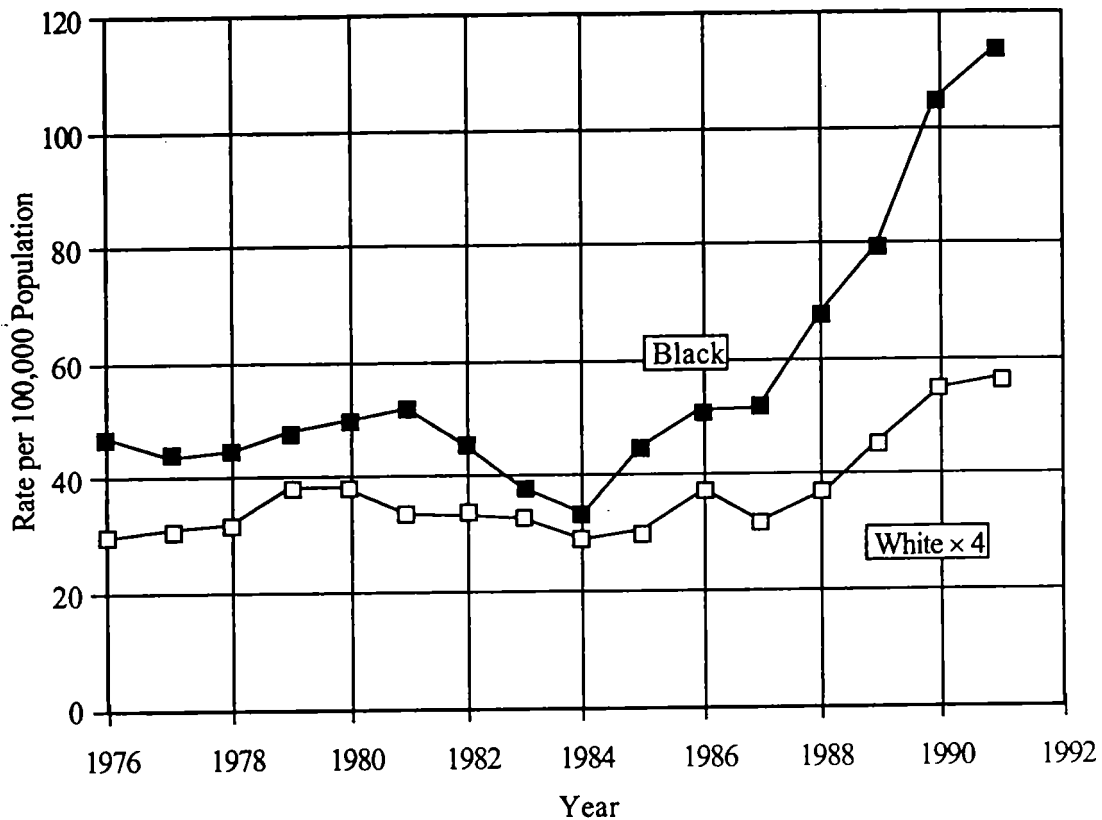


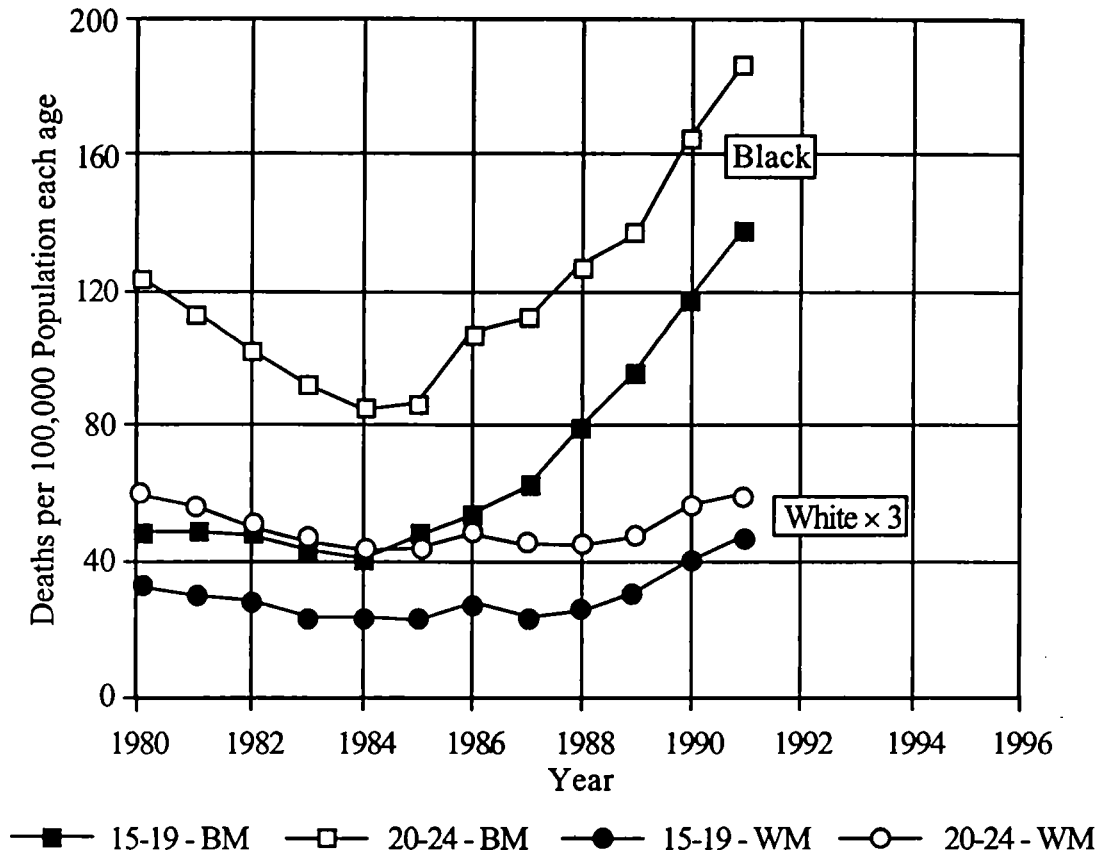
Figure 6¹⁵ highlights the fact that victims and perpetrators tend to be very similar demographically. The growth in the number of young males as perpetrators of homicide (Figure 5) is clearly reflected in their growth as victims in Figure 6. Similar growth in victimization is not reflected for older ages.

C. TWO ASPECTS THAT GENERATE FEAR: STRANGERS AND GUNS

Even though aggregate homicide rates have not increased dramatically in recent years (see Figures 1), there have been some important shifts in the nature of homicides, and these shifts have undoubtedly contributed to the growing public concern over crime. One facet of the shifting pattern is the major increase in the murders committed by the very young, as shown in Figures 4 and 5. This raises concern because of the general perception of greater recklessness exhibited by teenagers than by older adults.

¹⁵ Based on data from the National Center for Health Statistics, provided by James Mercy, and from the Center for Disease Control and Prevention, provided by Kenneth Powell.

Figure 6
Homicide Rates by Victim Age, 1980-91
White and Black Males, 15-19 and 20-24

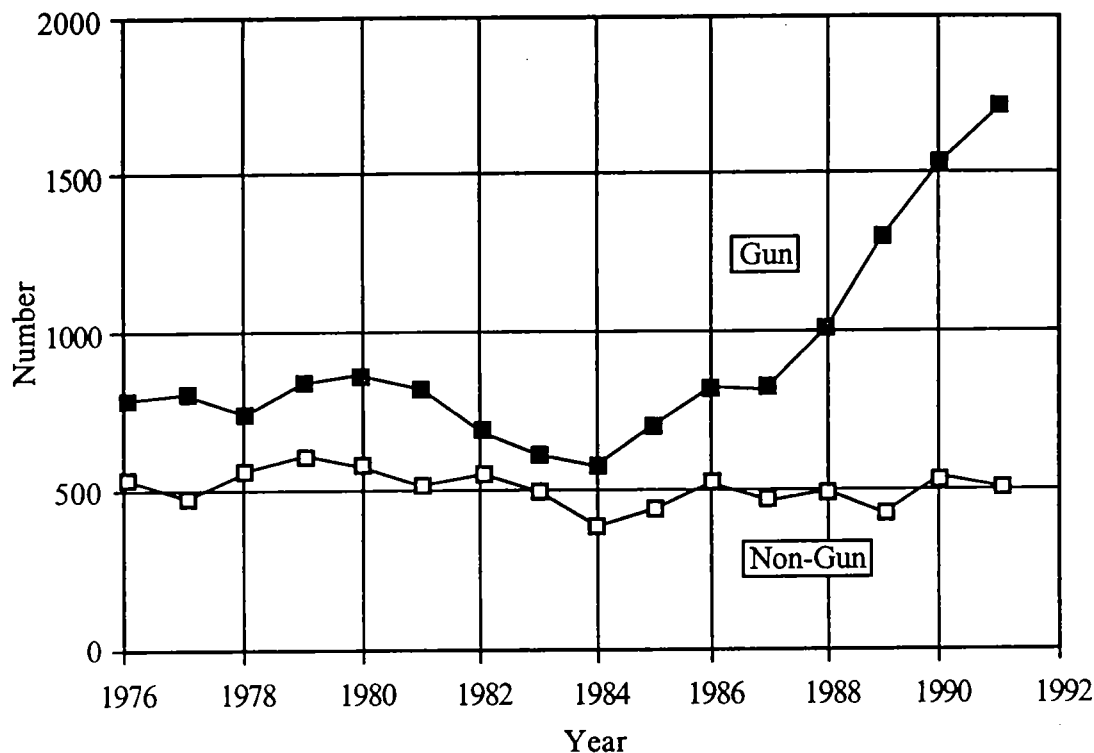


1. Strangers

A second facet causing concern is the greater degree to which homicide by the young is committed against strangers. Drive-by shootings are particularly distressing in this regard, because it may appear that the target was chosen at random and that innocent bystanders may be hit. Any person's concern about his vulnerability is heightened. Since murders have traditionally been seen as a result of conflict between intimates, people who are confident about their intimates' non-violent nature need not become alarmed when that murder rate goes up. But when there is a sense that more murders are being committed against strangers, any person can conceive of himself as a potential target.

Today, murders by young people are more likely to target strangers. For example, analysis of the FBI's Supplementary Homicide Reports for 1991, reveals that 28% of the homicides committed by people under twenty-five were against strangers, whereas only 18% of

Figure 7
Number of Gun and Non-Gun Homicides
Juvenile Offenders (10-17)



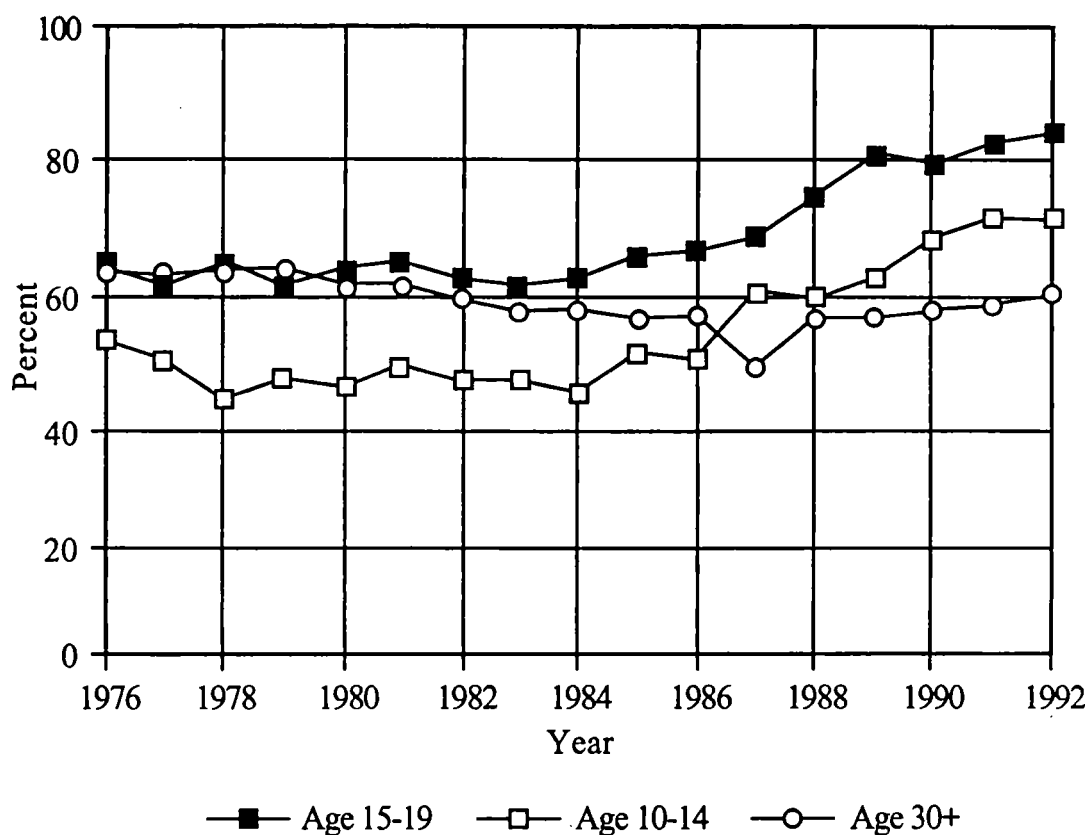
those committed by offenders twenty-five or older were against strangers. Thus, the perception of the increasingly random nature of murders is reinforced by this difference in the relationship between offender and victim associated with the shift to the younger offenders.

2. Guns

Another salient factor intensifying concern about homicides is the increasing involvement of guns in young people's homicides. Again, this can engender fear because of the sense that young people are less likely to exercise the necessary restraint in handling dangerous weapons, especially rapid-fire assault weapons. Figure 7¹⁶ presents the number of homicides committed by juveniles aged ten to seventeen that were committed with a gun or by another means, such as with a knife or by strangulation. From 1976 through 1985, a very steady average of 59% of the homicides committed by juveniles in-

¹⁶ Figure 7 is based on data from a figure in James Fox, "Teenage Males are Committing Murder at an Increasing Rate," an unpublished report prepared for the National Center for Juvenile Justice, April 1993, based on data from the FBI's Supplementary Homicide Reports, a compilation of detailed reports on individual homicides provided by police departments.

Figure 8
Percent Homicide Victims Killed by Guns
by Victim Age—U.S.



volved a gun and the remaining 41% involved some other form of weapon.¹⁷ From Figure 7, we can see that beginning in 1985, and especially in 1988, there was a steady growth in the use of guns by juveniles, with no corresponding upward trend (indeed, a continuation of a slight downward trend) in non-gun homicides.

Those changes are also reflected in Figure 8, which shows the difference by victim age (which is also a reflection of perpetrator's age) in the percent of victims killed by guns. For victims over age thirty, the fraction killed by guns has declined a small but statistically significant ($t=3.2$) average of 0.46 percentage points per year over the sixteen years from 1976 through 1991. But for victims in the fifteen to nineteen age range, that rate has gone from an average 63% (with no statistically significant trend) from 1976 through 1984 to a level of 85% in 1992 (an average annual increase of 3.0 percentage points from 1984 to 1992). For the younger victims, ages ten to fourteen, the earlier rate was lower (49%, also with no statistically significant trend

¹⁷ These estimates were calculated from the data presented in Figure 7.

from 1976 to 1984), but the growth has been even higher (an average annual increase of 3.4 percentage points) to a 1992 level of 72% killed by guns.

II. THE DRUG-CRIME CONNECTION

Drug abuse is an important factor that has affected criminal activity, especially in the past decade. In a survey¹⁸ of prisoners conducted in 1991, 32% of prisoners reported using cocaine or crack regularly and 15% reported using heroin or opiates regularly. At the time of the offense that led to their imprisonment, 14% of prisoners were using cocaine or crack. All these numbers were up appreciably compared to a similar survey conducted five years earlier in 1986. These are much higher rates than one finds in general population samples (the NIDA Household Surveys,¹⁹ for example), and so strengthens the importance of a drug connection to crime rates.

Paul Goldstein²⁰ has provided a useful taxonomy of the drug-crime connection as being composed of three components other than the sale or possession of the drugs themselves:

- 1) *pharmacological/psychological* consequences, where the drug itself causes criminal activity. The most widely recognized connection here is between alcohol and the violence it induces;
- 2) *economic/compulsive crimes*, which are crimes committed by drug users to support their habit. The most common connection here is the property crimes committed by heroin addicts who cannot function in the regular economy, and who commit crimes to get the money to buy their drugs; and
- 3) *systemic crime*, which includes the crimes committed as part of the regular means of doing business in the drug industry. This would include the violence used as a means of dispute resolution between competing sellers or as retribution between a seller and a buyer as a result of renegeing of some form in a drug deal. Reiss and Roth²¹ highlight the

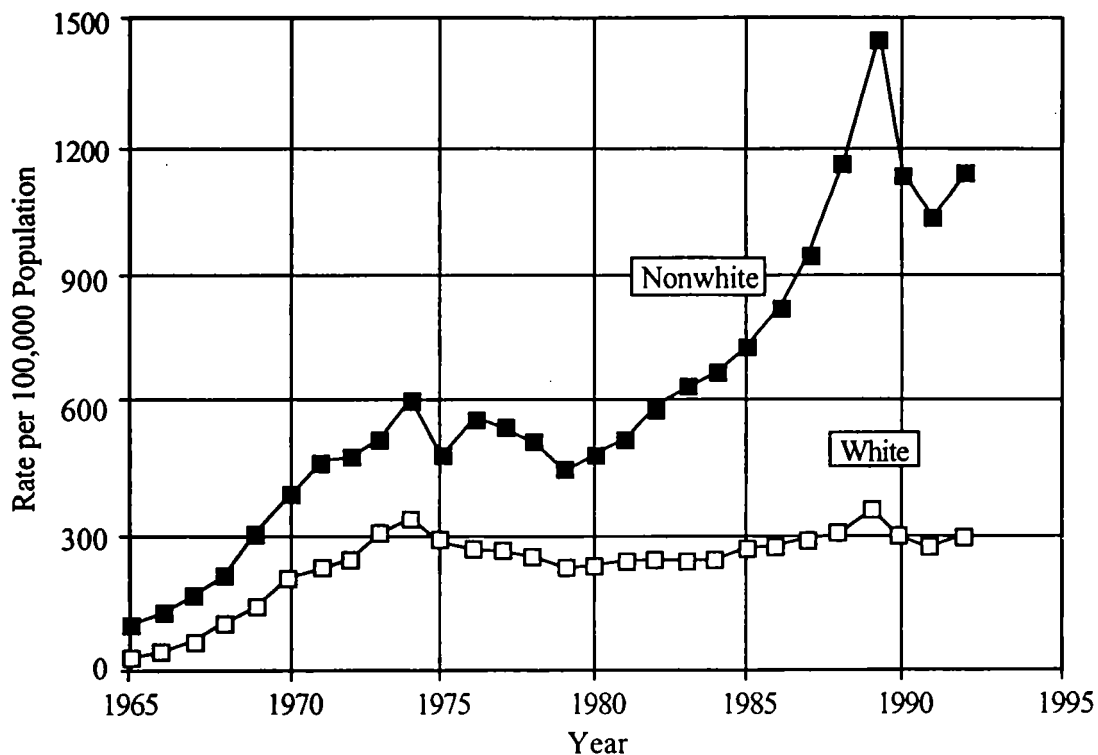
¹⁸ BUREAU OF JUSTICE STATISTICS, U. S. DEPARTMENT OF JUSTICE, SURVEY OF STATE PRISON INMATES, 1991, at 21 (1993).

¹⁹ NATIONAL INSTITUTE ON DRUG ABUSE, NATIONAL HOUSEHOLD SURVEY OF DRUG ABUSE (published periodically).

²⁰ Paul J. Goldstein, *The Drug/Violence Nexus: A Tripartite Conceptual Framework*, 15 J. DRUG ISSUES, 493, 493-506 (1985).

²¹ PANEL ON UNDERSTANDING AND CONTROL OF VIOLENT BEHAVIOR ET AL., UNDERSTANDING AND PREVENTING VIOLENCE 200-205 (Albert J. Reiss, Jr. & Jeffrey A. Roth eds., 1993). Their development builds largely on several speculations on these issues. James A. Inciardi, *The Crack/Violence Connection Within a Population of Hard-Core Adolescent Offenders*, Presented at the National Institute of Drug Abuse (NIDA) Technical Review on Drugs and Violence (Sept. 25-26, 1989); Jeffrey Fagan, *The Social Organization of Drug Use and Drug Dealing Among Urban Gangs*, 27 CRIMINOLOGY 633 (1989); Jeffrey Fagan & K. Chin, *Violence as Regulation and Social Control in the Distribution of Crack*, in DRUGS AND VIOLENCE (M. de la Rosa et al. eds., 1989); Jeffrey Fagan & K. Chin, *Social Processes of Initiation Into Crack*, 21 J. DRUG ISSUES 313 (1991).

Figure 9
Drug Arrest Rate

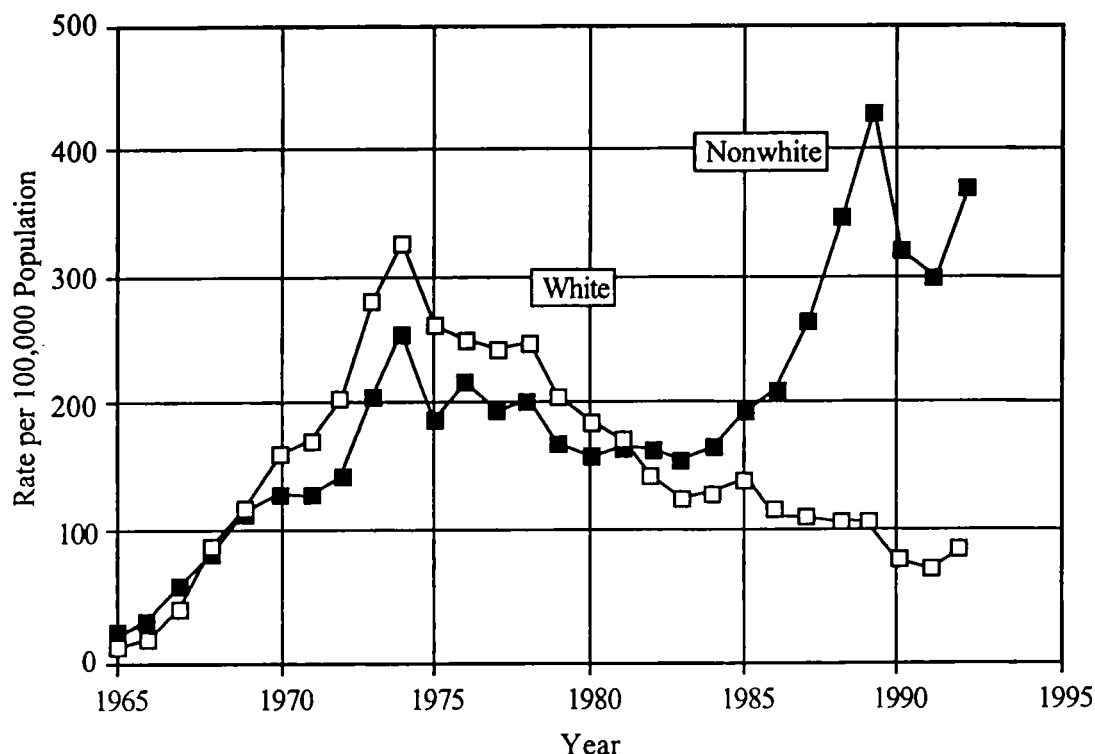


various ways in which this readiness to engage in systemic violence stimulates the individuals involved to engage in violence *outside* any connection to the drug industry.

There is a fourth, still broader connection that should also be considered: the *community disorganization* effect of the drug industry and its operations on the larger community. This includes the manner by which the norms and behaviors within the drug industry, which can become an important activity within some communities, influences the behavior of others who have no direct connection to the drug industry. For example, the influence of the widespread prevalence of guns among drug sellers may stimulate others in the community to similarly arm themselves for self-defense, to settle their own disputes that have nothing to do with drugs, or to gain respect.²²

²² Elijah Anderson, *The Code of the Streets*, 273 ATLANTIC MONTHLY, May 1994, at 80-94. Anderson highlights the importance of gaining respect as an important motivating factor in individual behavior in urban ghettos. In a survey of juveniles incarcerated for serious crimes and of students in center-city high schools, 22% of the students were found to possess guns, 12% carry them most of the time, and another 23% carry guns "now and then." *Id.* The inmates and the students offered similar reasons for carrying guns: 70% of the inmates and 68% of the students cited protection as the main reason for their most recent gun acquisition. See J.F. SHELEY & J.D. WRIGHT, THE NATIONAL INSTITUTE OF JUSTICE, GUN ACQUISITION AND POSSESSION IN SELECTED JUVENILE SAMPLES (1993).

Figure 10
Drug Arrest Rate – Juveniles



The current drug problem began to emerge in the early 1980s and then accelerated significantly in the mid-80s. This is reflected in Figure 9, which presents the rate of arrests for drug offenses,²³ which, especially for nonwhites, primarily African-Americans, started to move upward in the early 1980s. The drug arrest rate accelerated appreciably after 1985 with the wide distribution of crack-cocaine, especially in urban ghettos.

Because of the concern with juvenile violence, it is particularly interesting to examine the time trends in the drug arrest rate for juveniles, shown in Figure 10. The figure highlights the major initiation of the recruitment of juveniles, primarily non-whites, into the drug markets after the introduction of crack. Both Figures 9 and 10 also indicate the degree to which the drug war has focused on non-whites more than on whites.²⁴ According to police involved in drug

²³ Arrests for drug offenses obviously confound information on the presence of drug-market activity with the aggressiveness of police in pursuit of drug offenders.

²⁴ One would hope that would be a reflection of differential involvement in drug marketing, but that does not necessarily appear to be the case. In a household survey conducted by the National Institute of Drug Abuse (NIDA), African-Americans represented 19% of those who reported having sold drugs in the last twelve months, but they represented 64% of the sellers who reported having been arrested for selling drugs. JONATHAN P. CAULKINS & DANIEL McCAFFREY, *DRUG SELLERS IN THE HOUSEHOLD POPULATION* 10

enforcement, this difference is magnified because African-American drug sellers tend to operate in the street where they are vulnerable to arrest, whereas white sellers are more likely to operate indoors. Figure 10 also highlights the degree to which non-white juveniles were recruited into the drug industry beginning in 1985.²⁵ Their amenability to such recruitment was undoubtedly enhanced because of their pessimism—or perhaps even hopelessness—as they weighed their opportunities in the legitimate economy, and the increasing demands for skills in order to gain effective entry.

III. A HYPOTHESIZED PROCESS

In the previous discussion, we have identified three major changes that have occurred in the short period between 1985 and 1992:

- 1) homicide rates by youth eighteen and under have more than doubled, while there has been no growth in homicide rates by adults twenty-four and older (Figure 4d),
- 2) the number of homicides juveniles commit with guns has more than doubled, while there has been no change in non-gun homicides (Figure 7), and
- 3) the arrest rate of non-white juveniles on drug charges has more than doubled, while there has been no growth in the drug arrest rate for white juveniles (Figure 10).

Because these changes are sufficiently focused on young people, they have not had a major impact on aggregate murder rates (Figures 1). Whatever major impact they may have had is counteracted by the decline in the murder rate for older people (Figure 4d). The important feature of the three doublings highlighted above is that they occurred after a prior fifteen years of relative stability.

One explanation for this array of changes from a stable pre-1985 period to a rapidly deteriorating post-1985 period derives from examining the changes in the illegal drug markets associated with the introduction of crack cocaine. Crack was introduced at different times in different parts of the country, but the leading edge of that introduction appears to have occurred in the larger cities, such as New York

(1993), based on data from NATIONAL INSTITUTE OF DRUG ABUSE, NATIONAL HOUSEHOLD SURVEY ON DRUG ABUSE: POPULATION ESTIMATES (1991). These results are complicated by the many problems with self-report data, non-respondents, and evidence that blacks are more likely than whites to underreport their involvement in criminal activity. See MICHAEL HINDELANG ET AL., *MEASURING DELINQUENCY* (1981).

²⁵ It is interesting to note from Figure 10 that in 1975 a policy shift reversed the then rapidly growing drug arrest rate—primarily for marijuana offenses—of whites, whose arrest rate for drugs exceeded that of non-whites throughout the 1970s.

and Los Angeles, in about 1985. An important feature of crack is its low price, which brought into the cocaine market many low-income people who could only buy it one "hit" at a time; this significantly increased the number of transactions in those drug markets—both by the numbers of new buyers and the number of transactions each buyer engaged in per week.²⁶ In order to accommodate the increased demand, the drug sellers had to recruit a large number of new sellers. Juveniles were the natural source of supply for that labor market. They were probably willing to work more cheaply than adults, partly because they may be less vulnerable to the punishments imposed by the adult criminal justice system. But juveniles also tend to be daring and willing to take risks that more mature adults would eschew. The economic plight of many young urban African-American juveniles, many of whom see no other comparably satisfactory route to economic success or even sustenance, makes them particularly amenable to the lure of the drug markets.

These juveniles, like many other participants in the illicit-drug industry, are likely to carry guns for self-protection, largely because that industry uses guns as an important instrument for dispute resolution. Also, the participants in the industry are likely to be carrying a considerable amount of valuable product—drugs or money derived from selling drugs—and are not likely to be able to call on the police if someone tries to rob them. Thus, they are forced to provide their own defense; a gun is a natural instrument.

Since the drug markets are pervasive in many inner-city neighborhoods, and the young people recruited into them are fairly tightly networked with other young people in their neighborhoods, it became easy for the guns to be "diffused" to other teenagers who go to the same school or who walk the same streets. These other young people are also likely to arm themselves, primarily for their own protection, but also because possession of a weapon may become a means of status-seeking in the community. This initiates an escalating process: as more guns appear in the community, the incentive for any single individual to arm himself increases.

In view of both the recklessness and bravado that is often characteristic of teenagers, and their low level of skill in settling disputes other than through the use of physical force, many of the fights that would otherwise have taken place and resulted in nothing more seri-

²⁶ Contrast this with the more typical middle-class consumers of powder cocaine. Those buyers had an interest in minimizing the number of illegal transactions in which they engaged, and they had the assets to buy both a reasonable supply in any transaction and the storage space in which to keep their drugs safely. (I thank Jonathan Caulkins for calling my attention to this feature of the emerging crack markets.).

ous than a bloody nose can now turn into shootings as a result of the presence of guns.²⁷ This may be exacerbated by the problems of socialization associated with high levels of poverty, high rates of single-parent households, educational failures, and a widespread sense of economic hopelessness. But those factors have been changing gradually over the years, and so they cannot readily provide the explanation for the sharp changes that began to take place in the mid-1980s.

By the time people reach the more mature ages beyond the early twenties, it appears that they do develop some prudence, are more cautious even if they are armed, and display greater restraint in the use of guns.²⁸ Also, because the older adults in their mid-twenties are not as tightly networked as the younger people, the gun diffusion process is likely to be much slower and less widespread.²⁹

The validity of these hypothesized processes can be tested with city-level data on drugs, guns, and homicides. Drug markets flourished at different times in different cities, reportedly early in New York and Los Angeles, later in Washington and Pittsburgh. The sharp change that took place in the national statistics in about 1985 should have been displayed in the city-level data shortly after the crack markets began functioning. In some cities that change should occur early, and in other cities the change should be later. But, if the above hypothesized process is correct, the shifts in drug arrests and youth homicides should occur at about the same time in the same city.

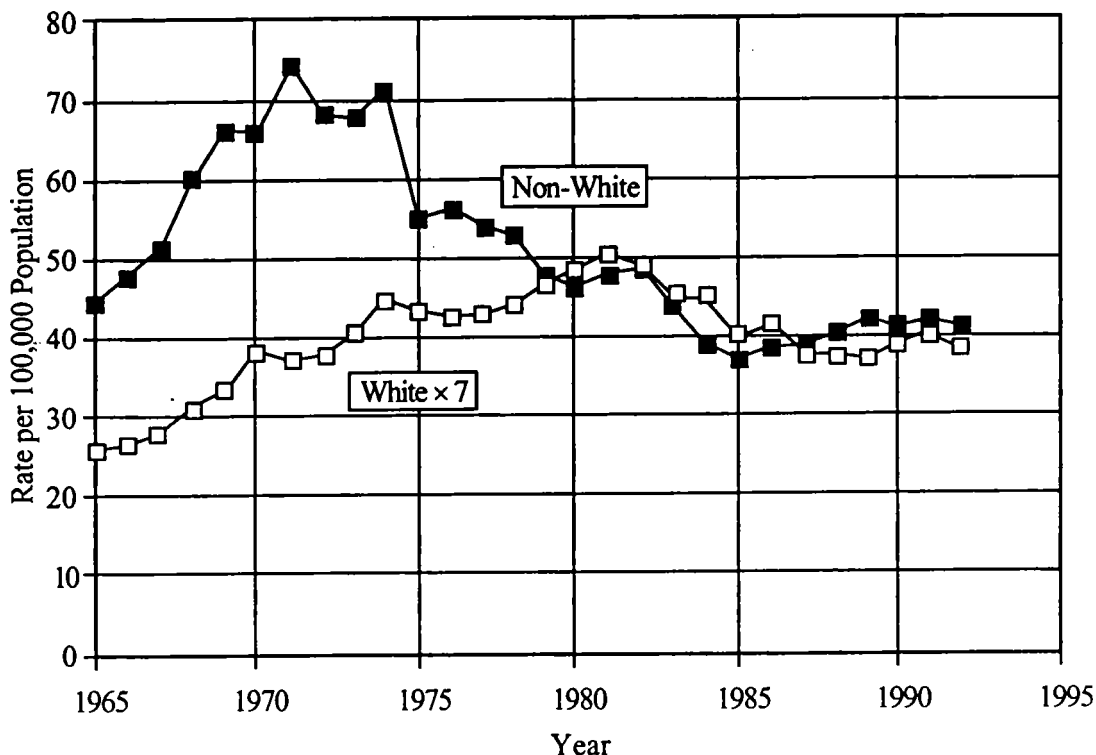
There is additional evidence that is consistent with the hypothesis of the diffusion of guns from drug markets through the larger community of juveniles. Figures 11a and 11b present the arrest rates for murder for adults and juveniles by race. We see from Figure 11a that since 1980 both white and non-white adults have followed the same negative trend, even though there has been a large difference in their involvement in drug markets (see Figure 9). In contrast, the rates for juveniles—whites and non-whites—have grown markedly since 1985, when the drug arrest rate for non-whites began to climb. The murder

²⁷ My colleague, Joel Tarr, has called my attention to a passage in a Jane Addams' text in which some thirteen year old boys are taunting each other. JANE ADDAMS, *SPIRIT OF YOUTH AND THE CITY STREETS* 61 (1972) (original edition published in 1909). One of them goes into the house to get a gun. *Id.* He shoots the taunter through the head and kills him. *Id.* Ms. Addams notes that "This tale could be duplicated almost every morning; what might be merely a boyish scrap is turned into a tragedy because some boy has a revolver." *Id.*

²⁸ That inference would be reasonable from the evidence of the decline in the homicide rate in the mid-twenties and beyond.

²⁹ As an alternative possibility, we may be witnessing a cohort effect, and the eighteen year olds involved in the higher homicide rates may possibly continue their recklessness. That issue remains to be watched and explored.

Figure 11a
Murder Arrest Rate—Adults



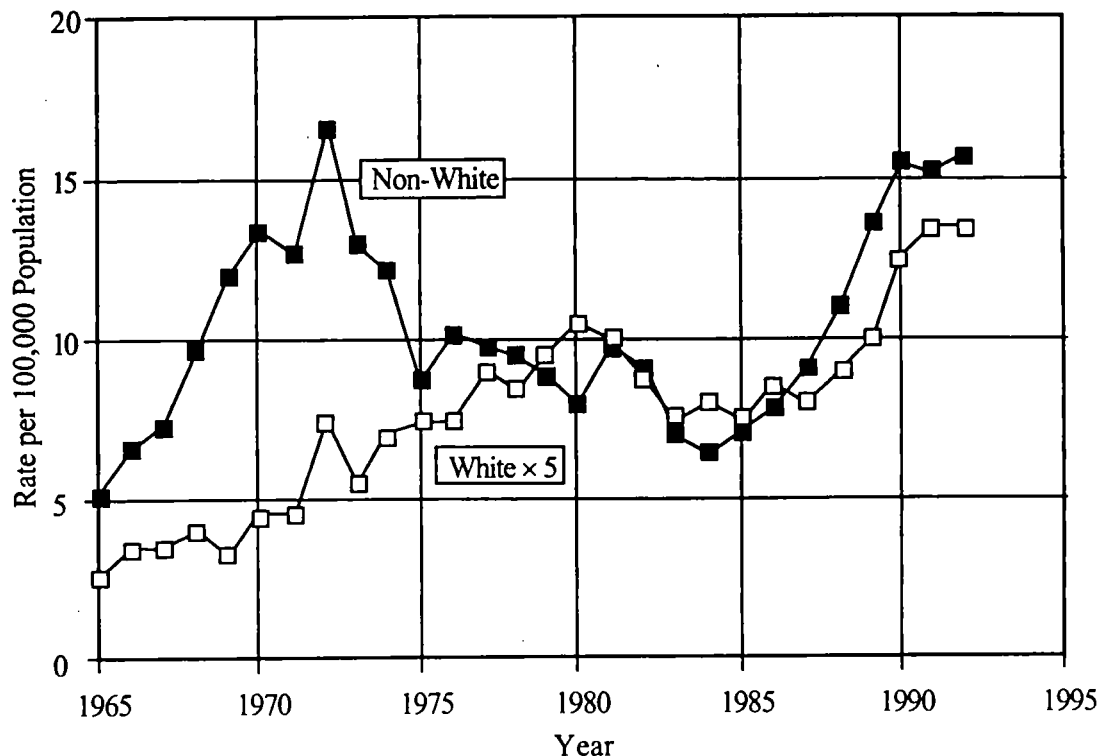
arrest rate for non-whites has increased by 123% from 7.1 in 1985 to 15.8 per 100,000 in 1992. The rate for whites has also increased markedly, but by a lesser amount—80%, from 1.5 to 2.7 per 100,000. The fact that there seems to have been no significant involvement of white juveniles in the drug markets (Figure 10) has not insulated them from involvement in the homicide growth—one possibility for that growth is through the suggested gun diffusion process.

We can also examine the time trends of homicide and drug arrest rates on the same graph, Figure 12. Here, we see that both rates climbed together from 1985 through 1989, but that there was then some decline in the drug arrest rates after 1989. But that decline is not shared by the murder arrest rate. Once the guns are diffused into the community, they are much more difficult to purge.

IV. SOME POLICY SPECULATIONS

The hypothesis about the diffusion process accounting for the recent growth in youth violence has some important policy implications, some immediate and some longer-range. One immediate approach would suggest aggressive actions to confiscate guns from juveniles carrying them on the street. Laws permitting juvenile gun confiscation

Figure 11b
Murder Arrest Rate — Juveniles



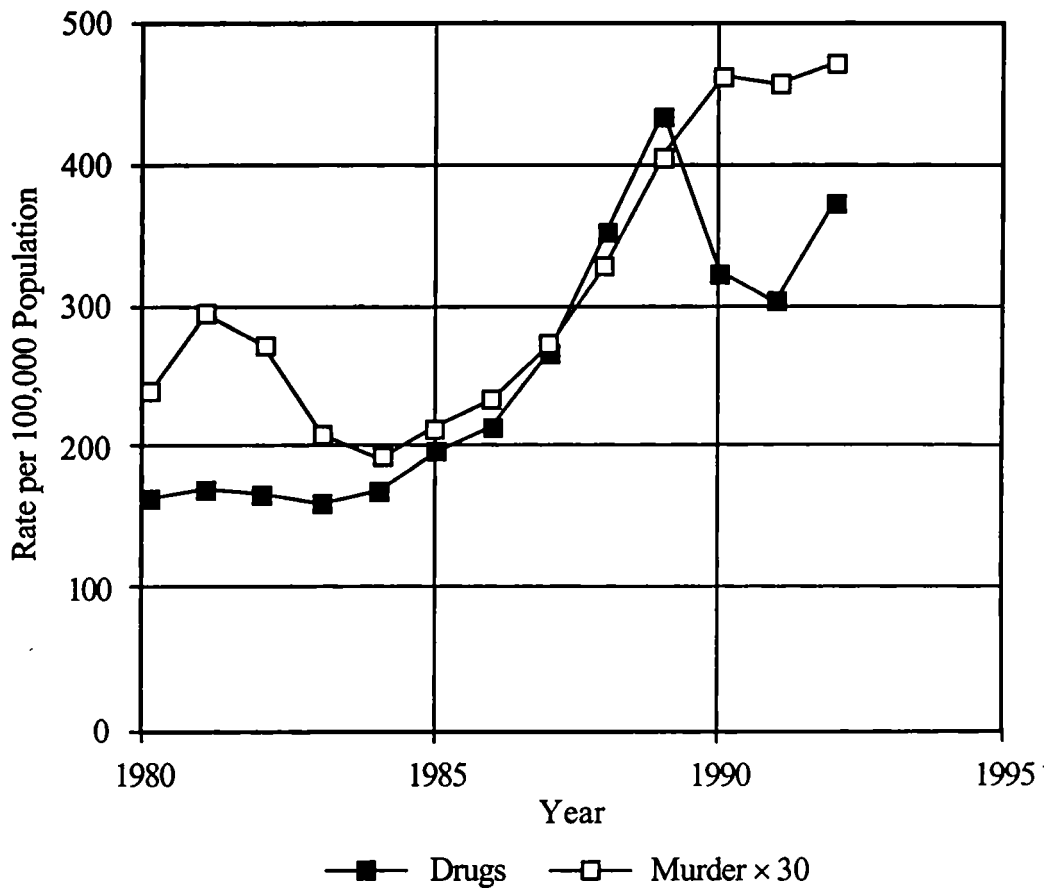
are almost universal, and require more active and skillful enforcement. The need is particularly salient in those communities where the homicide rates have risen dramatically, probably coincident with the location of drug markets. James Q. Wilson has made some concrete proposals for pursuing such efforts, including a call for improved devices for detecting guns at a distance.³⁰ Further evidence of the need to continue gun confiscation comes from an experiment conducted in Kansas City, Missouri, which assessed the impact of greater enforcement of laws against the carrying of concealed weapons. In a report of the results of that experiment, Sherman et al. note that the intensified enforcement in one patrol beat led to an increase of 65% in gun seizures and a decrease of 49% in gun crimes, with no comparable improvement (indeed, somewhat of a deterioration) in a comparison beat.³¹ This experiment provides a clear indication that intensified enforcement can make a difference in both increasing gun confiscation and reducing the number of gun crimes.

It is also important to address the illegal gun markets that are selling guns to young people. There are important illegal markets

³⁰ James Q. Wilson, *Just Take Away the Guns*, N.Y. TIMES MAG., March 20, 1994, at 47.

³¹ See LAWRENCE W. SHERMAN ET AL., THE NATIONAL INSTITUTE OF JUSTICE, THE KANSAS CITY GUN EXPERIMENT (1995).

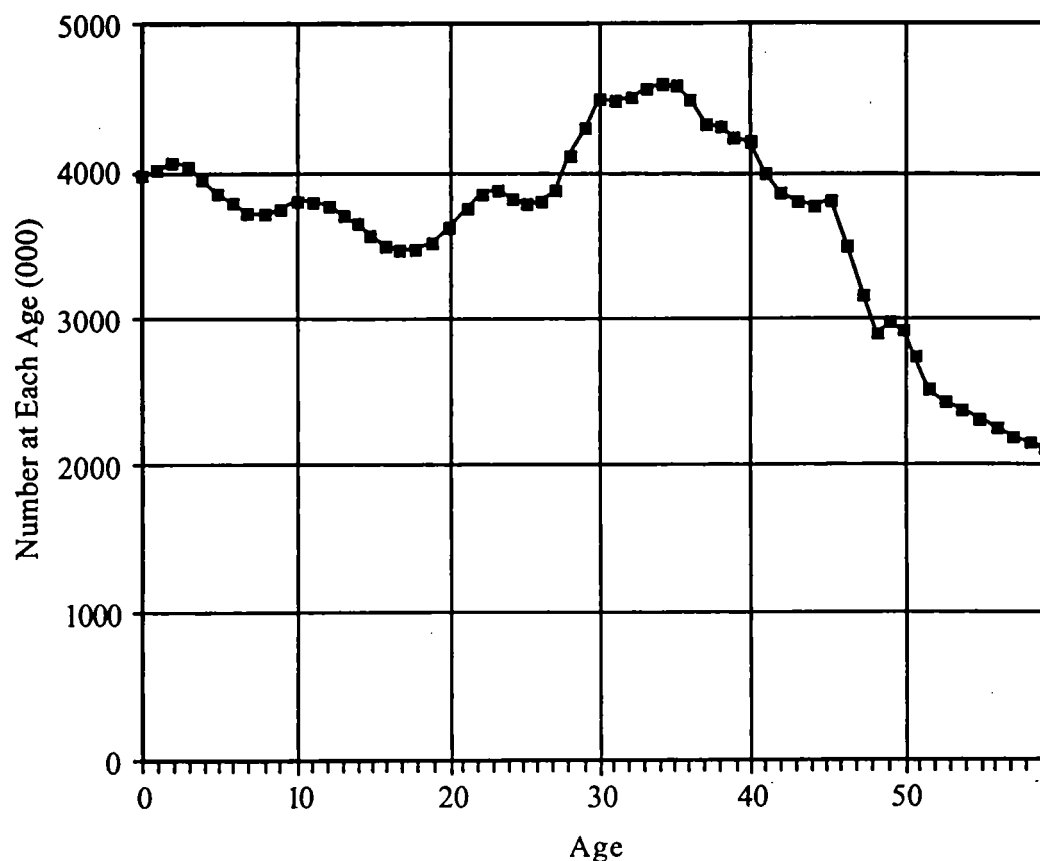
Figure 12
Non-White Juvenile Murder/Drug Arrest Rates



selling two dangerous products—drugs and guns. The nation has directed major attention and resources (tens of billions of dollars per year) to the illegal drug markets, but has paid little attention to the illegal gun markets. It might be easier to make some progress with the gun markets by using information from the youngster carrying the gun to work up the distribution chain, and by using the gun serial number to work down the distribution chain.

One of the more complex aspects of addressing the problem of youth violence involves the fact that the increase in the juvenile homicide rate is a direct consequence of the operation of drug markets and their criminalization. This does not, of course, warrant an immediate call for legalization of drugs; any such policy involves a complex weighing of the costs of criminalization, of which homicide is but one, against the probable consequences of greater use of illegal drugs if they were legalized. Legalization of drugs is a complex issue that cannot be addressed here other than to note that, if the diffusion hypothesis is correct, then the 18,600 “excess murders” represent one serious component of the cost of the current enforcement policy.

Figure 13
Age of U.S. Population in 1994



The excess murder rate certainly should encourage efforts to diminish the size of the illegal market. Such efforts could be pursued through greater investment in treatment, through more effective prevention, and through finding medical means of providing drugs to certified addicts, such as those who are supported with SSI payments because of their addiction. These efforts will not eliminate the illegal markets, but they should reduce the demand and volume of activity within those markets.

The nation has yet to undertake a careful assessment of the costs and benefits of the current policies. Perhaps concern about the excess murders we continue to experience might contribute to the recognition of its urgency.³²

Perhaps more fundamentally, there continues to be a critical

³² A call for such an assessment was made by former Surgeon General Joycelyn Elders and was ignored as a result of the aggressive political response. It is an assessment I suggested in my Presidential Address to the American Society of Criminology in November 1992, to be carried out by a Presidential Commission with major research support from the National Academy of Sciences. See Alfred Blumstein, *Making Rationality Relevant*, 31 CRIMINOLOGY 1, 16 (1992).

need to enlist in the legitimate activities of society the large numbers of people who currently see no role for themselves, and so resist efforts to become socialized into larger society's norms. This is not a trivial task, but it is not one to which society has paid much attention. As one stimulus, it is useful to examine Figure 13, the age distribution of the U.S. population in 1994. The smallest cohort in the crime-relevant ages is the one that is currently eighteen, the age with the sharpest increase in age-specific homicide rates (Figure 3). Unless the age-specific rate is decreased, successive cohorts will be expected to contribute a larger number of murders in the coming years.

Blumstein, Alfred. (1995). "Youth Violence, Guns and the Illicit-Drug Industry" in The Journal of Criminal Law and Criminology. Vol. 86, No. 1, Fall 1995; pps. 10-36.

I. Predominate change in Homicide

A. Increase in Youth Population

1. Growth begin in mid-1980s
2. Due to recruitment of young people into illicit drug markets
3. Since markets are illegal
 - a. participants must arm themselves for self-protection
4. Results in frequent resorting to guns as a major escalation of the violence
 - a. Characterized encounters among teenage males

B. Crime over 20-Year Period

1. Flat trend
 - a. Confined to 200 to 250 per 100,000 for robbery
 - b. Confined to 8 to 10 per 100,000 for murder
 - c. Peaked in 1980
 1. Declined until late 1980s
 2. Rose with crack epidemic and the War on Drugs
2. No significant trend for murder
3. Robbery slightly increased
4. Slight downward trend for burglary
5. Robbery is a quick and convenient way for a drug user not earning his money from selling drugs to get his/her drug money
6. A burglar still has to dispose of his property, through a fence or otherwise

1. Users in urgent need of drugs may choose to avoid that complication

II. Demographic-Specific Rates

A. Age

1. Crime peaks at age 17 and falls off by the early 20s
 - a. age 21 for burglary
 - b. 24 for robbery
2. Suggest people commit robbery later than burglary and finish later
3. A change in age-specific rates is a principle factor affecting the aggregate rates.
4. Two patterns occur during these periods
 - a. Relevant to the various proposals for life sentences without parole for people convicted of their third felony
 1. "Three Strikes and You're Out"
 2. Crime careers are short
 - a. Most stop and are jailed by 50 years old

B. Murder

1. Contrasts age-specific patterns for robbery and burglary
2. Flat-peak for all ages between 18 and 24
3. Peaked in 1985 and dropped afterward to 1992
4. Coincides with groups of ages that occurred in 1965, 1970, 1985, and 1992
5. Trends
 - a. From 1965 to 1970, there is a general increase in murder arrest rates at all ages
 - b. A murder arrest rate for ages 18 - 24 is the same throughout the 15-year period of 1970 to 1985

- c. At 24, there is no strong trend
 - 1. Slight downward trend from 1970 to 1982
- d. large increases in murder rates for ages younger than 24 begin shortly after 1985 and the rate of increase was inversely related to age
 - 1. For age 18, the age displaying the sharp peak in 1992, the increase from 1985 to 1992 is 100 percent
 - 2. Attributable to spurt in growth rate from 1965 to 1970

III. Race

- A. Rates for whites and blacks doubled
- B. major facets
 - 1. Major increase in the murders committed by the very young
 - 2. From 1976 to 1985, 59 percent of all homicides committed by juveniles involved a gun and remaining 41 percent involved other weapons
 - 3. Difference by victim age in the difference of victims age (for explicit details, see page 25)

IV. Drug-Crime Connection

- A. 32 percent of prisoners used cocaine or crack regularly
- B. Fifteen percent use heroin and opiates regularly
- C. Three Components
 - 1. Pharmacolgocial/Psychological
 - a. Drug causes criminal activity
 - 2. Economic/compulsive crimes
 - a. Drug users to support their use with crime
 - 3. Systemic Crime
 - a. Crime committed as regular part of doing business in the drug industry

4. Community Disorganization

- a. considers the norms and behaviors within the drug industry that influence others who have no direct connection to the drug industry
- b. Drug wars focus more on minority communities than white communities
 - 1. Easier to find blacks because they operate in the streets
 - 2. Whites operate behind closed doors

IV. A Hypothesized Process

A. Three major Changes that Occurred between 1985 and 1992

- 1. Homicide rates by youth 18 and younger have doubled, while there has been no growth in homicide rates by adults 24 years and older
- 2. The number of homicides juveniles commit with guns has more than doubled, while there has been no change in non-gun homicides
- 3. The arrest rate of non-white juveniles on drug charges has more than doubled, while there has been no growth in the drug arrest rates for white juveniles
- 4. The important feature of the three doubling highlighted above this state they occurred after a prior 15-year stability
- 5. Due to changes in the drug market
 - a. Crack-cocaine
 - 1. Low income could afford it
 - 2. Dealers could recruit new sellers
 - a. Juveniles work cheaper than adults
 - b. Juveniles will take greater risks than adults
 - c. Kids would take guns and drugs to school to diffuse them
 - d. The more guns there are in a community, the incentive for any single individual to arm himself

increases

e. Skirmishes that would have ended in bloody noses now lead to death by gunshots

1. Increased by high levels of poverty

2. higher number of single parent households

3. educational failures

4. Economic hopelessness

f. Changes in early 20s

1. Due to change in maturity

2. People less clannish by this time

V. Diminish the size of the drug market

A. Consider legalization

B. Invest more in treatment

C. Find medical means of providing drugs to certify addicts

1. Would reduce the demand and volume of market activity

D. Needs careful cost-benefit assessment of current drug policy

E. Bring in people from all walks of life to discuss the issue

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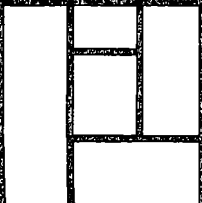
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Crime Policy Report

Delinquents or Criminals: Policy Options for Young Offenders

THE URBAN
INSTITUTE



Jeffrey A. Butts
Adele V. Harrell

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TRENDS IN JUVENILE VIOLENCE

A Report to the United States Attorney General on Current and Future Rates of Juvenile Offending

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United States Department of Justice
Washington, D.C.

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