

Running Head: AN OVERVIEW OF JUVENILE DELINQUENCY IN MEMPHIS AND A
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An Overview of Juvenile Delinquency in Memphis and a Look Ahead at What is to Come

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Memphis, a city located on the banks of the Mississippi River, is known as the city of rhythm and blues and home to the best barbeque in the world; furthermore, Memphis is known as a city made up of rich and poor, whites and blacks, and sadly, a place where crime dwells. Memphis is not the only city that fights violence and crime. Every city has their own share of crime and even juvenile delinquency; however, Memphis does have a heightened rate of both adult and juvenile crime in comparison with other cities. Focusing on juvenile delinquency, both the juvenile justice system and juvenile court in Memphis have many weaknesses that effect the juveniles long-term. Today, the quality of life for juvenile delinquents in Memphis is beginning to change; it is the programs in which the city is implementing that are not only teaching juvenile delinquents how to get their own lives back on the correct path, but also the constant effort to intervene early in the lives of the youth so that juvenile delinquency rates will lessen, overall crime rates will fall, and most importantly the lives of both juvenile delinquents and those effected by the justice system as a whole can be changed for the better forever- a life that is full of success.

As stated above, juvenile delinquency is not something unique to Memphis or that is just coming to be. Juvenile delinquency along with the juvenile justice system has been around since the late 1800s. "Introduction to this Issue," written by Mark Small, discusses the history of juvenile delinquency and juvenile court. According to this article, the first juvenile court was built in Chicago, Illinois in 1899. When other juvenile courts were built, they were built upon similar foundations of the first one. A foundation that declared that the interests of the state and the juvenile(s) were the same. Mark Small notes in his writing that children age 14 were tried as adults. He discusses how children under the age of 7 that engaged in delinquent behavior during this time could claim "infancy" otherwise known as immaturity. However, once children were

past the age of 7 but younger than 14, the state could still prove that the juvenile did have knowledge of wrongdoing so those juveniles could not blame their delinquent acts on immaturity. Contrary to what one would believe, when the first juvenile courts opened, very few lawyers were present in the courtroom and the judges had little to no training. Mark Small states that, “the juvenile justice system originally came under attack because there was little proof that the courts were providing effective treatment. Specifically, the assumption that juveniles are especially amenable to treatment was challenged (Small, 121).” After this, the court case, *Kent versus the United States*, came to the conclusion that juveniles were entitled to a hearing before being waived to adult court to face criminal charges. Sadly, in the late 1990s, after the *Kent vs. the U.S.* case, juveniles were no longer viewed as children who didn’t know the difference between right and wrong, but instead, these juveniles were viewed incorrigible and were then pushed through the gates of the adult criminal system. At the end of Mark Small’s paper, he notes important statistics from other sources. It is written, “in 1992, juveniles were responsible for 13% of all violent crimes and 23% of all property crimes. 15% of all persons entering the justice system on a murder charge were juveniles (FBI, 1993). Additionally, it is noted that, “the proportion of violent crimes committed by juveniles is disproportionally high compared with their share of the U.S. population, and the number of these crimes is growing (OJJDP, 1995). Lastly, when this article was written, the juvenile justice system predicted that if juvenile arrest rates remained constant through the year 2010, the number of juvenile arrests for violent crime will increase by one fifth; it rates increase as they have in recent history, juvenile violent crime arrests will doubt (OJJDP, 1992). That statement will either be proven or contradicted later in this paper.

In Memphis and Shelby County, juvenile court, the juvenile justice system as a whole, and the conditions in which the juveniles that are incarcerated are living in are starting to improve today. Later in this paper, programs and different methods of support and guidance given to juveniles to improve their quality of life both in and out of the justice system will be discussed. However, before discussing those programs, it is important to dive into different investigations that occurred in the earlier years centered around the juvenile court and the conditions and welfare of the juveniles to be able to make the comparison of what juvenile court and the quality of life for juveniles was to what both of these are becoming.

In the article, “Department of Justice Reaches Agreement on Juvenile-Justice Complaint in Tennessee,” written by Edward Romero, light is shined upon an investigation done in Shelby County regarding the administration of juvenile justice and the conditions of juvenile incarceration in Shelby County. The investigation started in 2009 and finished in 2012. The reason for the investigation were reports that the court was failing to protect the constitutional rights of children in delinquency matters. Additionally, there were reports, of harsh living conditions for the juveniles who were confined. The framework in which the Department of Justice came to an agreement was the Violent Crime Control and Law Enforcement Act of 1994, which prohibits a pattern or any sort of practice of deprivation of civil rights in the administration of justice for juveniles. The agreement stated that new programs would be implemented in the juvenile justice system in working with the Shelby County Schools and law enforcement. The goal for the agreement is to reduce the detention population of juveniles.

Another investigation and commitment to overhaul the juvenile justice department in the city of Memphis is discussed in the article, “Deal Reached to Overhaul Juvenile-Justice System in a Tennessee County,” written by Cathy Krebs. According to this article, on December 17th,

2012, Shelby County and the Justice Department signed an extensive agreement to start the overhaul. According to Cathy Krebs,

“In 2009, federal investigators started investigating juvenile justice within Shelby County. They discovered that teenagers in state custody attempted suicide at high rates and were sometimes strapped to deep, wide restraint chairs and left alone up to 5 times longer than the law allowed. Also, black teenagers were twice as likely to be detained than white teenagers. These black teenagers were sent to adult criminal court for minor infractions much more than whites (Krebs, 2013).”

Those statistics are astounding, but they are truthful of Memphis. The goal for the overhaul is to keep lower-level offenders out of juvenile lockups and adult criminal court along with improving conditions of incarceration.

While it is hard to believe, violent crimes in the Memphis area have steadily declined since 2006. As any individual would expect, violent crimes in Memphis involving youth are concentrated in certain areas of the city; these crimes particularly occur in the poverty stricken and economically deprived areas of the city. Many of the crimes in Memphis involve African-American and Hispanic youth, and gang violence is so high because of the number of youth that are spending their time outside of school walking the streets. Youth aged 9-24 represented 54% of arrests for violent crimes in 2009 (Michelle Fowlkes, Memphis Shelby Crime Commission). According to a report centered on Memphis on the youth.gov website, the city of Memphis has a vision for the city in which all children and youth are valued and nurtured by strong families and communities; this vision focuses on preparing every family for lifelong success by working with different partners to implement plans to prevent youth violence, to intervene with at risk youth,

to implement enforcement strategies, and to assist youth in gaining their lives back following incarceration (Michelle Fowlkes, Memphis Shelby Crime Commission).

As mentioned above, in 2006, Memphis had the second highest violent crime rate in the country. In order to combat this astounding statistic, a public partnership between the mayor of Shelby County, the district attorney, the sheriff, the Memphis police director, and the U.S. Attorney David Kustoff partnered with several key business leaders in the city to create a crime reduction plan known as “Operation: Safe Community (Memphis Youth Violence Prevention Plan).” The majority of crime in Memphis is found in the poverty stricken and economically deprived areas of the city. That said, nearly 160,000 Memphis children living in poverty face risk factors for youth violence; children of teenage parents, youth ages 16-19 not in school, and youth with no consistent supervision are at the highest risk for engagement in delinquent behavior. When this many juveniles are at risk for youth violence, the city developed the Memphis Youth Violence Prevention Plan; the plan aims to reduce youth violence by building youth resiliency and supportive neighborhoods and communities (Memphis Youth Violence Prevention Plan). In order for this violence prevention plan to succeed, the city must strive to get at-risk families involved in family strengthening workshops and parenting classes for the adults in the home. Additionally, faith-based organizations must work to deliver programs and resources for youth such as: after-school programs, mentorships, tutoring and college preparation classes, information regarding teen pregnancy and ways to prevent it, and a host of others. Neighborhoods and communities are not going to get stronger alone; it is important that the city of Memphis establish safe places for youth to keep them off the street along with focusing attention to those areas where problems tend to arise. Another vision for this violence prevention plan is youth crime to be deterred and for safe environments to foster healthy youth and familial

development (Memphis Youth Violence Prevention Plan). Obviously for all of this to happen smoothly and safely, the Memphis Police Department will need to be actively involved in all programs. Some laws may need to be changed. For example, the violence prevention plans mentions that state laws should be changed to require suspended students to attend alternative schools rather than just being out of school indefinitely; another law that might need to be established is a law that requires serious juvenile offenders to serve their sentences in secure rehabilitation-focused facilities after age 19 without being transferred to the adult system (Memphis Youth Violence Prevention Plan). Lastly, the city along with law enforcement needs to intervene in the gang activity because there is so much crime that stems solely from gangs and violence between gangs. The juvenile delinquents do not just need to be confined in a cell, but instead, they need to serve their time in a nicer residential facility that focuses on rehabilitation and teaching the children the difference between what is right and what is wrong. The last part of the vision for this violence prevention plan focuses on teaching youth ways to re-gain their lives back and live successfully. In order for this to happen, these juveniles must continue their education. Additionally, they need access to employment and career training. Some youth will need intensive case management; others will need a support network made up of recreational programs, counseling programs, and enrichment programs (Memphis Youth Violence Prevention Plan).

According to an article published in the Daily Memphian, a local newspaper in Memphis, officials are still working today to find solutions to combat juvenile crime. “Juvenile crime charges on the rise, officials working to find solutions,” written by Yolanda Jones, makes the point that the number of charges for violent juvenile crime has risen from 282 in 2018 to 463 in 2019. According to Yolanda Jones, “that jump represents a 64.2% increase, according to juvenile

crime data from Memphis Shelby County Juvenile Court and published in a recent report by the Memphis Shelby Crime Commission (Jones, 2019). Amy Weirich, the district attorney for the city of Memphis, stated,

“What is disturbing to watch is this increase in the violent crime because for every violent crime there is a victim who has been hurt and harmed. The victims of these crimes don’t suffer any less simply because the person who pointed a gun at them is 16 years old. We have to commit as a community to reducing these numbers (Jones, 2019).”

Amy Weirich is correct in that it is disturbing to watch and hear that these violent crimes among youth are increasing. The City of Memphis along with the people of Memphis both must commit themselves together to reduce the crime rates. Shelby County Juvenile Court judge, Dan Michael, makes a great point when he says,

“Juvenile crime across this country has dropped about 40% in the last 10 years. Unfortunately, Shelby County juvenile violent crime is up about 64%. It is very difficult to sit here as a judge and see young adults in serious trouble throwing away that potential. And until as a community we recognize that every single one of these children deserve better than what they’ve got, we are not going to change (Jones, 2019).”

Again, the judge is correct that crime will not be reduced if only a few people work to combat it. It has to be a community partnered effort. Juveniles are throwing away their potential when they commit delinquent acts; however, that does not have to be the end. If there are programs implemented in which professionals and even volunteers are able to intervene early enough in the process of juvenile-justice that those juveniles could receive counseling, therapy, and

educational training to gain that potential that they had lost back. Right now, there are a host of programs that have been implemented or are being implemented to help the juvenile delinquents along with at risk youth. For example, there are evening reporting centers and a program called SHAPE which has been implemented by the Shelby County Schools. The SHAPE program is geared towards helping youth who are charged with nonviolent crimes stay out of the court system. In addition to that, another program being introduced is JIFF, which stands for Juvenile Intervention and Faith Based Follow-Up. JIFF is a faith-based Memphis nonprofit organization whose mission is to help youth charged with violent and nonviolent crimes. According to Yolanda Jones, JIFF has a partnership with the Shelby County Juvenile Court to work with youth who are referred from the court to the organization, which has four different intervention programs: early intervention, mentoring, job skills training (Jones, 2019). JIFF currently helps about 380 youth offenders and has goals to expand their outreach to other parts of the city so that they might be able to reach more youth.

Not only are programs being implemented in schools and other faith-based organizations for youth, but the Shelby County Commission approved \$1.3 million to design a new Youth Justice and Education Center (Michael, 2019). In an article entitled, “New Era Launched for Juvenile Justice in Memphis,” written by judge Dan Michael, the plans for this new youth justice and education center are further explained. Dan Michael is a judge in Juvenile Court, and he is excited to provide troubled children and teens in the Memphis area with a better chance for rehabilitation and the promise for a better future (Michael, 2019). Judge Michael explains a situation in great detail to illustrate his point. He writes,

“It is not unusual for the following to happen. Law enforcement brings a 15-year-old- to the detention area at Juvenile Court after charging him with aggravated

robbery and theft of property. This young man has been in and out of Juvenile Court since he was a toddler. He was abused at an early age and then bounced between family members and foster care during his formative years adding to his trauma. When he was in school, educators say he was academically bright. But he was suspended from school often, mostly for fighting, and he was brought to Juvenile Court when he was nine years old for assaulting a family member. Counseling didn't seem to help this young man. He started burglarizing houses when he was 12. At 15, he found a gun and robbed an elderly lady of her purse and her car. The police tracked him down and now he sits in detention at Juvenile Court awaiting trial (Michael, 2019)."

In this situation, the young man will have to endure living in a cold and uninviting place that was built many years ago; the current juvenile center where the boy will stay is not conducive for healthy rehabilitation. Right now, according to mental health specialists, juvenile court is, "antiquated; there are no windows, little space for recreational activity and exercise, a mediocre heating and air system which is not good with the Memphis weather (Michael, 2019)." The place is so small and so cramped that the school which is housed in the facility for the juveniles to attend cannot even accommodate all of the youth. The Memphis Juvenile Court facility has outlived its life, and it is time for a change. Many believe that once the detention center is changed, the lives of troubled juveniles will start to change because they will be in a place that is more comfortable and yields rehabilitation, healing, and teaching. Children and teens deserve an adequate, comfortable, and livable facility. Thankfully, the new youth justice and education center will be a much healthier environment and better facility for these youth. According to Judge Michael,

“There will be green space so juveniles can feel the warmth of sunlight and breathe fresh air. There will be large exercise areas both indoors and outdoors, so these young people, under the supervision of security officers, can work off bottled-up energy. And Hope Academy will be designed as modern school with spacious, well-lit rooms and a computer lab conducive to learning. With the new center, we can offer much-needed vocational training so some of these children can learn a skill that someday may result in a job (Michael, 2019).”

Regardless of the charge, children should not be stripped of their hope for a future. It sounds like this new center will be a great starting place for juveniles and their families to “restart” and realize that juvenile detention and incarceration does not have to be the end. The city of Memphis wants this center to foster an environment where each child and his or her family feels supported, cared for, and that there is hope for them and their child.

Memphis is not the only city with violent crime, nor is Memphis the only city with troubled youth choosing to engage in delinquent behavior. Youth violence is a widespread problem across the nation, and it needs to be addressed sooner than later. Youth violence cannot be stopped or changed by one person; it takes a village, a committed community, city leaders, and law enforcement choosing to take the next step right now against youth violence and gang activity. If changes need to be made to laws to combat youth violence, then speak up and make the changes. If changes need to be made to the local juvenile detention center so that troubled youth can get the proper rehabilitation and support they need, encourage city leaders to build a new facility that fosters a community of support and love and rehabilitation as well as providing counseling and teaching the difference between right and wrong. Youth need to be taught that they do not have to choose criminal activity simply because their neighbor chooses to engage in

that behavior; the strains found in the lives of youth today need to be addressed before crime even becomes an option for stress relief. The quicker people intervene, the less crime will occur. No, it will not all disappear; however, that is not the goal. The goal is to create programs and implement them in communities and cities to teach children from a young age through their late teens that they are worth more than what society might label them as or what their criminal record labels them as; every child needs to be reassured that he or she has a future and potential, and it is then when children begin to see their future and potential come to life where they will choose to turn away from those poor decisions and towards activities, programs, and opportunities that help them get closer to success rather than choosing activities that lead them down the wrong path towards delinquency.

References

- Jones, Y. (2019, September 9). Juvenile crime charges on the rise, officials working to find solutions. *The Daily Memphian*. Retrieved from <https://dailymemphian.com/article/7290/Juvenile-crime-charges-on-the-rise-officials-working-to-find-solutions>
- Krebs, C. (2013). Deal Reached to Overhaul Juvenile-Justice System in a Tennessee County. *Children's Rights Litigation*, 15(2), 17. Retrieved from <http://search.ebscohost.com.umiss.idm.oclc.org/login.aspx?direct=true&db=lgh&AN=89711682&site=ehost-live&scope=site>
- Memphis youth violence prevention plan* [Brief]. (n.d.). Retrieved November 13, 2019, from Youth.gov website: <https://youth.gov/youth-topics/preventing-youth-violence/forum-communities/memphis/brief>
- Michael, D. H. (2019, February 15). New era launched for juvenile justice in Memphis. *The Commercial Appeal*, Opinion. Retrieved from <https://www.commercialappeal.com/story/opinion/2019/02/15/shelby-county-juvenile-justice-new-youth-justice-education-center/2818187002/>
- Our history. (n.d.). Retrieved November 13, 2019, from <https://www.jiffyouth.org/history.html>
- Romero, E. (2012). Department of Justice Reaches Agreement on Juvenile-Justice Complaint in Tennessee. *Minority Trial Lawyer*, 11(1), 22–23. Retrieved from

<http://search.ebscohost.com.umiss.idm.oclc.org/login.aspx?direct=true&db=aph&AN=90356961&site=ehost-live&scope=site>

Small, M. A. (1997). Introduction to this issue.

Behavioral Sciences & the Law, 15(2), 119–124.

[https://doi-org.umiss.idm.oclc.org/10.1002/\(SICI\)1099-0798\(199721\)15:2<119::AID-BSL264>3.0.CO;2-J](https://doi-org.umiss.idm.oclc.org/10.1002/(SICI)1099-0798(199721)15:2<119::AID-BSL264>3.0.CO;2-J)

U.S. government Youth.gov. (n.d.). *Memphis* (M. Fowlkes, Author).

Retrieved from youth.gov website:

<https://youth.gov/youth-topics/preventing-youth-violence/forum-communities/memphis>