

Does Publicity Curb Delinquency?

by Dow Richardson

IF YOU WERE an editor, would you print the names of boys and girls under 18 who get into trouble? Would publicity reduce the rate of juvenile delinquency?

For many years it has been a generally accepted rule in newspapers that errant youngsters in their teens and under deserved to be spared disclosure. That still is the policy followed by most newspapers, although the big majority of editors reserves the right to break the rule when the circumstances are unusual. They can be so unusual that the young offender forfeits his right to protection.

The press has been re-examining its position on the question of printing juvenile names since FBI Director J. Edgar Hoover recommended publicizing the names of young criminals, whatever their age. Hoover's outspoken opposition to what he called "unwarranted secrecy" appeared in the FBI Law Enforcement Bulletin. Addressing his signed article to "all law enforcement officials," Hoover wrote: "Are we to stand idly by while fierce young hoodlums—too often and too long harbored under the glossy misnomer of juvenile delinquents—roam our streets and desecrate our communities?"

"If we do, America might well witness a resurgence of the brutal criminality and mobsterism of a past era," Hoover urged that, as a result of the increase in juvenile crime, each community undertake a "vigorous new appraisal" of how it is handling its youth problems.

This call to action was directed against the policy of shielding the tougher teen-agers from public exposure, but the proposal led editors to review their attitude toward all youthful aberrations.

One of the newspapers which made a searching re-examination of policy was *The Cleveland Press*. It asked its readers the question, "Should newspapers print the names of juvenile offenders?" and got the biggest letter response in the paper's history. In three days more than a thousand readers sent in their views.

Possibly showing public impatience with growing juvenile delinquency, a majority favored "full publicity for youthful wrong-doers."

A test vote in the high school at Kokomo, Ind., revealed a similar majority in favor of complete publication of news about juvenile delinquents.

The Cleveland Press thought over its sampling of public opinion and concluded that it would continue its policy of naming young lawbreakers only in exceptional circumstances, though it announced that it would "make a few more exceptions in the future than in the past."

Both juvenile court judges in Cuyahoga County submitted letters to *The Press* opposing Hoover's plan. Boys and girls, as well as parents and public officials, sent in their opinions. Many commented on the case of 11 Cleveland boys, all members of well-to-do families, who had been arrested for a series of burglaries and auto accessory thefts. Their names were not published by any of the Cleveland papers.

Three pages of letters were published by *The Press*. They ranged from indignant demands to "name them all" to a psychologist's suggestion that such a policy would give wayward youths a "new weapon" to coerce their parents.

This was the paper's conclusion on the subject and its decision on policy:



What's your opinion?

Family Weekly wants to know how its readers feel about the effectiveness of newspaper publicity as a deterrent to juvenile delinquency. After reading Dow Richardson's provocative article, fill in this ballot and mail it to *Juvenile*, Family Weekly, P. O. Box Z, Chicago 90, Ill.

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| Should newspapers print the names of all youngsters under 18 who run afoul of the law? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Should papers print only the names of repeaters and serious law violators under 18? | <input type="checkbox"/> | <input type="checkbox"/> |
| Should juvenile-court judges decide what names should be printed? | <input type="checkbox"/> | <input type="checkbox"/> |

"To continue the basic practice of withholding the names of boys and girls under 18 who get into trouble with the law.

"To continue to make exceptions to this when, on consultation and consideration, the situation seems to warrant unusual treatment.

"This decision has not been easy. Arguments were persuasive both ways. Few persons want to name every youth in trouble, nor would *The Press*. A trivial first offense of a 13-year-old—what paper would herald his name in print?

"Few want to suppress every juvenile's name, regardless of offense. *The Press* subscribes to that. No youth or parent should have such a guarantee.

"If a 15-year-old commits murder, the public has a right to know who did it."

Pointing out that an adult criminal can't expect secrecy, *The Press* says that, in younger offenders, "Age should be a consideration. So a 17-year-old would be an exception to the no-name rule more often than one 13 or 15." Also, "the seriousness of the offense and the number of offenses should be considered," as well as the attitude of the offender and that of his parents.

"Where the youth lives, in a neighborhood rich or poor, will make no difference in deciding whether to use his name. It never has.

"Of this you may be sure," the paper added, "that any exception made to the rule of no names will be carefully thought out. And human consideration will still have first priority."

Is the removal of the protection of secrecy a potent and wise weapon against juvenile delinquency? Some editors believe that immunity from public exposure encourages juvenile crime, and some legislators appear to agree with this theory.

A bill has been introduced in the New Hampshire legislature that would lower the juvenile age and the cloak of secrecy from 18 to 16 at the suggestion of police chiefs and sheriffs, who argued that it would curb delinquency.

In Georgia the legislature amended the juvenile courts law to read: "It shall be mandatory upon the judge of the juvenile court to release the name of any child who is under the jurisdiction of the court for a second or subsequent time. No person, firm, or corporation shall be guilty of any offense for making public the name or picture of any such child."

THE LAST Indiana General Assembly enacted legislation to permit fingerprinting and photographing of criminals 15 years of age or over, at the discretion of juvenile court judges. If a judge decides that a young hoodlum may be a menace, he can order the defendant photographed and fingerprinted even if he is only 15.

Officials told the Hoosier lawmakers that some teen-age thugs had terrorized housewives in brutal assaults. Though authorities suspected that some of these assailants had records, they had no proof. The assembly noted that it was striking at a different situation than minor cases or first offenses. It agreed that some 15-year-olds are husky enough to beat a woman as brutally as an older man might.

A study group recommended to the New Jersey Supreme Court removal of secrecy from some juvenile offenders. At present, youths' names are withheld by newspapers as a matter of custom through age 16, excepting in serious crimes, and juvenile court records are confidential.

Arizona opened its juvenile court records to the public last Summer. The Arizona legislature deleted



Some authorities maintain that publishing names of young offenders will reduce crime; others urge caution.



Few experts advocate publicity for petty crimes and first offenses but feel the serious offender deserves no privileges.

Shame, as expressed by

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the secrecy provisions from the state's juvenile law after Rep. Carl Sims, a legislator whose son had a brush with the law, sponsored an end to the policy of keeping the records closed. Some of the leading judges in the state said that juvenile court records should be opened to the public, though two Phoenix judges with the most experience in juvenile work favored continued secrecy.

The Arizona Republic and *The Phoenix Gazette* campaigned strenuously for the bill, although on several occasions they had ignored the law against publicity. Once they identified a juvenile called "Red Cap" who staged a dozen stickups in the metropolitan area. He was over six feet tall and weighed 180 pounds, but the law called him a child. He came from a socially prominent family. In such cases the Phoenix papers notified the juvenile judge that they intended to publish the names and addresses. Although the judges could have cited the papers for contempt of court, they never did.

In contrast, the 1956 New York legislature passed a "Youth Court Act," which extends to age 21 the protection of secrecy for youthful offenders at the discretion of a judge. But after enacting the law, the legislature displayed some doubts and postponed the effective date of the act until April 1, 1958. The New York press regards it as unwise legislation and has waged a concentrated attack on it.

THE NEWSPAPER for which I work has a policy similar to that of *The Cleveland Press* and, I believe, most other newspapers. An example of an unusual instance that occurred in our area was the wrecking of a passenger train by two small boys. Four persons were killed, a number of others injured and much property was destroyed. The

authorities quickly found what had caused the wreck and announced that two youngsters, 10 and 11, had derailed the train by placing a roll of wire on the railroad tracks.

The question was a difficult one to resolve, but the boys' act was so extraordinary and, with their identity kept secret, more than one family was suspected, so we decided to use their names.

Most newspapers are not as hesitant about printing names of young traffic violators as they are of those involved in crime. The publication of names in these cases can help serve as a deterrent to further violations by the same offenders or by other youths who might break traffic laws for the first time. Most editors regard publicity for traffic-law infringement as not carrying the same stigma as an arrest on a criminal charge. Publication of a juvenile name in a minor traffic offense isn't likely to have any lasting effect on his life, but could stop him from further recklessness.

One editor puts it this way: "We print all names in traffic cases, largely on the theory that a car is far more dangerous than a gun. With the traffic toll one of America's top problems, we must use every means available to us in seeking to curb this national folly. Young drivers have the worst driving records. Why should we coddle them?"

Another says his paper has used the names of children of some of its biggest advertisers, but has never had a bad reaction. "In fact," he says, "Dad usually seems to think the publicity helps his cause when he has a driving argument with Junior."

In criminal cases there are legal and moral considerations which are lacking in traffic-law violations. Publicly branding a youngster, especially a first offender, with a criminal charge might shape

his entire life for the worse, but this is lacking in traffic cases. The stigma that attaches to a traffic offense will not interfere with rehabilitation.

This seems to be a moderate, constructive, understanding policy, defensible against an accusation of "nice nellyism" or fault-finding by parents whose children's names get into print. The best answer I have to parental fault-finders is that if my teenage daughter gets arrested for speeding, running a stop sign, passing on a yellow line, or some other infraction, it goes in the paper. She approves her father's attitude, and it helps to make other parents understand the editor's problem.

Anyone familiar with Shakespeare knows how well the Bard recognized the value of a good name. It is, he said, the immediate jewel of men's souls, and anyone that filches it makes the victim poor indeed. In America the public prints are restricted by libel laws from unjustifiably reflecting on a man's good name, but they are not prohibited from revealing the name of a law violator.

When it comes to names of those considered too young to be responsible for their misdeeds, the press practices self-regulation and discretion. Feeling is now growing that this is a wall behind which arrogant youngsters under 18 can hide. Even young toughs, like hardened gangsters, wince at being publicly identified, evidence that publicity is among the most potent deterrents to wrongdoing. This is causing more people to conclude that a judicious use of it would help to cut the delinquency rate.

The young offender who is a repeater or who engages in a wanton crime of such proportions as to forfeit his right to the protection of secrecy is the thief who has filched from himself his most treasured possession—his good name.