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and The
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JUDGE JOSEPH SIEGLER

to the

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HONORABLE JOSEPH SIEGLER

JUDGE *of* JUVENILE COURT
ESSEX COUNTY



JUVENILE COURT AND THE COMMUNITY

The time is here when persons in whom public trust is vested are charged with the responsibility of bringing to the people a message that will advise and inform them of the various phases of the government in the community where they happen to live. I believe in the principle so simply and yet forcibly laid down by the Governor of the Empire State, "The more people know about the government the better it is both for the people and the government." I welcome this opportunity to tell you of the Juvenile Court, its jurisdiction, the work that it is doing, some of the causes and the treatment to be applied. Crime today is a problem of youth, and I agree with what Judge Cardoza of the New York Court of Appeals has recently stated that, "Our legal punishment is often stern when it should be mild and mild when it should be stern." Many adult delinquents sent to penal and reformatory institutions go with long juvenile court records.

Ten thousand children come before the juvenile courts of New Jersey each year. Between fifteen hundred and two thousand juveniles are arraigned in Essex County Juvenile Court annually. Furthermore, there are fifteen hundred to eighteen hundred children handled by school departments in the court for truancy. There are, of course, a large number of juvenile disputes and controversies, and decided cases of delinquency, that never reach the court, because there are other agencies that step in and try to adjust, and, sometimes do adjust, but in most cases fail to adjust. There are now more than 300 children from this county confined in institutions for delinquents.

Juvenile delinquency is a serious problem. It is greatest during the school year and seems to reach a peak during the spring and autumn and its problems increase as they go along with age. I have found delinquency in children to be responsible in one of five groups: 1. Stealing 2. Immorality 3. Truancy 4. Incurability 5. Destructiveness.

Practically all conditions contributing to the commission of delinquent acts are found in Essex County. It is almost

totally urban except in outlying sections, densely populated, highly industrialized and exceedingly varied in its cultured groups.

*Moral and Financial Loss Caused by
Juvenile Delinquency.*

Moral: The moral loss to the community is incalculable. It causes great distress, suffering, disgrace, and has a harmful effect on the future career and family life of the individuals so affected.

Financial: The community suffers a tremendous loss financially as the result of juvenile crime. The average cost of rearing a child to maturity is \$4,000. Boys and girls of Essex County under 21 represent an investment of hundreds of millions of dollars in actual money. This investment is impaired by millions of dollars each year as the result of moral and legal behavior lapses on the part of children.

Furthermore, there is great economic waste in maintaining courts, institutions, officials, etc. and in the loss of earning power both to the homes of individuals affected and to industry in general.

JURISDICTION OF COURT

This Court is established by legislative mandate and under the statute is vested with certain definite powers which, I believe, will be of interest to you, and thus give you an idea of the extent and limits of the powers of the Juvenile Court. The statutes of New Jersey have established the court and then defined what shall be considered a delinquent child and the method and procedure of handling the controversy. Delinquent child shall include any child under 16 years of age who violates any penal law or municipal ordinance, or who commits any act or offense for which he could be prosecuted in a method usually followed in a criminal action and proceeding (except for crimes of murder and manslaughter) or who is a disorderly person, habitually vagrant, or incorrigible, or immoral, or who knowingly associates with thieves, or other vicious immoral persons, or who is growing up in idleness or crime, or knowingly visits gambling places, or patronizes other places or establishments, his admission to which constitutes a violation of the law, or idly roams the streets at night, or who is a habitual truant from school, or who so deports himself as to endanger the morals, health or general welfare of said child.

The Juvenile Court by legislative mandate has also been vested with additional power with the handling of adults, this being limited to matters of non-support and neglect of family. This court also has wide power in granting relief to dependent children, widows pension and the matter of commitment of mentally deficient and insane children. This phase of the work of this court in my opinion is the greatest constructive social agency in the entire community. I can talk for hours on the many individual benefits that result from the handling of matters that come to the attention of the Juvenile Court through these channels. The Juvenile Court jurisdiction extends to all cities, towns and villages in the county, and also has powers in the commitment of children to institutions, the State Board of Childrens Guardians, the matter of placing children on probation and in the recall of children from institutions to which they have been committed.

PHILOSOPHY

The attitude of society towards its delinquent children has undergone a complete and radical change during the past thirty years. Children are no longer treated as criminals. At least all legislation placed on the statute books of the Nation affecting treatment of such children has set up a method of procedure which is distinctly beneficial in its effect. Delinquent children now are declared in need of the care and protection of the Court. They become wards of the State. The Juvenile Court assumes the rights of parents who are unwilling or unable to discharge their obligations. The Court is in the final analysis, a super-parent. Its procedure is designed to be protective rather than hostile. The atmosphere of the Court is decidedly social in character. Hearings are informal, social investigations are made by probation officers, medical examinations—physical and mental—are made by experts. Children are placed on probation, studied and treated. Emphasis is placed upon education and guidance rather than discipline and punishment.

The Juvenile Court is a response to the new attitude of social justice manifested by society. The old method of administration of justice emphasized retribution, and the atmosphere of the Court was distinctly hostile.

Today children are considered not fully responsible for their acts. It is recognized that their conduct and behavior are actuated and motivated by conditions over which they have no control. The approach to their problems is one of understanding and sympathy. An effort is made to make a dispassionate study of the child's condition, and apply treatment according to sound case-work principles.

CHARACTER OF SERVICE

The Juvenile Court is a reliable barometer of the moral conditions of the community. Every conceivable kind of social problem and difficulty is brought to the Court for treatment.

These problems may be outlined as follows:

1. *Racial.* Essex County in a cosmopolitan community. It includes many nationalities. The conflict of American ideals and traditions with the customs and habits of other nations produces a number of decidedly difficult social problems.

2. *Spiritual.* Indifference to, or neglect of spiritual obligation on the part of parents, frequently results in a lack of moral or ethical training. The Court must frequently meet these situations.

3. *Educational.* Public education is one of the glories of American life. Mass teaching however results in rigid curricula. The child frequently is made to conform to curriculum rather than curriculum made to conform to the child. Children backward in mental development, with low intellectual capacity, are unable to grasp book knowledge; hence they frequently come into conflict with authority and develop into and persist as conduct problems.

4. *Environmental.* Mixing of races and nationalities, vice, gambling, lack of recreational opportunities, increase in pool rooms, excessive street life, all stimulate the emotional and mental activity of children, causing in many instances misconduct.

Persistent violation of law on the part of adults leads to disrespect and encourages lawlessness among children.

5. *Physical.* Undernourishment, physical handicaps, organic or otherwise, frequently bring children to Court. More than 60% are found when examined to have some physiological defect.

6. *Mental.* A large percentage of children who come into the court are deficient in mental development. Sometimes this is congenital, frequently acquired, and may be either emotional or intellectual in character.

(Outline program of State for care of defective children.)

7. *Economic.* While poverty is very seldom if ever the direct cause of crime, nevertheless low wages, "blind alley" occupations, lack of vocational or professional training, physical and moral hazards involved in jobs, failure to fit people into the right occupations, all have a tendency to create conditions which induce delinquency.

REMEDIES

It is clear that many of these problems suggest their own remedies, but it is just as true that many of them puzzle even the most expert mind.

Having presented to you the many problems that confront the juvenile court, it is imperative that I give you my view as to what I believe to be some of the remedies to apply to these situations.

First and foremost,—we must create an informed public opinion which will produce effective community co-operation. This co-operation requires intelligent and sympathetic understanding so that many lives may be saved to useful citizenship, and society thereby benefited. I believe to accomplish these ends and correct this condition, we must pursue at least four methods of approach.

1. *Leadership.* Most juvenile delinquents are members of a "gang". Some are leaders, others are followers. The "gang" is a normal institution. It provides satisfaction of the gregarious instinct in every human being. All human beings desire to herd together for purposes of sociability. Fraternal, civic, and business organizations and societies are really adult "gangs" created for some constructive purpose. Boy Scouts and Girl Scouts and other highly organized and well directed institutions are "gang life" at its highest. A survey of boys' life made by the Rotary Club of Newark shows that the vast majority of children get their only recreation on the street or at the movies. More than 4,000 children are members of "gangs" in the City of Newark, unsupervised—without direction. These gangs are located in cellars, alleyways, lofts and other inaccessible and difficult places. Male leadership is particularly needed,—although as the use of girls in industrial and commercial life increases there also increases the need of trained leaders for sparetime activities of girls as well as boys.

Functions of family life have changed materially in the past several decades. In the past the functions of fam-

ily life included industry, education, religion, recreation and social relationships. Most of these things have been slowly passed on to other agencies. The boy is no longer trained by the father in his own home for any particular occupation. The factory system has eliminated this from the family function. Children are no longer educated in their own homes. Public education, and development of private schools and academies, have taken over this function. In early years this was carried on largely by male teachers; now it is almost exclusively handled by women. The teaching of religion has become almost entirely a problem of the church rather than the parent. Sunday school and other religious classes are mostly all conducted by women.

Recreation has become commercialized; and with the increased mobility of the community because of the availability of automobiles, it is becoming more and more difficult to supervise recreation. The big need in the field of juvenile education today is male leaders properly trained to supervise spare-time activities for boys, and women leaders for the same purpose among our girls. Most juvenile crime is committed during the leisure hours. The solution of the problem seems to lie in the proper direction and utilization of those leisure hours.

Supplementing leaders, must come the organizations and equipment to carry on the spare-time activities. In other words the community must be somehow brought to understand that it should provide attractive equivalents for misbehavior and unwholesome spare-time activities. Boys' clubs should be organized, on a self-governing plan with a program of education for useful citizenship, as well as neighborhood houses, school centers, etc. The facilities of the Y.M.C.A., Y.W.C.A., Y.M.-Y.W.H.A., and other such organizations must be increased. School buildings should be used to the fullest possible extent, both day and night and during the vacation period. Our churches should increase their recreational and social programs so as to be able in some manner to compete with the vast program of commercialized recreation which is now available to our youth.

2. *Development of Health Facilities.* Everything should be done to detect and remove the physical handicaps surrounding the lives of children and strengthen whatever available assets they may have in this respect. Intelligent housing programs, stimulated by adequate housing laws, should be carried on. More intensive physical and physiological examinations should be provided by the creation of child guidance clinics where the attitudes, personality and physiological conditions of children may be discovered and treated. Recognition of the emotional and intellectual needs of children should be expressed and manifested in the adjustment of curricula through the extension of manual and vocational training, and employers and other industrial leaders brought into cooperation for this purpose.

Supplementing clinics, should come the appointment of visiting teachers and the increase of educational and personality qualifications among truant officers and other officials having to do with the education and training of children. Physical education should be broadened—made available to all children in every city and community. Sex hygiene knowledge should be disseminated under proper auspices to both boys and girls, and wider programs of domestic science should be carried on for the purpose of better-fitting children for domestic life.

3. *Vocational Guidance and Supervision.* Thousands of people are misplaced vocationally. Much juvenile delinquency is caused as a result of conditions which are brought about by the attempt of children to adjust themselves to the conditions of labor under which they are admitted to industry. Choice of occupation very frequently is a matter of accident. Many children hold quite a number of positions before they finally become definitely situated. Parents are very often helpless to aid children in regard to choice of vocation or in the investigation of conditions under which children enter industry.

Additional means should be provided to guide children during the early years of their industrial experience.

Vocational bureaus should be created so that all children may have the benefit of this direction. In this way many of the moral or physical hazards which surround the employment of children in their early years will be eliminated. Public and private employment agencies should be properly supervised and regulated so as to eliminate all possibility of abuse in this direction. It would be well if there could be worked out between the educational and industrial leaders of the State, an apprenticeship system which would guarantee to many children an opportunity to secure the fundamentals of a variety of occupations under proper auspices.

With regard to the children who leave school lacking in education, the monotonous, un-educative character of the industrial opportunity open to such children, and the fact that they enter the occupations without understanding their possibilities, it is obvious that the period of transition from school to industrial life is probably the most vital period in the career of the child. If it is conceded, and it is generally acknowledged so, that the school should aim to discover the talent and aptitudes of its pupils and give wise direction in the selection of their life's work and that it should advise them in regard to changes of occupation and provide ways and means of increasing their general knowledge as well as give further knowledge of the vocation they have selected, then a method of providing for this function should be established.

My observation has been that among the group of children that come through the Juvenile Court, who are investigated for their particular delinquency, and are found to be in possession of working certificates, that they have not received the proper vocational advice in the schools. There should be juvenile placement bureaus established to accommodate children that are conduct problems, as well as others. Of course I realize it may require special inspection and study, but a great deal can be made of this class of children in industry.

There is considerable difference of opinion as to what vocational guidance means. Some think of it as a mere matter of employment of youth. Others think of it in terms of guidance into occupations which may be more profitable. Again it is considered a test of physical ability to do a particular type of work, while in other localities, it is looked upon from the stand point of psychological tests or character analysis. Whatever may be the proper understanding of the term, suffice it is to say that vocational guidance should include the following definite things:

1. Giving children in school an opportunity to learn about occupations of the community in which they may enter. (This necessitates the making of industrial surveys by those in charge of the vocational bureaus).
2. The study of occupations and readjustment for youth and also for adults in trying to find better opportunities for their talents.
3. A better understanding of the health hazards in different occupations so as to guide workers in the safeguarding of their health and physical power.
4. The study of physical and vocational education of handicapped workers and reorganization of training facilities for them.

The development of the continuation schools in New Jersey will give vocational advisors an opportunity to study the industrial histories of children and will permit the readjustment of occupations on the basis of the findings. It will also be possible to make whatever readjustments in the curriculum found essential as disclosed through the closer contact between the vocational bureau and industry.

4. *Improvement of Environment Stimuli.* Every effort should be made by the community to see that the environment in which children live is made as clean and wholesome and free from demoralizing influences as possible. Police supervision of places of commercialized recreation such as movies, pool rooms, dance halls, summer resorts, etc., should be increased and made more efficient and adequate.

You will note that one of the important features that some of the remedies suggested, directs itself, is the making of character in the young youth of our community, and character, as I understand it, is the result of two things; mental attitude and the way we spend our time. If we can engender and inculcate in the mind of the child a proper mental attitude and a safe method for the use of his time, we will invariably firmly establish character in the child.

My purpose here here tonight is to acquaint you with the great constructive social program for the youth of our community through the Juvenile Court, and as I have stated, it requires community co-operation to make it effective and successful.

I want you to become interested, as citizens of our community, in making this a better place for our boys and girls, and if I have saved even one boy or girl from the possibility of wreck or ruin, and restored him clean and vigorous to society, I will feel that my time spent in this court was worth while. I want to leave a thought that Abraham Lincoln once said, "Die when I may, I want it said of me by those who know me best, that I always plucked a thistle and planted a flower where I thought a flower would grow."