

## PATTERNS AND CONDUCT DISPLAY OF MISBEHAVIOR IN YOUTHS AND MINORS

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**ABSTRACT:** *The patterns of misbehavior in youths and minors are a result of social dysfunction and the patterns and the conduct display of behavioral expressions in minors and youths can become criminogenic factors to national security. The difficulties created by the modern society regarding the consistent integration of people in community, family, work, school, and the poverty, unemployment, illiteracy, inadequate parenting establish a set of risk factors that lead to a criminal behavior. We believe that the commission of a multitude of felonies by minors and young people, the large number of antecedents, criminal (acts) registered, a lifestyle characterized by crime and peer influence, alcohol, drug abuse are manifestations of an anti-social behavior establishing delinquent conducts which can generate insecurity to the national security.*

**KEYWORDS:** *crime, delinquency, juvenile, youths, minors*

**JEL CODE:** *K14, K42*

The misdemeanor conduct of minors and youths reflected in the statistics of the penitentiary system may currently establish potential emergent and insecurity factors to national security. Lack of education, low intelligence, family with criminal history, lack of occupation and social inclusion are current challenges that contribute independently to delinquency. Deviant behavioral patterns of minors and young people may be the result of social change and disorganization.

The modalities and conduct of deviant behaviors in youths and minors are also reflected in the statistical situation (2011-2015) of the National Administration of Penitentiaries<sup>1</sup>. In the research carried out, “*the patterns and conduct displays of misbehavior*” in young people and minors present various forms and can be categorized as follows:

- crimes against the person;
- crimes against property;
- crimes against public assets;
- crimes against authority;

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<sup>1</sup><http://www.anp.gov.ro/web/anp/dinamica-efectivelor>, accesat la data de 27.04.2017. <http://anp.gov.ro/documents/10180/7602375/bilant+Administratia+Nationala+a+Penitenciarelor+rom.pdf/5b87fb13-fd0f-419b-ae0-e09dcfb5bbcb>, [Accessed: 14 October 2016].

- crimes against the public interest activities or other activities regulated by law;
- forgery;
- crimes to the system established for certain economic activities;
- crimes affecting the social cohabitation relationships;
- disregard for certain decrees and special laws.

From the information, statements and analysis of the data resulted from the research, we can order the delinquent conduct of minors and young people into the following categories: 61 offenses against the person (attempted murder, murder, rape, destruction, deprivation of liberty, violence causing death); 139 crimes against patrimony (robbery, theft); 1 offense (offenses that affect activities of public interest or other activities regulated by law). At the same time, the deviant behaviors of minors and young people in the four centers are also reflected in the criminal history, *ie* the number of criminal history records (example: out of the total of 200 minors and young people surveyed, 73 (36.5%) do not present criminal history, and 127 (63.5%) reported criminal records between 6 deeds and 200 deeds). In conclusion, the related aspects establish the real dimensions of the problems of minors and youths, which at the same time denote a rather serious social problem the Romanian society is facing.

#### ***The scope of the scientific investigation***

As this rapid pace of evolving crimes committed by minors and youths continues and as we take into account the unfavorable educational, social, economic conditions, we believe that there is only one step away from committing crimes against state security. *Ordinary* or *common law* perpetrators (those who commit delinquencies determined by personal intentions), minors and youths, can become criminals motivated from other points of view, but who are convinced that they act in the name of a particular group, of the society or even of humanity. The risk factors for deteriorating family and social relationships can become alternative subcultures, in the form of indoctrinations of different kinds of inspirations, which can drive these minors and young people to violent extremism.

#### ***The hypothesis of scientific investigation***

- the juvenile and youths' misdemeanor conduct can become manifestations of organized crime, generating insecurity to the national security;

#### ***The objectives of the scientific research***

- description of the behavioral patterns of deviant behavior in youths and minors;
- analyzing and describing the delinquent behavior of minors and youths reflected in the statistics of the penitentiary system between 2011-2015;

#### ***Research methods***

The research instrument we used to collect data in the reports on the dynamics and structure of the total number of juvenile and young prisoners is the statistical technical method. In order to carry out the case study, I have turned to the following methods: the application of the questionnaire, the interview and the process of the interactive-symbolic approach, in order to study the behavior of minors and young people (the manifested and visible forms, but also the hidden and invisible forms). The sample includes one hundred of young people and one hundred of juvenile delinquents in the Educational Centers in Buziaş and Tg. Ocna, respectively, the Detention Centers in Craiova and Tichileşti. The questionnaire was filled in individually by the respondents interviewed, followed by the interpretation of the obtained results, their analysis and the formulation of the conclusions.

In the research and case study of juveniles and minors carried out at educational and detention centers, I used the interview technique to obtain verbal information on the description of the situations in which the subjects were at one time. At the time of the interview, from the statements of the respondents in the research sample, I met the four phases of the criminal act: energizing, directing, inhibiting and decision making processes, elements elaborated by David P. Farrington in his work *Criminality and Justice*. (Gheorghe, 2005) This paper describes the causes and manifestation conduct of the deviant behavior. At the same time, developmental theories and situational theories, which predominantly lead to the criminal act, are integrated into the same analysis. (Gheorghe, 2005) Thus, the first phase “energizing” is found in the results of the research: 169 of the minors and the young people surveyed declared that they committed the offense from the desire to obtain a material good and to obtain a privileged status among their friends. Of the 200 minors and young people surveyed, 45 said they had committed the offense due to alcohol consumption, and 36 had committed the offence under the influence of drugs.

The second phase, that of “*directing to crime*” according to Farrington’s work is dominated by negative factors, poor family, inadequate education, low intelligence, unstimulating intellectual environment, school failure, difficulties in finding a job, etc. and as a result, the individual may choose antisocial methods of solving his problem. This phase is found in the youths and juveniles participating to this research: negative factors are present, respectively the low level of education (of 200 inmates, 12 are illiterate, one completed a class, 9 inmates completed 2 classes, 17 inmates - 3 classes, 17 inmates - 4 classes, 40 inmates - 5 classes, 21 inmates - 6 classes, 21 inmates - 7 classes, 22 inmates - 8 classes and only 40 inmates completed more than 9 classes); of 200 of minors and young people 174 abandoned school and 26 were expelled. Of the 200 juvenile delinquents, 152 have difficulties in terms of reading, writing and calculation. A number of 140 youths and minors come from poor families with inappropriate housing, 116 are not visited by relatives, 76 have encountered situations of family abandon in childhood, 60 have experienced long periods of absence of a parent or both, being left in the care of relatives or close ones. A total of 152 young people and minors stated that their mother had no job, and 108 reported the absence of workplace of their father, in both cases the only income being the social assistance.

The parents’ educational level is low, the minors’ and youths’ statements lead to the following: 27 of fathers were illiterate, 3 completed 1 class, 2 - 2 classes, 1 - 3 classes, 6 - 4 classes, 8 - 5 classes, 5 - 6 classes, 32 - 8 classes, 50 young people and minors stated that their fathers completed more than 8 classes, and 93 stated they did not know. Regarding the mother, the situation is similar: 33 of the mothers are illiterate, 1 - 1 class, 2 - 2 classes, 13 - 3 classes, 7 - 4 classes, 4 - 5 classes, 8 - 6 classes, 8 - 7 classes, 29 - 8 classes, 41 - more than 8 classes, 88 youths and minors stated they did not know how many classes their mother had completed.

Criminal history in the family of origin are the following: 66 minors and young people said that their father was incarcerated at least once in a prison, 10 stated their mother was incarcerated; 25 - brother; 36 - uncle; 1 - grandfather; 2 - sister; 17 - cousins; in conclusion, 155 young people and minors presented criminal history in the family of origin or of belonging at the time of the survey.

Referring to the third phase “inhibiting”, we specify that the absence of elements that block the emergence of criminal behaviors respectively parent supervision, discipline

centered on love, affectionate relationships with others, the disagreement of the close ones for their criminal projects (Gheorghe, 2005) establish determining factors for some minors and young people to plan the commission of a felony. The family factors involved in the socialization of minors and young people is a first rank cause in the determination of delinquency through family educational deficiencies, which favor the youth maladjustment or inadequacy. The existent dysfunctions in family life gradually lead to the dissolution of family, a lower social involvement and the emergence of manifestations and negative skills of minors and youths. These families provide negative patterns that they “induce” to the children, until they learn from them deviant behaviors (drug abuse, alcohol, crimes etc.). An example in this matter: the research conducted by Raphael Israeli in his work *Islamikaze and their Significance, Terrorism and Political Violence*<sup>2</sup> suggests that suicide bombers often come from dysfunctional families and suffer from low self-esteem. (Petcu, 1999) These risk factors regarding the deterioration of family, social and societal relationships may become alternative subcultures, in the form of inspirational indoctrinations of different kinds of inspirations, which will lead some minors and young people to the violent extremism.

The research conducted at the re-education and detention centers revealed that only 84 minors and youths out of the total of 200 surveyed maintain relationships with family members, the remaining 116 said they are not visited and do not keep in touch with the close ones, not even through letters. We conclude that the lack of intra-family relationships or the existence of disturbed family relationships has negatively influenced some minors and young people in rehabilitation and detention centers, respectively, the tendency for increased risk of drug abuse, criminality and poor school results.

The lack of these factors, in the opinion of Professor David P. Farrington, in *Criminality and Justice* converge in the emergence of the fourth phase, namely “decision making processes and transition to action”, which in its turn will be conditioned by the quality of the opportunities encountered, the perception of costs and the benefits, the absence of stigmatization and the subjective probability attributed to the various results sought. The same author, believes that impulsivity, low intelligence, poor education, family with criminal behavior and socio-economic deprivation, despite their interrelationships, all contribute independently to the development of delinquency. (Gheorghe, 2005)

The majority of youths and minors questioned in our research due to family and school socialization deficiencies that were materialized by runaway, school dropout, drug use, alcohol consumption, bad entourage, parents without education, criminal history in the family of origin, took the decision to deviate from complying with law and commit crimes from the age of eight.

The evolution of the number of minors and youths questioned in educational and re-education centers compared to the total number of persons deprived of their liberty is shown in the graphical illustrations (Figure 1 and Figure 2) below. We specify that the statistical data represents the total number of the detainees of full age, respectively, youths and minors (pre-trial detainees, convicted at first instance, convicted permanently with the

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<sup>2</sup> Specialty Journal in the field of terrorism and organized crime prevention *Crima organizată și terorismul azi*, vol. 44, year VI, 2010, p. 50.

execution of sentences established by the courts or with the measure of admission to a detention or re-education center) who were in custody of the penitentiary system during 2011-2015.

I compared the samples related to the structured categories according to the age (full age, youths, minors) calculated at the level of each calendar year, outlining the first order items. Both in minors and youths, there are differences in what regards the development of crime. In both cases there is an evolution of crime up to 2013, followed by a gradual decrease of these values until 2015.



Figure no. 1: The evolution of youth (18-21 years) in penitentiary during 2011-2015

In 2015, related to 29,203 detainees, 1248 (4,27%) young people were registered in the re-education and detention centers within the penitentiary system. A number reduced by 426, compared to 2011, when 1,674 (5.82%) of young people were imprisoned in penitentiaries, re-education and detention centers.

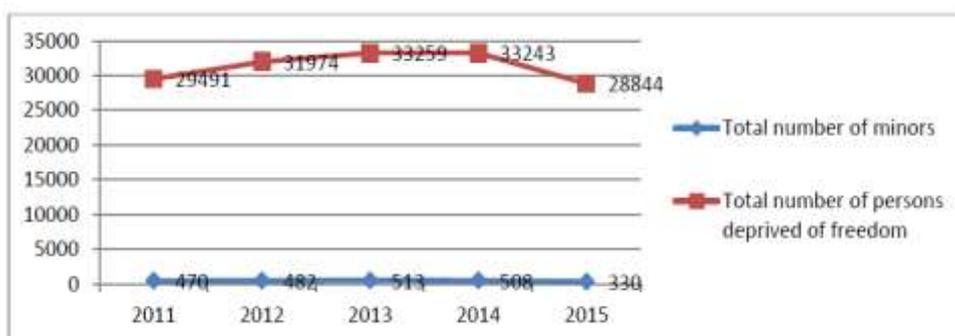


Figure no. 2: The evolution of minor population in penitentiary during 2011-2015

Compared to a number of 33,259 the detainees of full age, the number of juvenile delinquency in 2013 reaches a number of 513 (1,54%), higher than in 2011 by 43, respectively 183, compared to 2015. The number of minors admitted to re-education and detention centers decreased in 2015 by 140 compared to 2011.

In conclusion, we notice a decrease in the number of people, youths and minors, admitted to re-education and detention centers during 2011-2015, but not a decrease in the number and types of crimes. According to the articles mentioned in the Criminal Code, minors and young people in re-education or detention centers have been convicted by the courts according to their guilt. Thus, in 2011, the minors and young people in the penitentiary system, respectively in the mentioned centers, presented the following criminal characteristics:

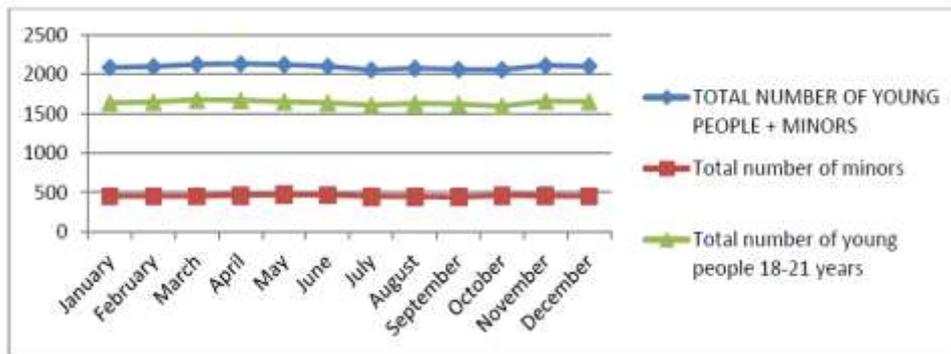


Figure no. 3: Total number of young people and minors in 2011

As at 31 December 2011 there were 30,694 persons in the units of the National Penitentiary Administration system. Of the total number of detainees in prisons, 1,651 (5.38%) were young people aged 18-21. At the same time there were 450 minors arrested for the following offenses: 32 murder, 3 illegal deprivation of liberty, 1 serious personal injury, 1 home violence, 27 rape, 1 sexual intercourse with a minor, 1 sexual corruption, 224 - theft, 150 - robbery, 2 - destruction, 2 - outrage against good morals and public disorder, 1 - prostitution, 3 - Law no. 678/2001 on preventing and combating trafficking in human beings, 1 - Law no. 143/2000 on the prevention and combating of illicit trafficking and illicit drug use and 1 for Law no. 39/2003 on the prevention of organized crime.

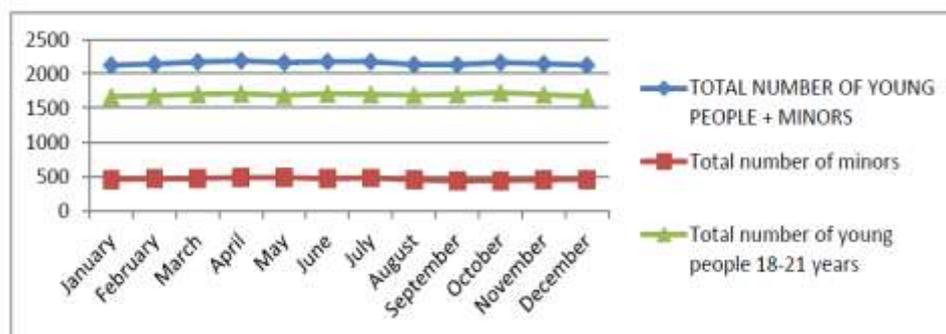


Figure no. 4: Total number of young people and minors in 2012

As at 31 December 2012 31,817 persons were registered in the units of the National Penitentiary Administration system. Of the total number of detainees in prison, 1,676 (5.26%) were young people aged 18-21. At the same time, there were 444 minors arrested for the following offenses: 35 for murder, 23 for rape, 200 for theft, 168 for robbery, 3 for Law no. 678/2001 on preventing and combating trafficking in human beings, 2 for violation of residence, 2 for Law no. 61/1991 sanctioning the facts which violate the norms of social cohabitation and 11 for other offenses.

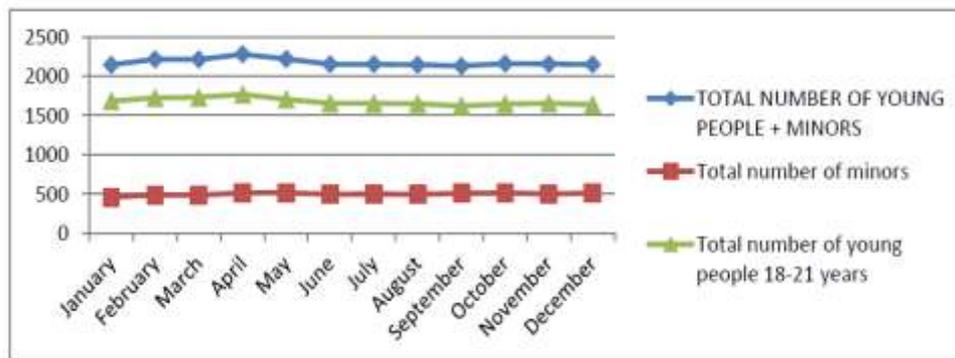


Figure no. 5: Total number of young people and minors in 2013

As at 31 December 2013 there were 33,434 persons registered in the units of the National Penitentiary Administration system. Of the total number of detainees in prison, 1,636 (4.90%) are young people aged 18-21. At the same time there were 512 minors arrested for the following offenses: 38 for murder, 39 for rape, 243 for theft, 175 for robbery, 2 for bodily injury, 1 for beatings or other types of violence, 2 for outrage against good morals and public disorder, 2 for Law no. 678/2001 on preventing and combating trafficking in human beings, 1 for Law no. 143/2000 on the prevention and combating of illicit trafficking and illicit drug use and 9 for other offenses.

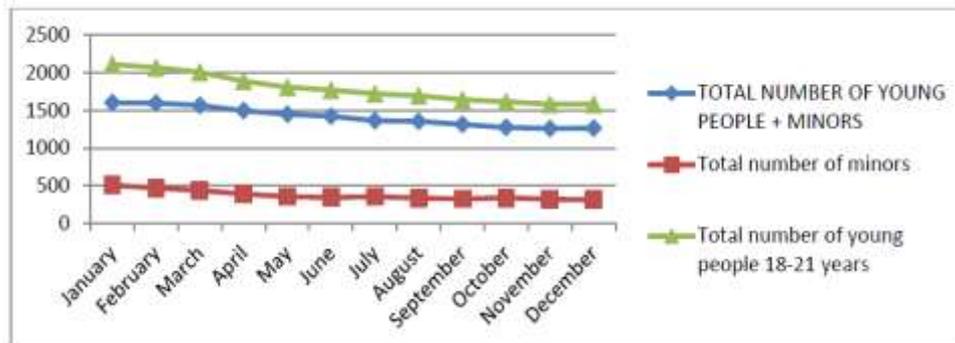


Figure no. 6: Total number of young people and minors in 2014

As at 31 December 2014, 30,156 persons were registered in the units of the National Penitentiary Administration system. Of the total number of detainees in prison, 1,263 (4.19%) are young people aged 18-21 years arrested for the following offenses: 441 for theft (168 Old Criminal Code + 273 New Criminal Code), 153 for murder (61 Old Criminal Code + 92 New Criminal Code), 24 for Law no. 143/2000 on the prevention and combating of illicit trafficking and illicit drug use, 7 for Law no. 678/2001 on preventing and combating trafficking in human beings, 4 for Government Emergency Ordinance no. 195/2002 on traffic on public roads and 98 for other offenses (35 Old Criminal Code + 63 New Criminal Code).

On the same date, in the units of the National Penitentiary Administration system there were 316 minors, arrested for the following offenses: 39 for murder (11 Old Criminal Code + 28 New Criminal Code), 21 for rape (5 Old Criminal Code + 16 New Criminal Code), 99 for theft (15 Old Criminal Code + 84 New Criminal Code), 148 for robbery (21 Old Criminal Code + 127 New Criminal Code) and 9 for other offenses (2 Old Criminal Code + 7 New Criminal Code).

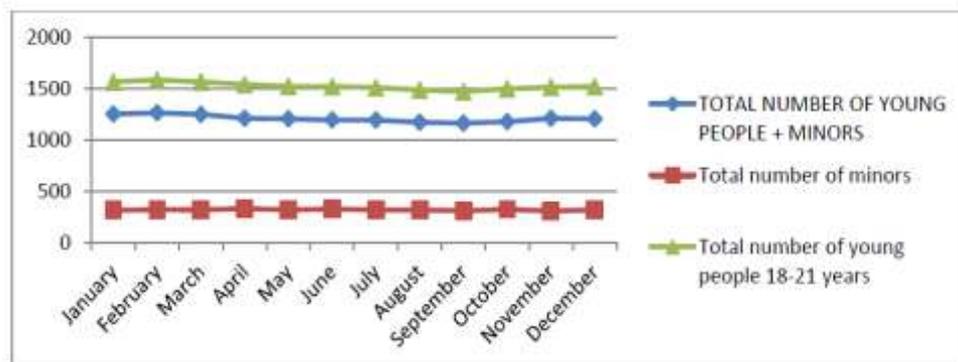


Figure no. 7: Total number of young people and minors in 2015

As at 31 December 2015, 28,334 persons were registered in the units of the National Penitentiary Administration system. Of the total number of detainees in prison, 1,204 (4.24%) were young people aged 18-21, arrested for the following offenses: 418 for theft (24 Old Criminal Code + 394 New Criminal Code), 140 for murder (25 Old Criminal Code + 115 New Criminal Code), 448 for robbery (37 Old Criminal Code + 411 New Criminal Code), 86 for rape (13 Old Criminal Code + 73 New Criminal Code), 14 for juvenile human trafficking (Article 211 New Criminal Code), 6 for illegal deprivation of liberty (1 Old Criminal Code + 5 New Criminal Code), 13 for Law no. 143/2000 on the prevention and combating of illicit drug trafficking, 2 for Law no. 67 on the prevention and combating of trafficking in human beings, 12 for the driving of a vehicle without a driving license, 6 the constitution of an organized crime group and 59 for other offenses (3 Old Criminal Code + 47 New Criminal Code) and 9 other special laws.

The statistical data resulting from the 2011-2015 research (Graphic Illustrations 1-7) reflect the behavioral manifestations in terms of crimes committed by minors and young people. The evolution of the number of minors and young people in education and re-

education centers, in relation to the number of major survivors in the penitentiary system, shows the evolution of crime due to the multiple types of crimes committed.

## CONCLUSIONS

The modalities and delinquent conduct of minors and young people reflected in the statistics of the penitentiary system for the period 2011-2015 display the current crime situation. The elements of our research show an alarming situation that can generate potential insecurity factors to national security, especially as the offenders are minors and young people. Our research, focused on the study of the numbers, evolution, dynamics and structure of the penitentiary population, minors and youths during 2011-2015, highlights the impact (which may be higher or lower but exists) on the national security.

In conclusion, following the research we can state that the patterns of deviant behaviors of minors and young people are the result of social disorganization, and the modalities and behavior of minors and youths can become criminogenic factors to national security. Difficulties created by modern society on the consistent integration of people into the community, family, work, school, but also poverty, unemployment, illiteracy, inadequate parenting constitute a set of risk factors that lead to criminal behavior.

Our case study and research has confirmed these deviant behaviors of young people and minors through the characteristics mentioned above.

We consider that the objectives of the scientific investigation have been achieved, consequently the delinquent conduct of minors and young people can become manifestations of organized crime actions generating insecurity on national security (the hypothesis confirmed by the research carried out). At the same time, the indicators of the criminal state show that in Romania juvenile crime exists and the sense of insecurity has increased, while the threats to public order, respectively, the crimes of great violence and organized crime are situations requiring a more complex approach, an integrated system, with the participation of the responsible actors.

From the criminality point of view, another argument is that although Romania has not been the target of international terrorism up to this moment, in terms of full engagement with the democratic states in the fight against terrorism, this possibility can no longer be ignored. (Udroiu, 2009)

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