

ЗАРУБЕЖНОЕ ПРАВО

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Development of juvenile delinquency — causes and conditions

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In the last few decades, juvenile delinquency in the Republic of Bulgaria has begun to acquire new and specific characteristics. Inexplicable cases of violence are all too common in schools, families and public places. The article analyzes a small part of the theories of juvenile delinquency that exist in the global aspect, which are based on the understanding that criminal acts are determined by mental and behavioral processes at the individual level. According to the theory of rational choice, minors are motivated offenders who subordinate their behavior to a certain goal. Another group of views is defined as theories of biological and psychological traits. Antisocial manifestations are not so much due to the course of certain motivational processes in an individual’s mental state, but primarily to the formation of individual patterns of behavior. The article aims to assist Bulgarian criminal law and criminology in clarifying the current circumstances in which juvenile delinquency develops, and the conclusion is that they do not differ significantly from those in the global context. The different perspectives on juvenile delinquency and the interdisciplinary nature of the problems are presented as objectively as possible. Such an approach can lead to a rethinking of the mechanisms and measures that should be applied to achieve the educational purpose of punishment. The analysis presented in the article also supports the introduction of alternative measures to punishment, as well as the achievement of better results in terms of resocialization of juvenile offenders.

Keywords: juvenile offenders, causes of crime, rational choice, biological traits, punishment.

1. Introduction

The penal policy of the state is a system of basic provisions and measures for the prevention, investigation and punishment of criminal acts.

Achieving these goals is not limited to determining the content of criminal law (material, procedure and related to the execution of sentences) in accordance with the state,

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structure and dynamics of crime in our country. Under the current conditions, emphasis should also be placed on the causes and conditions that contribute to the commission of crimes.

This approach is even more effective with regard to juvenile delinquency, which is a social phenomenon that is influenced by many various factors.

Traditionally in the structure of juvenile delinquency, crimes against the person and crimes against property are most often committed.

In the last two decades, however, a new phenomenon has been observed in juvenile delinquency. Characteristic features of crimes committed by youths are violence, unmotivated aggression and cruelty, and this is typical not only of male minors, but also females. Fights between girls with demonstrative brutality and vulgarity, as well as cases in which girls have been beaten and money and belongings are taken from other children are becoming more frequent. They not only commit such traditional crimes as theft, fraud, but also become participants in hooliganism, crimes against the person and robbery. According to data from the National Statistical Institute of the Republic of Bulgaria in 2019, there were 23 cases of bodily injuries caused by female minors, 396 cases of theft and 6 cases of robbery and 21 cases of hooliganism committed by girls under the age of 18. Ninety-six cases of drug-related crimes involving underage girls were also reported¹. Particularly indicative of the development of juvenile delinquency is the murder committed in Plovdiv (the second largest city in Bulgaria): two 14-year-old girls from exemplary families killed their classmate, took her clothes and sold her mobile phone. In the course of the investigations it was established that the decision to commit the crime was made in advance and the act was committed in a particularly painful way for the victim. Subsequently, murders took place in other cities in Bulgaria where 14, 15, 16-year-olds killed their relatives, acquaintances and friends².

All these events, which leave a deep imprint on the fate of the younger generation, raise many complex questions about how, under the influence of specific circumstances, a minor's personality can unlock the mechanism of criminal behavior as a means for resolving conflict situations. The answers, of course, are not apparent, but it is indisputable that there are deep and serious reasons for juvenile delinquency. The crimes of persons under the age of 18 invariably accompany their development and at the same time are influenced by public life. In many cases, the reasons for committing the crime can be found in the minor himself. These features of adolescents' criminal behavior need to be carefully studied in order to address its prevention, control and punishment.

2. Basic research

Much of criminal law and criminal law science (criminal law, criminal procedure law and criminal executive law) ensure, above all, the detection and investigation of crimes

¹ "Minors and juveniles, perpetrators of crimes by sex, age, types of crimes and by statistical regions and districts". *Respublika B"lgariia. Natsionalen statisticheski institut*. Accessed April 29, 2020. <https://www.nsi.bg/bg/content/3799>. (In Bulgarian)

² Decision of the Supreme Court of Cassation of the Republic of Bulgaria No. 62. July 17, 2017; Decision of the Supreme Court of Cassation of the Republic of Bulgaria No. 443. February 25, 2015; Decision of the Supreme Court of Cassation of the Republic of Bulgaria No. 347. October 15, 2009. Accessed October 11, 2021. <https://www.ciela.net>.

committed by minors, their prosecution, conviction, and punishment. Achievements in this field are indisputable and contribute to the fight against crime, but an effective penal policy to control the anti-social behavior of young people requires the application of a systematic, comprehensive and multilevel approach. Concrete practical results are closely related to the further development and deepening of research not only in the field of criminal law, but also in a number of other scientific fields: psychology, pedagogy, child psychiatry, neurology, physiology of higher nervous activity, occupational therapy and others. This has the potential to lead to the synthesis of new science-based ideas that can contribute to the expansion and enrichment of existing knowledge in order to limit the causes and conditions conducive to the perpetration of juvenile delinquency.

A challenge of the criminal justice system in our country is the formulation of a harmonious system of measures and mechanisms for controlling the criminal behavior of adolescents, which are consistent with the causes of criminal acts and personality of young perpetrators.

By developing empirically tested statements or hypotheses and organizing them into contemporary theories for the causes of crime among adolescents, a number of scientists from various scientific fields and practitioners seek to identify these causes and to propose methods to reduce juvenile delinquency. The fundamental questions they ask themselves are: What causes juvenile delinquency? Why do some young people become involved in criminal activity, which continues into adulthood, while others stop their criminal behavior at a young age? Are children a product of their social environment or is the likelihood to commit offenses predetermined at birth? Various theoretical models have been formulated that explain the criminal behavior of minors and are based on different scientific approaches — biological, psychological, political, economic and others.

In this sense, theories of crime reflect many different approaches to research and can be grouped into three main groups: theories of biological and psychological traits, social theories and theories of development.

According to the first two groups of theories, crime is caused mainly by factors at the level of personality (individual level): 1) personal choice and processes of individual decision-making (theory of rational choice) or 2) psychological and biological factors (theory of biological and psychological traits) (Siegel, Welsh 2015, 73).

The theory of choice and the theory of psychological traits, although separate theories, are related because they are built on a common foundation. Both theories focus on mental and behavioral processes at an individual level.

One position is related to the theory of rational choice, and according to this theory, young perpetrators choose to participate in antisocial activities because they believe that their actions will be rewarded, and they will benefit from them.

According to modern theory of rational choice, adolescents make rational decisions by choosing to break the law. This research is formed on the basis of classical criminology, established by Cesare Beccaria (1738–1794). As early as 250 years ago, he pointed out that people consider the consequences of their future actions before deciding on their behavior. In his well-known analyses, Beccaria argued that for punishment to be effective, it should be classified according to the seriousness of the specifying crimes — to be sufficiently severe, secure and enforceable (Beccaria 1977, 25). Before deciding to commit a delinquent act, minors consider the possible benefits or advantages such as gaining money to buy nice clothes, cars and other luxury items, but also the possible punishment

and detention, which often takes the form of being placed in a juvenile establishment. If, for instance, minors believe that certain types of offenders are more difficult to detain and these offenders usually avoid severe punishments, then adolescents will more often choose to engage in such criminal activities compared to when they believe that perpetrators are always detained and severely punished (Tremblay, Morselli 2006, 633–634).

Once involved in antisocial activities, adolescents have already developed a motive for their criminal acts. Thus, research shows that those who join organized criminal groups engaged in drug distribution demonstrate a deep knowledge of the drug market. In-depth studies of the activities of criminal groups have found that the groups involve adolescents who have not previously been involved in violence and crime. Researchers have discovered that boys, who participate in such groups, have social skills and are aware how to conquer territory, how to use violence, how to observe discretion, how to obtain information, etc. This provides them with successful regulation and control over the production and distribution of illegal drugs while maximizing profits (Densley 2012). Such empirical studies and generalizations that can be made on their basis show that the motive for the criminal acts of adolescents is crucial for studying the identity of the offenders and the causes of juvenile delinquency (Mihailov 2007, 319–324).

According to these views, the decision to commit a crime comes after careful consideration of the benefits and risks of criminal behavior. Therefore, the actions are motivated by the fact that they can result in benefits (profit) and are not associated with risk. Most potential offenders would stop their actions if they realized that the potential infringement upon their rights related to criminal behavior exceeded the expected material benefits. Scientists who support the theory of rational choice believe that violations of the law occur when the motivated offender decides to take the opportunity to commit a crime, considering his personal situation — the need for money, education, opportunities for success and more (Siegel, Welsh 2015, 77). An offender makes the decision to commit the crime out of respect for his values. At the heart of criminal behavior lies the motive of perceived need, internal cause or incentive, which drives a person to achieve a certain goal.

Some of the more important factors that influence adolescents to commit a crime by can be combined into several groups.

Adolescents may be forced to choose criminal behavior as a solution to their personal problems (for example, when running away from home they avoid mental harassment). The choice of criminal behavior can also be determined by the pursuit of material gain. Juveniles can also choose criminal behavior because they believe that they have a very limited opportunity to succeed in the modern social environment. In the long-term, they see their involvement in criminal activity as a means to a better life and in the short-term, criminal acts can provide them with a means of subsistence. Scientists have identified the financial benefits of participating in drug trafficking. Despite the great risk to their health, life and liberty, drug dealers, who are at an average level in the hierarchical structure of the criminal organization, receive more money than in the legal labor market. In the absence of parental supervision (control), underage boys and girls are also very likely to be involved in anti-social activities, including criminal behavior. Adolescents whose parents are of poor descent have the freedom to associate with their peers, which provides opportunities to engage in criminal behavior. It should be noted that adolescent boys are more often involved in crime than girls their age because they are given more freedom by the family. Although finding a job is beneficial for adolescents, the fact remains that adoles-

cents' work can increase crime, not reduce it. Working adolescents can use money earned to buy drugs and alcohol, and do not save it to continue their education, as their parents hope (Siegel, Welsh 2015, 78). Although some parents believe that providing employment for adolescents will reduce their criminal activity, certain aspects of work experience such as freedom, increased social contact with peers, and increased income can offset the positive effects of working (Nagin, Pogarsky 2001, 865–870).

Since criminal behavior among young people is a rational choice, the fight against crime can be achieved by implementing two main strategies (Siegel, Welsh 2015, 81):

- criminality can be prevented by convincing potential criminals that they will be severely punished for committing criminal acts;
- it must be so difficult to commit crimes that it is not reasonable to risk possible benefits.

From the views of the theory of rational choice, it can be concluded that adolescents will refrain from criminal acts, as well as from criminal behavior, if the threat of punishment is real. The more perpetrators are detained, convicted by the court with effective sentences and the penitentiary system carries out the execution of the sentence, the fewer juveniles will be involved in criminal acts. One of the basic principles of the theory of rational choice is that the more punishment is imposed severely, securely and quickly, the greater its deterrent effect will be. Even if the law provides a severe punishment for an individual crime, it will be an insignificant deterrent (effect) if the juvenile believes he or she will not be identified or detained. Conversely, albeit less severely, punishment may deter the commission of a crime if juveniles believe it is inevitable. Thus, if the juvenile justice system can guarantee that perpetrators will be detained, then adolescents themselves will realize that it is not reasonable to commit criminal acts.

According to the theory of rational choice, not only the real possibility of imposing punishment, but also the understanding that punishment is imminent may influence the decision to commit a crime. People who believe or imagine that they will be punished for certain crimes in the present will avoid committing crimes in the future. Conversely, the likelihood of being detained and punished will have a lesser effect on adolescent behavior if they believe they are very unlikely to be punished in the future (Siegel, Welsh 2015, 82).

Other measures proposed by supporters of the theory of rational choice are an increase in police officers to actively patrol the streets and an increase in school resource officers. Limiting the number of potential perpetrators is a more cost-effective mechanism for curbing crime than imprisoning adolescents after they have committed crimes which in many cases leads to the degradation of their personality.

In order to hinder juvenile offenders, certain techniques are applied such as the installation of steering locks, unbreakable glass in shop windows or the installation of a car locking device, the improvement of lighting for monitoring certain sites, the use of closed-circuit television monitoring, installing burglar alarms and security systems and much more.

Typically, situational crime prevention programs are divided into six categories: programs that aim to increase efforts to commit criminal acts; programs aimed at increasing the risk of criminal activity; programs aimed at reducing the benefits of criminal activity; programs through which the inconvenience or the shame of committing a criminal act is intensified; programs to reduce provocations to commit criminal acts; programs that focus on eliminating excuses for criminal acts (Siegel, Welsh 2015, 86).

Some research also analyzes the question of the extent to which such approaches affect the mentality of minors (Siegel, Welsh 2015, 86–87).

Indeed, these deterrent and crime prevention strategies are leading to a decline in juvenile delinquency. At the same time, however, studies show that the deterrent is limited for young people residing in poor neighborhoods. Their behavior is determined by the limited opportunities they have in society. Young people from such areas have little to lose if they are discovered and prosecuted. It is also possible that these juveniles are unaware of the relationship between criminal behavior and punishment because they see many people in their neighborhoods who commit crimes but are not detained or punished.

Experience with criminal justice and punishment in many cases leads to a reduction in fear of punishment and ultimately it can neutralize the deterrent effect. Research shows that punishment has a more limited effect on an experienced juvenile and a greater deterrent effect on novice perpetrators of anti-social behavior. The reason for this is that young people who are inclined to crime, as well as those who have been involved in criminal behavior for a long time, know that crime results in the immediate satisfaction of needs, while the threat of punishment is far in the future. In addition, the fact that some perpetrators have been exposed and punished for their acts allows them to gain some experience in the sense that they already know how to overcome the system and limit or avoid criminal liability for a crime.

Other research has found that young people can learn to adapt to punishment. Police control can convince them that it is too dangerous for them to commit socially dangerous acts, but this affects them the moment they perceive the information, which does not mean that they are ready to give up criminal activity in the future. They find ways to avoid the threat of punishment by reducing the number of crimes committed or committing less serious crimes, assuming that even if detected the punishment will not be more severe than a minor offense. Juvenile offenders also take action to reduce the risk of being detained or found.

Such observations show that there are a number of reasons why these mechanisms for deterring juvenile delinquency are not always sufficient. Strategies based on the idea of a rational perpetrator who subordinates his actions to reason are not always effective when applied to immature young people. The level of adolescents' awareness of public danger and social orientation of the committed offenses and crime is lower than in adults and the threat of punishment for juveniles is not fully understood. This confirms that the connection between the awareness of the inevitability of punishment and its deterrent effect is not so simple and straightforward. The understanding of punishment changes and improves with the development of personality, and the deeper it is, the less adolescents are willing to commit crimes.

The crime control methods discussed so far are based on the understanding that the juvenile is a motivated perpetrator who violates the law because he seeks to derive a number of benefits for himself by avoiding punishment. This fundamental situation is logical and justified, and the decline in crime over last two decades is related to deterrent and crime prevention strategies as well as the application of a situational approach to crime prevention. At the same time, research confirms that the approaches applied do not affect the number of circumstances, as well as a large number of adolescents.

Scientists who support the theory of rational choice find it difficult to explain certain irrational acts such as hooliganism, arson and even drug use. In addition, some juveniles

commit crimes on an ongoing basis, despite restrictions imposed by public authorities and institutions to prevent such behavior.

In Bulgarian criminal law science and practice, similar to Western European, the notion of separate detention of juveniles from adult offenders has long been established and applied (Nenov 1992, 252–253). There is an increasing understanding of the need to strengthen the special approach to juvenile offenders in terms of imprisonment and the construction of special institutions, which carry out primarily a pedagogical compared to having an impact on crime.

In accordance with the current legislation, adolescents sentenced to imprisonment are detained in separate correctional facilities at adult prisons³. Indeed, according to the current regime, “first time admissions to a correctional facility are accommodated separately from the others”⁴. Notwithstanding the restrictions created in correctional facilities, persons who are serving a sentence of imprisonment for the first time and persons who have previously served this type of punishment co-exist. Thus, adolescents convicted for the first time experience a negative impact by learning of the criminal habits of those who have been to these institutions previously.

The second group of factors, which also complicate the work of correctional facilities, is that although juveniles sentenced to imprisonment are held in separate institutions, the correctional facilities themselves are not removed from the general system of penitentiaries and there is an inseparable organizational and legal relationship with the latter. Such is the case of the relocation of the correctional facility from the town of Boychinovtsi to the town of Vratsa and its transformation into a branch of the prison for adults⁵. Thus, “imprisonment” puts young offenders at a great risk — the influence of more experienced prisoners. Significant difficulties in working with adolescents sentenced to imprisonment also arise due to the age limit for correctional facilities defined in Article 194 of the Law on the Execution of Sentences and Detention, until the age of majority is reached (18-years old). The transfer of convicts from correctional facilities to prisons or prison dormitories is associated with the increasing influence of criminal culture (Osipov, Kozochkin 2006, 57). As a result, it is necessary and possible for young offenders to stay in correctional facilities until they reach the age of 21. According to the current legislation of the Republic of Bulgaria⁶, imprisoned juveniles who have reached the age of majority may be left in a correctional facility but only with an assessment from the pedagogical council.

The third group of factors, which in the opinion of scientists have a negative impact on the work of correctional facilities, is related to the fact that an insufficient psychological and pedagogical approach, methods and techniques are applied (Chankova 2011, 24).

Therefore, despite its purpose being to suppress crime, imprisonment can in many cases have a lasting effect on the rise in crime.

Even when “imprisonment” achieves its rehabilitative and preventive effect, almost all adolescents eventually return to society. Therefore, in order to reduce the criminal activity of adolescents, the characteristics of objects and situations that provoke crime must

³ Article 58 of the Law on the Execution of Sentences and Detention. June 9, 2009. Accessed October 11, 2021. <https://dv.parliament.bg>.

⁴ Article 187, paragraph 2 of the Law on the Execution of Sentences and Detention.

⁵ “The correctional facility in Boychinovtsi already has a Vratsa address”. *Vsichki prava zapazeni 24 Chasa*. Accessed August 16, 2018. <https://www.24chasa.bg/novini/article/7011815>. (In Bulgarian)

⁶ Article 194, paragraph 4 and paragraph 5 of the Law on the Execution of Sentences and Detention.

be clarified. It is also necessary to clarify the motives that push children to these objects and situations.

The conclusions noted above can be summarized to state the current model of regulating public relations is incomplete. Not all adolescents choose criminal behavior because they are convinced that its benefits outweigh the risks, and the mechanism of criminal behavior is not always part of the strategy. If the theory is accepted unconditionally, then how could the mechanism of criminal behavior be explained in crimes where the offender does not seek to obtain material benefits such as hooliganism, coercion, arson, etc.

Such acts lead to the conclusion that violence and deviant behavior are a function of individual mental and physical characteristics. The views that some adolescents have a certain degree of deviant behavior are defined as theories of biological and psychological traits.

The first attempts to establish why criminal behavior develops were focused on the mental (biological) traits of perpetrators. The founder of these views was the Italian doctor Cesare Lombroso (1835–1909), known as the father of criminology. Lombroso's followers enhanced the idea of biological basis of crime (Rafaele Garofalo, 1851–1929) (Martin, Mutchnik, Austin 1990, 24–30).

In modern conditions, scientists who support the theory of biological traits turn their attention to the biological and psychological conditions that determine anti-social behavior (Young, Ben, Church 2017). They accept that the combination of individual traits and the influence of the social environment leads to individual models of behavior. A number of antisocial acts convince scientists and experts that violence and deviant behavior are a function of the individual. Most law-abiding adolescents have individual traits that allow them remain within a traditional society. In contrast, adolescents who choose to engage in repetitive aggressive, antisocial or conflict-oriented behaviors exhibit individual (physical and mental) characteristics that deviate from societal norms of behavior and ultimately influence their choice of behavior. Patterns of uncontrollable, impulsive behavior put some minors in conflict with society.

As has already been stated, the view that some adolescents have a certain degree of deviant behavior is not new. Lombroso devoted many years to medical research to develop and substantiate his theory of criminal atavism. Lombroso found that adolescent offenders, and offenders in general, have mental anomalies that bring them biologically and mentally closer to our primitive ancestors. These individuals, who have preserved such ancient features, actually belong (return) to an earlier stage of human evolution. Because of this connection, the “born criminal” has such physical features as a big jaw, large canine teeth, extra teeth, a flattened nose, and more. Rafaele Garofalo shared Lombroso's conclusions that certain physical characteristics can be attributed to a person who is inclined to perform anti-social acts, determine the attitude to perform anti-social acts. Furthermore, Enrico Ferry, a student of Lombroso, believed that certain biological and social factors cause crime and delinquency. These early scientific theories (views) described the criminal behavior of adolescents as a function of a particular factor or trait such as body structure or intellectual defects (Martin, Mutchnik, Austin 1990, 24–30).

Ultimately, these theories have been criticized for their unfounded methodology and lack of an appropriate scientific approach. The methodological shortcomings do not make it possible to determine whether biological traits influence crime. For these reasons, until the middle of the twentieth century, scientists who studied juvenile delinquency rejected

the idea that juvenile delinquency was influenced by physical conditions inherent at birth. However, today these views have changed and the theory of biological (psychological) traits is an element of the doctrine of crime. In modern conditions, disorders in the anatomy and physiology of the minor are quite different from those defined in the past (Wright, Cullen 2012).

Disorders or deviations become recognizable with the help of traditional and a number of modern sciences. They influence the behavior of adolescents and lead to behavioral disorders. There are two points of view on how this interaction develops. The vulnerability model suggests a direct link between biological traits and crime. Some people have certain mental traits at birth, or they are acquired later, that affect their social behavior. They suffer from biological or psychological problems that make them vulnerable to social pressure and subject to the development of behavioral problems. Contrary to this understanding, the model of differential sensitivity suggests that some people have mental and intellectual traits that make them more sensitive to the influence of the social environment. Such adolescents are at risk when they encounter an unfavorable social environment, but at the same time they can benefit much more than other peers from a favorable and supportive social environment. When a social environment is hostile, individuals who possess such traits demonstrate more aggression. And when the environment supports them, adolescents with such traits show less aggression than those without such traits. Their features make them more sensitive to the social environment.

Factors at the individual level that influence criminal behavior can be grouped into three areas: biochemical factors, neurobiological dysfunction, and genetic factors (Siegel, Welsh 2015, 89–94).

One scientific view is that body biochemistry can influence behavior and individuality, including levels of aggression and depression. The effect of harmful chemical and biological components can cause developmental problems. Unfortunately, this effect can be very serious during fetal development when the fetus absorbs harmful substances from the mother, whose diet also lacks important nutrients. An improper diet of the child after birth can also damage his psyche. Environmental pollution is another issue that affects the behavior of adolescents. Environmental pollutants, including metals and minerals, can place children at risk for anti-social behavior. It has long been established that alcohol abuse and smoking during pregnancy can harm the fetus and in many cases lead to anti-social behavior in adolescents. The propensity to smoke before birth, as well as exposure to cigarette smoke, is associated with an increase in psychopathology of offspring and pre-determines behavioral disorders in the future, to a much greater extent than other factors such as premature birth, low weight, etc.

There is yet another area of biological theory that is related to the neurobiological structure of the offenders. It is possible that the anti-social behavior of adolescents in some cases is due not so much to social reasons but is more related to brain functions. It is assumed that children who demonstrate behavioral disorders may have neurological deficits. These deficits can be expressed in various ways as the nervous system manages sensory information perceived through the seven senses. This affects the ability of adolescents to cope with everyday challenges and to naturally respond to a stimulus⁷. There is also evidence that aggressive behavior in adolescents may be associated with decreased

⁷ “Occupational therapy”. *Tacitus-Day center for children and youth with disabilities*. Accessed January 28, 2009. <https://tacitusbg.com/terapii>.

activity of the amygdala, the part of the brain that processes information about environmental hazards and fear, and with decreased activity of the frontal lobe, whose processes are related to decision making and impulse control (Siegel, Welsh 2015, 93–94).

Children who suffer from certain neurological deficits at birth may have a number of antisocial traits that manifest themselves at various time throughout the individual's life. Such impairment can lead to a reduction of performance, which is associated with a reduction in cognitive processes that facilitate planning and subordinate behavior. Impairment of executive functioning leads to a number of developmental disorders, including hyperactivity, behavioral disorder, etc.

Scientists have found that some adolescents are more prone than others to reactive aggression. This is unintentional aggression in response to some provocation. Juveniles tend to react violently when they are annoyed, blame others when they get involved in conflicts, and overreact to accidents. Adolescents with such behavior are at risk of encountering problems in regard to the law throughout their lives.

A specific type of neurological dysfunction is learning disabilities. The relationship between learning disabilities and criminal behavior has also been largely clarified by determining that adolescents who are detained and imprisoned have much higher levels of learning disabilities than other children (Siegel, Welsh 2015, 95). There are two possible explanations for the link between learning disabilities and criminal behavior. According to one view known as a justification of sensitivity, the relationship is due to certain side effects of learning disabilities such as impulsivity and a limited awareness of the law. Also, an individual is unable to learn from his own experience and is not capable of entering into certain social roles. The other view, known as a justification for failure in school, assumes that feelings of dissatisfaction caused by learning disabilities lead to poor school performance and a negative perception of the adolescent's personality. In some cases, it can also result in anti-social behavior. Children who suffer from certain neurological deficits may be born with a number of antisocial traits that manifest themselves throughout their lives.

The presented research helps to explain how brain processes in some adolescents are related to responses of inappropriate aggression to threats.

The research also indicates that there is a relationship between the genetic structure of an individual and his anti-social behavior (DiLalla, Gottesman 1999, 125). Regardless of the influence of the social environment, adolescents with a certain genetic code are more likely to engage in antisocial behavior. The genes-crime association may be either direct or indirect. According to the direct view, antisocial behavior is inherited. The genetic makeup of parents is passed on to children, and genetic abnormality is directly linked to a variety of antisocial behaviors. It is also possible that the association is indirect: genes are related to some personality or physical trait that are also linked to anti-social behavior. For example, genetic makeup may share friendship patterns and orient people toward deviant peer associations; interacting with delinquent peers has been linked to anti-social behaviors. Adolescent attachment to parents may be controlled by their genetic makeup. Attachment that is weakly attenuated has been linked to criminality.

It has been hypothesized that adolescents maintain a hereditary genetic configuration that predisposes them to delinquent behaviors. Biosocial theorists believe that the same way genes for height and eye color are inherited, anti-social behavior characteristics and mental disorders may be passed down from one generation to the next.

If anti-social tendencies are inherited, then the children of criminal parents should be more likely to become violators of the law than offspring of conventional parents. A number of studies have found that parental criminality, in fact, powerfully influences delinquent behavior. It stands to reason that if the cause of crime is in part genetic, the behavior of siblings should be similar because they share genetic material. Sibling pairs who report close, mutual relationships and share friends are the most likely to behave in a similar fashion, including drug abuse and delinquency (Thornberry et al. 2003).

Another way to determine whether delinquency is an inherited trait is to compare the behavior of adopted children with that of their biological parents. If the criminal behavior of children is more like that of their biological parents (whom they never met) than their adopted parents (who brought them up), it would indicate that the tendency toward delinquency is inherited, rather than shaped by environment. Studies of this kind have generally supported the hypothesis that there is a link between genetics and behavior (Siegel, Welsh 2015, 100). Adoptees share many of the behavioral and intellectual characteristics of their biological parents despite the social and environmental conditions found in their adoptive homes.

According to the theories of biological (psychological) traits, the causes that determine juvenile delinquency are the interaction of individual traits (such as biochemical factors, defects in the functioning of the central nervous system and genetic factors) and factors in the social environment (such as family environment, education, socio-economic status and the influence of the community in which the individual lives).

In summary, it can be concluded that, unlike the theory of rational choice, theories of biological and psychological traits offer different explanations for the source of control over behavior. According to the proponents of these theories, behavior is influenced by personality traits and it is not a significant product of human motivation. Individual trait theories do not find such a close (direct) causal link between crime rates and punishment because those who commit crimes lack the capacity to understand the consequences of their actions.

The views expressed on the causes of juvenile delinquency are only part of the existing theories that seek to clarify the causes of juvenile delinquency. Although not all of the basic theories can be covered in this article, a very important conclusion can be drawn. Research conducted in recent years shows that in most cases, it is not a single, but several, factor that affects the personality of adolescents and provokes criminal behavior.

The study of these very essential factors contributes to determining how best to counter anti-social behavior and express the criminal behavior of adolescents. Juvenile crime is already taking on new dimensions in the conditions of complex socio-political and economic processes as well as profound changes in the structure of the human personality.

The research presented in the article unequivocally shows that in order to counteract juvenile delinquency, criminal science must cover all three scientific fields: criminal law dogma, which studies crime through the prism of legal norms, criminology, and criminal policy. Therefore, the objectives of the penal policy of the Republic of Bulgaria with regard to juvenile offenders should be aimed not only at an approach by means of punishment, but also through alternative methods to punishment. Criminal law plays a very important role regarding the regulation, correction and intensity of this system of measures. It is necessary to resolve the question of what extra judicial measures should be applied in the commission of juvenile delinquency in regard to which acts and to which offenders.

Dependent on, and in coordination with, the criminal law methods and means, the whole system of measures for countering juvenile delinquency should be established, developed and improved. (Mihailov 2007, 24). It should be considered in which cases punitive measures should be replaced by non-punitive ones or when creative methods and means of both categories should be combined.

3. Conclusion

Modern observations of the development of public relations in our country give reason to believe that the factors discussed in the article have an impact in Bulgaria on the criminal behavior of minors. Conducting independent research on the causes of juvenile delinquency in the Republic of Bulgaria would significantly contribute to improving the legislator's approach to juvenile offenders. In particular, such studies would contribute to:

- reconsideration of the purpose of punishing juveniles and their impact of the essence of the punishment, research on modern conceptions for the purpose of the punishment;
- overcoming some difficulties in achieving such goals of punishment as reeducation of juvenile convicts and the preventive function-warning not to commit new crimes. These difficulties are largely due to the shortcomings of legal regulation of activity in connection with the execution of a sentence, as well as to the methods and forms of work with the convicts applied in practice (Krilova, Serebrennikova 1998, 133);
- introduction into the Bulgarian legislation of alternative methods and means for influencing juvenile offenders (Stoynov 2005, 9). Of particular importance is the improvement of experience (legislative and practical) in the application of probation and mediation as alternatives to punishment mechanisms for reeducating juvenile offenders (Cavadino, Dignan 2006, 234).

From the above, it should be noted that there is a need for new formulations of modern theories about the causes of juvenile delinquency in order to achieve the necessary results and for offenders of social norms of behavior to become worthy citizens of society, after rejecting acquired negative actions as a result of their reeducation.

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