

RESEARCH ARTICLE/ARAŞTIRMA MAKALESİ

Retrospective evaluation of tobacco, alcohol, and substance use among juveniles in conflict with the law who applied to the forensic medicine department of Dicle University Faculty of Medicine in 2023

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Abstract

This study aims to evaluate the tobacco, alcohol, and substance use of juveniles in conflict with the law who applied to the Forensic Medicine Department of Dicle University Faculty of Medicine to obtain a forensic evaluation report. In the study, 50 cases for which a report was prepared under Article 31/2 of the Turkish Penal Code at the Forensic Medicine Department of Dicle University Faculty of Medicine (DUTF) in 2023 were retrospectively examined from a forensic medical perspective. Of the juveniles brought in for forensic evaluation, 94% were male. The most common crime committed by the juveniles was propaganda for a terrorist organization, followed by robbery and then sexual offenses. It was found that 54% of the juveniles in conflict with the law had dropped out of primary, secondary, or high school before completing their education. According to the examination by the Department of Child and Adolescent Psychiatry, 20% of the juveniles were diagnosed with ADHD, 78% had no psychopathology, and 98% had normal intelligence levels. It was determined that 60% of the juveniles in conflict with the law had a history of smoking, 12% had a history of alcohol use, and 8% had a history of substance use. Among those with a history of substance abuse, all had a history of smoking, and 75% had a history of alcohol use. The average age of those with a history of substance use was found to be 14, and cannabis was the most commonly used substance. Additionally, half of the juveniles with a history of substance use had not completed their education.

Keywords: Tobacco Addiction, Juveniles in Conflict with the Law, Forensic Evaluation

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1. INTRODUCTION

The United Nations Convention on the Rights of the Child defines childhood as the period until the age of eighteen unless the child reaches legal maturity earlier. After World War II, juvenile delinquency rapidly increased, becoming a problem affecting all sectors of society, with an increase in crimes such as theft, assault, murder, alcohol and narcotic substance use, and running away from home (Yavuzer, 2006). Although the crime committed by a child and an adult may be the same act, the judicial process for these two age categories must be evaluated differently (Bennett, 1960). The age of criminal responsibility varies within the legal systems of different countries and can differ even between states within the same country (Ficke, Hart & Deardorff, 2006). In Turkey, the age of criminal responsibility is regulated by the Turkish Penal Code, which requires the determination of criminal responsibility for children who have reached the age of 12 but not 15 at the time of the crime under Article 31/2 of the Turkish Penal Code. A child who has not yet reached the age of 12 cannot be held criminally responsible, and therefore no investigation can be conducted. If a child aged 12 to 15 commits an act constituting a crime but cannot fully comprehend the legal meaning and consequences of the act or lacks sufficient development to direct their actions, they cannot be held criminally responsible (Oral, 1999).

Adolescence is a period of intense physical and cognitive development, making individuals more prone to risky behaviors than in other stages of life. These increased risky behaviors during adolescence can reach life-threatening levels (Alikasifoglu & Ercan, 2009). It is generally accepted that childhood crimes result from various factors. Therefore, instead of labeling a child as a criminal, the term “juvenile in conflict with the law” or “juvenile drawn into crime” is used (Saldırım, 1999). Structural and personal factors, as well as familial factors and the region where the child lives, are reported to influence a child’s involvement in crime (Donmezer, 1994). Studies have shown that having a family member who is addicted to substances or

alcohol, as well as neglecting to provide sufficient attention, affection, and love to the child within the family, are factors contributing to the child’s involvement in crime (Icli, 2004).

Forensic evaluation reports are prepared to ensure that juveniles in conflict with the law are tried in a manner that protects their best interests. When preparing the report, it is crucial to conduct a comprehensive evaluation that includes the child’s mental, physical, and psychological development, as well as their socioeconomic and sociocultural status and upbringing conditions (CoGan, 2006).

In our study, we aimed to provide a detailed evaluation of tobacco, alcohol, and substance use among juveniles in conflict with the law who applied to the Forensic Medicine Department of Dicle University Faculty of Medicine for a forensic evaluation report. Studies on juveniles in conflict with the law examine the reasons for and risk factors of criminal behavior. The analyses made in these studies are important for taking preventive measures to keep children away from crime and addictions and for reintegrating them into society.

2. MATERIALS AND METHODS

The aim of this study is to evaluate the use of cigarettes, alcohol, and substances among juvenile delinquents who were referred to the Department of Forensic Medicine at Dicle University Faculty of Medicine. In the study, data from forensic reports archived at our institution were retrospectively reviewed. These reports pertain to juvenile delinquents referred to the Department of Forensic Medicine by judicial authorities for evaluation under Article 31 of the Turkish Penal Code between January 1, 2023, and December 31, 2023.

3. FINDINGS

In our study, forensic reports were examined for children who had reached the age of 12 but had not yet turned 15 at the time of the legal proceedings. These reports assessed whether the children had developed the ability to comprehend the legal meaning and consequences of their actions or to direct their behavior.

The average age of the children at the time of the incident was found to be 13.7 years, with 94% of them being male. Among the reports issued, 42 (84%) indicated that the individual did not possess sufficient ability to comprehend the legal meaning and consequences of their actions or to control their behavior accordingly. In 5 cases (10%), it was determined that the individual did possess this ability, while in 3 cases (6%), no definitive conclusion could be reached. Among the juvenile delinquents who applied to our clinic, the most frequent crime was making propaganda for a terrorist organization, followed by robbery, and then sexual offenses. According to the Department of Child and Adolescent Psychiatry's examination, 20% of the children were diagnosed with Attention Deficit Hyperactivity Disorder (ADHD), while 78% had no psychopathology. Of the 10 cases diagnosed with ADHD, it was concluded that 9 (90%) did not possess sufficient ability to comprehend the legal meaning and consequences of their actions or to control their behavior accordingly. None of the 10 cases with an ADHD diagnosis were found to use alcohol or substances, while 5 (50%) were found to use tobacco products. It was also determined that 98% of the juveniles had normal intelligence levels, while 2% had below-average intelligence.

When evaluating the educational status of the juveniles in conflict with the law, it was found that 54% had dropped out of primary, secondary, or high school before completing their education.

In terms of addictions, it was found that 30 out of the 50 juveniles (60%) smoked, and 6 (12%) used alcohol, with all alcohol users also being smokers. Of the 6 children with a history of alcohol use, 2 had dropped out in 8th grade, 1 in 7th grade, while the others continued their education. The children who used alcohol had forensic reports prepared for crimes such as armed robbery with multiple persons, attempted murder, purchasing drugs or stimulants for use, making propaganda for a terrorist organization, and the misuse of bank and credit cards, as well as the sexual abuse of victims under the age of 12.

The reports reviewed showed that 4 children (8%) had a history of substance use, with an average

age of 14 years. All of these children had used cannabis, and 1 child had also used cocaine in addition to cannabis. Moreover, all children with a history of substance use were also smokers, and 75% also used alcohol in addition to drugs.

According to the Department of Child and Adolescent Psychiatry's examination, the children who used substances did not show any psychopathology, and all had normal intelligence levels. In our study, it was found that 2 of the 4 children with a history of substance use reported quitting substances, and all children who continued active substance use had dropped out of school (8th-grade dropout, 11th-grade dropout), while those who had quit continued their education. The reports indicated that half of the children with a history of substance use did not complete their education. The children with a history of substance use and in conflict with the law had forensic reports prepared for crimes such as manufacturing and trading drugs or stimulants, purchasing, accepting, possessing, and using drugs or stimulants, and making propaganda for a terrorist organization.

4. DISCUSSION

Today, alcohol and substance addiction is recognized as a significant public health issue (Karakus, Evlice& Tamam, 2012). Across all age groups worldwide, particularly among adolescents, there has been a noticeable increase in tobacco and substance use. This rise is attributed to various psychological and socioeconomic factors, as well as the tendency of adolescents to disregard long-term health risks, which contributes to the widespread use of tobacco (Akgul & Kutluk, 2015). Studies indicate that the initiation of tobacco use, especially in developed countries, is concentrated between the ages of 13 and 19 (Warren, Jones & Asma, 2008). Similar studies conducted in our country have shown an increase in tobacco and alcohol use, with the age of initiation decreasing over time (Bulbul, Guclu& Mısırlıoğlu, 2013). According to World Health Organization data from 2008, the smoking rate among individuals aged 13-15 in Turkey was found to be 8.4%, with a higher prevalence among males (Warren, Jones & Asma, 2008). In our study, the 60% rate of

smoking among juveniles in conflict with the law is particularly noteworthy.

A study examining the use of tobacco, alcohol, and substances among children and adolescents in foster care found that alcohol and substance use was more common among smokers than non-smokers (Sucaklı, 2015). In another study involving 630 high school students, it was found that those who smoked were three times more likely to use alcohol compared to non-smokers (Ritchey, Reid & Hasse, 2001). Similarly, our study highlights that all children who used alcohol and substances also smoked. Substance addiction is defined as the continued use of substances despite causing physical, mental, or social problems, and the inability to resist the urge to use the substance (Ministry of Health, 2010). Environmental factors, as well as personal and genetic factors, are reported to influence susceptibility to substance addiction. However, research indicates that the hereditary impact is relatively low in children and adolescents compared to adults, especially in early adolescence (Mutlu, Gercek, Ocakoglu&Karacetin, 2024).

Substance use can cause psychopathologies or exacerbate symptoms of pre-existing conditions (Neighbors, Kempton & Forehand, 1992). Psychosis, acute intoxication, and withdrawal symptoms that can occur after substance use may lead to aggression, violence, and criminal behavior, showing a correlation between substance use and criminal activities, with substance use being a significant risk factor for delinquency (Boles, 2003 & Farrington, 2001). An individual may be drawn into crime or become a victim of a crime while under the influence of alcohol or substances (Goldstein, 2003). A study conducted in Turkey involving 270 individuals under the age of 18 held in juvenile detention centers found that 71.3% had a history of cannabis use, and 32.8% reported being under the influence of substances at the time they committed the crime for which they were arrested (Ogel& Aksoy, 2007).

Globally, cannabis is the most widely cultivated, trafficked, and used illicit drug (Ogel& Aksoy, 2007). Our study also found that all children

with a history of substance use had used cannabis. It is noted that volatile substance use is common among individuals with poor socioeconomic status, antisocial behavior disorders, criminal histories, and previous incarceration (Boztas&Arısoy, 2010). In a study evaluating 194 children living on the streets in Istanbul without family support, it was found that 78.1% of the boys and 77.4% of the girls had a history of substance use (Ogel& Aksoy, 2002). Research indicates that volatile substance and cannabis use is widespread among children living on the streets (Bailey, Camlin & Ennett, 1998 &Morakinyo&Odejide, 2003).

A study examining the educational status of juveniles in conflict with the law found that children who committed crimes were less successful in school, repeated grades more often, and had higher absenteeism compared to children who did not commit crimes (Wang, Blomberg & Li, 2005). In a study of 144 juveniles in conflict with the law treated in a psychiatric hospital between 2010-2014, 59% of the children were not attending school while receiving treatment, and 54.9% of those who were attending had poor academic performance (Beser, Baysan &Uzunoglu, 2016). Another study found that children who regularly attended school were less likely to commit violent crimes (Frey, Ruchkin, Martin & Schwab-Stone, 2009). Similarly, our study found that 54% of the juveniles in conflict with the law had dropped out of primary, secondary, or high school before completing their education, highlighting the relationship between delinquency and irregular school attendance.

In the literature, when comparing children who have committed crimes to those who have not, it is noted that the IQ scores of children in conflict with the law range from 75 to 90, which is lower than the IQ scores of children who have not committed crimes (Grace & Sweeney, 1986; Taylor, Kemper, Loney & Kistner, 2006; Romi & Marom, 2007). In a study conducted in our country on 214 juveniles in conflict with the law aged 15-18, it was found that 50.5% had borderline intelligence (Yavuzer, 2006). In contrast, our study determined that 98%

of the juveniles in conflict with the law had normal intelligence levels. Despite this, the high dropout rate among these children is striking. Furthermore, it was observed that all children with a history of substance use who no longer used substances had continued their education.

5. CONCLUSION

There are numerous studies on juveniles in conflict with the law, which analyze factors such as age, gender, education level, family background, type of crime, tobacco, alcohol, substance use, intelligence level, medical conditions, and medications used. These analyses are valuable for relevant institutions and organizations to develop preventive methods to combat crime and addiction among children and adolescents.

In our study, we specifically aimed to evaluate tobacco, alcohol, and substance use among juveniles in conflict with the law who were referred to our Forensic Medicine Department in Diyarbakır in 2023. The finding that 60% of these juveniles smoke is particularly noteworthy. Additionally, it was found that all children who used alcohol and substances also smoked, and all children who used substances had used cannabis. This suggests that efforts to combat tobacco and cannabis use should be increased, especially in Diyarbakır, targeting not only children and adolescents but all segments of society.

It has been shown that individuals with ADHD have higher rates of tobacco and psychoactive substance abuse and dependence compared to adults without ADHD. ADHD doubles the risk of substance abuse compared to the general population. While the comorbidity of substance dependence in individuals with ADHD is 40-50%, the comorbidity of ADHD in substance-dependent individuals is 15-25% (Tuğlu & Şahin, 2010). In our study, the frequency of alcohol and substance use among juvenile delinquents was found to be lower than that of the general population, whereas the use of tobacco products was observed to be more frequent than in the general population.

To effectively combat addiction among children and adolescents nationwide, and to raise societal

awareness and strengthen preventive measures, it is essential that the Ministry of Youth and Sports, the Ministry of Family and Social Services, law enforcement agencies, universities, hospitals, and other relevant entities collaborate comprehensively (Aslan, Aktas&Akgur, 2023). Programs designed for substance-addicted children and adolescents should aim to distance them from crime and addiction and facilitate their reintegration into society (Volkow, 2010). A study conducted among high school students in Istanbul demonstrated that having substance-addicted individuals in one's social circle is a risk factor for tobacco, alcohol, and substance use (Unlu&Evcin, 2014). Therefore, programs should also be developed for children who do not have a history of substance use but are at risk of addiction due to family structure, environment, personal, and environmental factors (Volkow, 2010). Given that individuals under the influence of alcohol and substances can be drawn into crime or become victims, it is concluded that a rigorous fight against addiction in children and adolescents could prevent them from becoming involved in or victimized by crime.

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