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THE LABELING PERSPECTIVE AND JUVENILE DELINQUENCY

RICHARD LYMAN DAVIS

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THE LABELING PERSPECTIVE AND JUVENILE DELINQUENCY

by

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B.A., State University of New York at Buffalo, 1966

M.A., Ohio University, 1968

A DISSERTATION

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ABSTRACT

THE LABELING PERSPECTIVE AND JUVENILE DELINQUENCY

by

RICHARD L. DAVIS

The purpose of this study was to examine the processing of juveniles identified as having committed a delinquent offense by the police in the city of Manchester, New Hampshire. Using the labeling perspective on deviance as a frame of reference, the research was directed at assessing some of the factors that influence the creation and application of delinquent labels in the juvenile justice system. The major emphasis of the study was on understanding delinquency in terms of the decisions that result in the application of labels to individuals and/or behavior rather than in terms of what causes individuals to behave in a delinquent manner.

Discussion of the major elements of the labeling perspective was presented and used as a frame of reference for a review of the historical development of juvenile delinquency in the United States. Several hypotheses related to the labeling perspective were tested by analyzing data from a sample of case records of juveniles identified by the police as having committed a delinquent offense in the city of Manchester, New Hampshire. The data included background information concerning the juveniles and scores on rating scales used to measure the subjective comments made by juvenile officers and probation officers in the case records.

The study indicated that a number of juveniles initially identified as delinquent by the police fail to subsequently acquire the official label of delinquency. In addition, juvenile officers tend to initiate contact with juveniles committing offenses they believe are a serious threat to society more often than other types of offenses. Juveniles committing offenses that juvenile officers believe are a serious threat to society tend to receive a more severe disposition from the juvenile division. There is an inverse relationship between the occupational prestige of the parents of juveniles identified as having committed a delinquent offense and the severity of disposition by the juvenile division. At the same time, juveniles from intact families tend to receive a less severe disposition from the juvenile division than juveniles from families that are not intact. The family situation of juveniles identified as having committed an offense is the more important variable influencing the disposition of a case by the juvenile division. This study also indicated that the more involvement that juveniles have with the juvenile justice system, the more likely they will have subsequent involvement. The study further demonstrated that the more negative the reaction of juvenile officers and probation officers in the form of written subjective comments in case records, the more severe the disposition by the juvenile division and/or juvenile court.

It was evident from this study that a complete understanding of delinquency requires an examination of the decisions made by the persons in the juvenile justice system

who identify and label juveniles as delinquent. In addition, any attempt to explain delinquency in the United States requires consideration of the historical factors associated with the development of the juvenile court system.

CHAPTER I

INTRODUCTION

The study of juvenile delinquency as a social phenomenon in the United States has been of concern to social scientists and social reformers since the concept was first developed in the eighteenth century. This study has taken a number of directions and has produced a plethora of theory and research designed to explain this phenomenon. Much of the theory and research tends to assume the existence of delinquency as a form of behavior distinct from behavior that is nondelinquent and places emphasis on explaining the causes of this distinctive behavior. In contrast, there have been relatively few attempts to explain the historical factors that have contributed to the creation of the concept of juvenile delinquency and have led to the creation of a vast bureaucracy designed to deal with the phenomenon of delinquency.¹

Recently there has been a questioning of the traditional study of deviance in general and delinquency in particular (Becker, 1963, 1964; Cicourel, 1968; Erikson, 1962, 1966; Kitsuse, 1962, Lemert, 1946, 1967; Matza, 1964; Reiss, 1966; Schur, 1971, 1973; Turk, 1964). A major portion of this questioning has had a basis in what will be referred to in this study as the labeling perspective on deviance. This perspective questions the normative conception of deviance

¹Some recent publications which deal with the historical development of juvenile delinquency include: Bremner et al. (1971), Katz (1968), Mennel (1973), and Platt (1969).

and views deviance as an emergent social phenomenon. Sometimes referred to as one aspect of the societal reaction perspective, it implies that deviance should be viewed as a dynamic rather than a static concept. It further contends that theories of deviance should not be concerned with what causes deviance in the sense of explaining what causes individuals and/or groups to engage in certain types of behavior but should be occupied with what causes individuals and/or groups to label behavior and/or individuals as deviant or nondeviant.

This study attempts to operationalize certain aspects of the labeling perspective in the context of the processing of juveniles in the juvenile justice system. The general focus of the study is on the decisions that are made by officials of the juvenile justice system which result in the label of delinquency being applied to behavior and/or individuals rather than on the factors that cause juveniles to become delinquent.

Specifically, the study deals with the processing of juveniles who come into contact with the juvenile justice system in Manchester, New Hampshire. In July, 1971, the city of Manchester began what is referred to as a "court diversionary program" in regard to the processing of juveniles who are identified as having engaged in delinquent behavior. This program is designed to divert juveniles away from the juvenile court at the point of contact with the police. Prior to the implementation of this program, a police officer coming into contact with a juvenile identified as having committed a

delinquent offense could either simply release him or refer him to juvenile court.

When the court diversionary program was established, a Juvenile Division was established in the Manchester Police Department. Juvenile officers now have three major alternatives with respect to the disposition of a juvenile case: they can counsel and release the juvenile; they can refer the juvenile to the Office of Youth Services for counseling and/or referral to another agency; or they can refer the juvenile to juvenile court. These alternatives will be discussed more thoroughly in Chapter V.

This study focuses on the written records of the Juvenile Division of the Manchester Police Department, the Office of Youth Services, and the Manchester Juvenile Court. It examines the treatment of juveniles in terms of a process in which delinquent and nondelinquent labels are produced and applied to individuals and/or behavior. The study attempts to demonstrate that the phenomenon of juvenile delinquency is, in part, the result of a complex and dynamic process of labeling on the part of officials in the juvenile justice system.

The following chapter will review some of the different types of theories of delinquency together with some empirical studies of delinquency which are relevant to the present study. Chapter III will consider the literature on the labeling perspective on deviance and relate the literature on stereotypes and group images to the labeling perspective on deviance. It also will demonstrate how the labeling perspective can be used

to understand the historical development of delinquency in the United States. This will be followed by a discussion of the criticisms of the labeling perspective including both its problems and some of the contributions that it makes to the study of deviance.

Chapter IV will present a model of the labeling process designed to depict the process by which individuals and/or behavior acquire deviant labels. A brief description of the research setting of the study will be discussed in Chapter V. Chapter VI will set forth the major hypotheses of the study and discuss the methodology employed in collecting the data. This will be followed by a discussion of the way in which delinquent labels are produced in the juvenile justice system and a discussion of the differential application of delinquent labels in Chapters VII, VIII, and IX. Chapter X will present a summary and discussion of the major conclusions of the study.

It should be noted that this study is designed to deal with delinquency from the perspective of how and why delinquent labels are produced in the juvenile justice system and not in terms of explaining why individuals become delinquent. As pointed out above, the study assumes that delinquency, as well as other forms of deviance, is an emergent phenomenon and can only be understood in terms of the decisions that are made that result in delinquent labels being applied to behavior and/or individuals. It is hoped that this study will provide some insight into how delinquent labels are produced and applied by the juvenile justice system.

CHAPTER II

REVIEW OF THE LITERATURE ON JUVENILE DELINQUENCY

When dealing with the concept of deviance, it is important to distinguish between deviant behavior patterns and deviant people. That is, the concept of deviance can be used to describe behavior patterns or people. Many popular conceptions of deviance have assumed that deviant behavior patterns are representative of deviant people and that deviant people are representative of deviant behavior patterns. This idea has persisted either explicitly or implicitly in many modern sociological theories of deviance and has influenced the historical development of the phenomenon of juvenile delinquency (Reiss, 1966:9-12; Schur, 1973:21-4; Turk, 1964:454).

1. Theories of Delinquency

Two major ideas related to deviance have influenced modern theories of delinquency. One idea is the concept that deviance, both behavior and individuals, is representative of evil. The other is the belief that deviance, both behavior and individuals, is representative of disease. The basic framework of these ideas can be found in many sociological theories of deviance.

The supposition of deviance being representative of evil is directly related to Puritan ideas concerning the nature of man and the universe (Erikson, 1966:189-95; Miller and Johnson, 1938:194-236; Morgan, 1958:134-54). In brief, the Puritans felt that it was very important to establish the

social order according to God's word. Behavior patterns that deviated from the word of God were indicators of the work of the devil (evil). People who deviated from the word of God were either conscious or unconscious agents of the devil. In other words, normal people and behavior patterns were representative of the will of God (good), and deviant people and behavior patterns were representative of the work of the devil (evil).

The second idea that has been important in influencing modern theories of delinquency is the assumption of deviance being representative of disease. In the late nineteenth century, some writers began to change the notions of absolute good and evil to thoughts of normal and abnormal in terms of physical health or biological inheritance. Deviant behavior patterns were indicators of sick or inferior people. However, these ideas did not take a firm hold or become popular until the growth of the eugenics movement in the early twentieth century (Haller, 1964:36-9). This idea took three major directions. The deviant was physically sick, genetically inferior, or mentally defective.

In the mid-nineteenth century, some theories of deviance and delinquency began to stress the notion that certain acquired conditions of the human body could be transmitted from one generation to another (Katz, 1968:181-5). In general, these theories likened poverty and crime to a physical illness acquired by living in certain environments. Poverty and criminal tendencies then could be passed on to future generations. These theories also stressed the idea that by

manipulation of the environment criminal tendencies could be cured or changed over a period of time (Katz, 1968:183-4).

During the first two decades of the twentieth century, biological deterministic theories of deviance and delinquency became popular. The study of genetics produced the view that criminals and delinquents were largely a result of genetically inferior stocks (Mennel, 1973:92). The theories assumed a direct connection between deviant behavior and deviant individuals. Deviant behavior was caused by inferior people, and these people were inferior due to biological inheritance. The task of society was to remove these inferior people from society and prevent them from having offspring and thus rid society of deviant behavior as well (Dugdale, 1877/1971; Kerlin, 1890/1971).

With the development of the intelligence tests in the early twentieth century, many theories of crime and delinquency also began to stress the notion that criminals and delinquents were mentally defective (Goddard, 1911). This also was attributed to biological inheritance. The poor showing of institutionalized delinquents on the tests tended to reinforce the biological deterministic types of theories (Mennel, 1973:93).

Other approaches to the study of delinquency which retained the basic model of sickness and health are the psychological and psychoanalytical theories of delinquency. These theories retained the concept that the cure for delinquency was to be found in the treatment of individual delinquents. The individual was seen to possess a number of

mental conflicts or psychological problems largely caused by environmental conditions. These mental conflicts, if left untreated, resulted in eventual delinquency and crime.

William Healy was a prominent advocate of this type of theory. Healy (1917/1969) proposed that effective treatment of delinquents required intensive case studies of individual delinquents. After enough research had been done, one could discover the underlying causes of the delinquency and set up programs for treatment and prevention. Healy referred to such things as "obsessive imagery" and "impelling ideas" as manifestations of the inner mental conflicts experienced by the delinquent (Healy, 1917/1969:78-112).

Sheldon and Eleanor Glueck (1939:228-33) also are representative of the psychological approach to delinquency. Their study of delinquents concluded that the basic cause of delinquency could be found in an inadequate family life. They further felt that the families of delinquents represented a class of people who were biologically and economically handicapped. They observed that the moral standards of the parents of delinquents were generally very low. The Gluecks felt that the juvenile courts had not adequately dealt with the problems of delinquency, because they failed to remove the children from the homes that were the chief cause of the mental problems that led to delinquency.

An approach to the study of delinquency related to the psychological theories was the psychoanalytic explanation of delinquency. The psychoanalytic approach (Friedlander, 1947/1960:7-8) asserts that the best method for understanding

delinquency rests on a thorough examination of the individual offenders. While situational or environmental factors are important, the real causes of delinquency can be found in largely unconscious antisocial impulses, the formation of which go back to early childhood. The same antisocial impulses are present in both the delinquent and the nondelinquent. These tendencies remain unconscious in the law-abiding citizen but become translated into action by the criminal. People who are delinquent possess a "susceptibility toward delinquency" or a "latent state of delinquency" (Friedlander, 1947/1960:10).

The psychological theories became quite popular and emerged as one of the most influential type of theories in the courts, agencies, and organizations designed to deal with juvenile delinquency. Roy Lubove (1971:47-8) has pointed out, that while in the early part of the twentieth century an environmental type of perspective was prominent among social workers, the psychological and psychoanalytical perspectives became the chief source of professional identity for social workers in the 1920's and 1930's (Lubove, 1971:Chapter III-IV). Many of these social workers were directly involved in dealing with delinquency. The chief defining characteristic of delinquency became the idea that the juvenile delinquent was a person who was characterized by some sort of psychological illness.

The conceptions of deviance as representative of evil or disease or psychological illness share a common characteristic. They all assume an ordered or normal universe with deviant behavior and individuals representing some sort of violation of that order.

At the turn of the twentieth century, with the growth of the juvenile court system, environmental factors were stressed as the major cause of delinquency. A good example of the environmental approach to the explanation of delinquency is presented in the work and writing of Ben B. Lindsey (1931). Lindsey and others began to view environmental factors, over which the individual had little control, as the major cause of delinquency. Lindsey reached the conclusion that there were no "bad kids." He felt that there were bad conditions and bad environments that resulted in bad conduct (Lindsey, 1931:102). He drew a distinction between the child and the behavior that was caused by the environment.

Cultural transmission theories represent another major approach to the study of delinquency. The Chicago School of Sociology was the leading proponent of this approach in the 1920's. Cultural transmission theories (Shaw, 1930; Thrasher, 1927/1963) emphasized the idea that delinquent behavior patterns were learned. The learning took place through the transmission of deviant behavior patterns in lower-class cultures. Juvenile delinquency was associated with the increasingly disorganizing aspects of urban life. It was one of a number of pathologies caused by the physical deterioration of urban areas. Thrasher (1927/1963:5-7) emphasized the idea that delinquency was a normal type of activity that took place in slum neighborhoods. Shaw (1930:164-5) stressed that the conditions of urban life had the effect of causing individuals to pursue delinquent careers.

Edwin Sutherland developed another theory of delinquency and crime closely related to the above. His well-known theory of differential association (Sutherland, 1960: Chapter IV) referred to the idea that criminal behavior is a result of the learning of an excess of definitions favorable to law violation. This excess is, in part, a result of the social environment within which the individual is socialized.

Cohen (1955) developed a theory of delinquent subcultures that has emphasized the importance of learned behavior. He pointed out that one of the major factors associated with delinquency is socio-economic frustration. As a result of the frustration encountered when lower-class groups attempt to achieve middle-class values, the subculture provides alternative status systems with alternative values. These values explain why the behavior deviates from the norms (Cohen, 1955: Chapters IV-V).

Still a different approach to the study of delinquency has been developed around an attempt to find elements in the social structure that can be used to explain the occurrence of deviance. Merton's theory of anomie is the best known example of this type of theory (1957: Chapter IV). According to Merton, cultures establish goals that members of society are encouraged to pursue and prescribe the methods to be followed in seeking these approved objectives. He further pointed out that as long as the institutionalized means permit the realization of socially valued ends, people gain gratification. However, if the goals are given inordinate emphasis or if defined means prove inadequate or unavailable, pressures

toward deviant behavior may be created among those persons who are unable to attain the goals they have come to desire. Merton goes on to discuss the types of adaptation to that situation. Cloward (1959) has modified Merton's ideas by focusing on variation in availability of access to success goals by illegitimate as well as legitimate means.

Cloward and Ohlin (1960) also have developed a theory of delinquent subcultures which combines both the cultural transmission and structural approaches. They build on Merton's theory of anomie and develop the idea of differential opportunity structures. The type of opportunity structure, both legal and illegal, available, is related to the type of criminal gang that develops: criminal, conflict, or retreatist. For example, lower-class neighborhoods have the illegitimate opportunity structures that are necessary for a criminal career. These types of opportunity structures are not available in middle-class neighborhoods (Cloward and Ohlin, 1960: Chapter VI).

Another theory of delinquency that takes issue with the subcultural theories has been developed by David Matza (1964). He has challenged the implicit determinism of the subcultural theories and argued that the delinquent norms are not a result of an ethical code among delinquents. These norms are viewed as reflecting a conflict between conforming and nonconforming values and conduct.

A conflict model of society has also been used in explanations of crime and delinquency. In general, the conflict model of society assumes that every society is always

experiencing social conflicts, and that every society rests on the constraint of some of its members by others (Darendorf, 1958:174). It also has been pointed out that the conflict model of society is especially useful in analyzing legal systems (Chambliss and Seidman, 1971:19).

Tannenbaum (1938:9-10) has asserted that crime is a maladjustment that is a result of a conflict between a group and the community. An individual is not maladjusted to society, but the group he belongs to makes him maladjusted to the larger society, because the group is at war with the society. Sellin (1938:29-30) has argued that much crime and delinquency could be explained in terms of a clash between different cultures. Conflicting normative expectations from each culture result in some normative patterns of one culture being labeled as criminal.

Vold (1958:214-9) has pointed out that if a normative order exists in society, it is a result of it being imposed by those groups who are best able to incorporate their vested interests in the law and other agents of social control. In other words, much crime and delinquency is a reflection of the conflict between the powerful and the powerless.

Stuart Palmer (1972:193-5) has contended that social control agents often create conflict and violence by the types of responses that they make to potentially violent situations. For example, the police tend to create violence by limiting the alternatives of the groups they are attempting to control in situations of high tension, such as riots.

The theories discussed above are representative of some of the major approaches to the explanation of delinquency. The psychological, cultural transmission, and structural theories all reject the earlier definition of the delinquent as inherently evil or biologically inferior. They do, however, retain the basic framework of earlier theories by assuming that delinquency is a behavior that is different from nondelinquency, and that the delinquent is someone who is different from the nondelinquent. They further assume the existence of a normative order and focus on explaining why behavior and/or individuals deviate from this normative order. There is also an implicit connection between the individual and behavior. The delinquent is someone who engages in delinquent behavior, and delinquent behavior is indicative of a delinquent person.

Another theoretical perspective that is of relevance to the study of juvenile delinquency is the labeling perspective on deviance (Becker, 1963, 1964; Erikson, 1962, 1966; Kitsuse, 1962; Lemert, 1967; Matza, 1969; Schur, 1971). One of the major purposes of this dissertation is to review some of the ideas in the labeling perspective on deviance and assess their usefulness in understanding and explaining delinquency as a social phenomenon. One of the major departures of this perspective is to question the normative conception of deviance. The labeling perspective does not ask what causes individuals and/or behavior to become deviant but asks what causes individuals and/or behavior to be labeled deviant.

Chapter III will present a more systematic review of the labeling perspective on deviance and assess its usefulness in understanding the historical development of juvenile delinquency in the United States. The following portion of this chapter will present a selected review of some empirical studies on delinquency which seem especially relevant to this dissertation.

2. Empirical Studies

Jerome Skolnick (1966) has made some observations which are useful in understanding the decision making in the labeling process. Skolnick pointed out that, as with other occupational groups, the police develop a working personality. Part of this personality is a suspiciousness of anything abnormal. This leads to certain groups and individuals being defined as suspicious or dangerous by the police. The values of the police influence who they will watch as potential criminals, and who they will label as criminals. These values may or may not have anything to do with the values represented by the laws they are enforcing. Their decision to label an individual or behavior as criminal will be given a certain degree of credibility by others because of their position as official labelers.

A study directly related to juvenile delinquency dealt with the status factor, race, in commitment of juvenile delinquents (Axelrad, 1952). Axelrad concluded that black children were committed younger, for less serious offenses, with fewer previous court appearances, and with less prior institutionalization than white children.

Another study was concerned with family disruption and delinquent conduct (Chilton and Markle, 1972). The study found that children charged with delinquency live in disrupted families substantially more often than children in the general population, and that children referred to juvenile court for more serious delinquency are more likely to come from incomplete families than children charged with minor delinquency. A further finding was that family income is a more important factor in understanding the relationship between delinquency referral and family situation than age, sex, or urban/rural residence. It should be noted that this study used a sample of referrals to juvenile court. There was no control of the decision to make the referral. That is, the study does not indicate if family disruption is causing delinquency or if family disruption is causing referral for delinquency.

Black and Reiss (1970) dealt with situational properties besides rule violating behavior that generate a social control response. They found that the probability of arrest is higher for juveniles who are unusually respectful or disrespectful toward the police. The study suggested that sanctioning is usually contingent on a configuration of situational properties, and that deviance should be treated theoretically as a configuration of properties rather than a unidimensional behavioral event.

Yet another study (Lerman, 1967) was concerned with symbolic deviance and subcultural delinquency. Lerman indicated that both deviant behavioral actions and shared symbolic involvements are capable of providing cues for police action.

Not only is high subcultural involvement relevant per se, but shared symbolic deviance is also another operating criterion utilized by police in their everyday activities. That is, the police not only seek behavior that is deviant but also look for verbal and other symbolic cues which may be indicators of delinquency.

Goldman (1963) undertook a study that is of direct relevance to this research. His study indicated that only a portion of juvenile offenders known to the police are referred to juvenile court. The differential selection of offenders for court by the police is determined by the attitudes of the police toward the offender, the offender's family, the juvenile court, and his own role as a policeman, and the attitudes of the community toward delinquency.

Goldman made the point that the concept of juvenile delinquency is to some extent determined by the policemen in selecting and reporting juvenile offenders to the court. The police base their reporting partly on the act of the offender, but also on the idiosyncratic interpretation of this act and the degree of pressure applied by the community toward the police. Once reported to court, the child then becomes available for official scrutiny and study. Goldman asserted that this results in a biased sample for study, and much of delinquency research is based on this biased sample. He believed that an adequate study of delinquency must begin at a point

before the one at which the police officer begins to act to send the juvenile to court.¹

Irving Piliavin and Scott Briar (1964) conducted a longitudinal study of the conditions influencing and consequences resulting from police actions with juveniles. According to Piliavin and Briar, the most important cue that the police use in deciding the disposition of an encounter with a juvenile is the youth's demeanor. If the youth is co-operative and respectful, they tend to be regarded as law-abiding, and it is assumed that an informal reprimand will suffice to insure future conformity.

In contrast, juveniles who were non-co-operative, hardened, unruly, or disrespectful to the police are regarded as "tough guys" deserving the most severe sanctioning. Piliavin and Briar make the point that:

The observations made in this study serve to underscore the fact that the official delinquent, as distinguished from the juvenile who simply commits a delinquent act, is the product of a social judgment, in this case a judgment made by the police. He is a delinquent because someone in authority has defined him as one, often on the basis of the public face he has presented to officials rather than of the kind of offense he has committed (Piliavin and Briar, 1964:214).

Aaron V. Cicourel (1968) has undertaken an extensive investigation of the juvenile justice system based on participant observation as a police officer and probation officer. He pointed out that delinquency is not a natural phenomenon, but

¹It is hoped that the present study will overcome this problem to some degree as it includes juveniles who are selected for court appearance, as well as those released by the police or referred to another agency.

one that is created by the decisions that are made by officials in the juvenile justice system.

The study challenges sic the conventional view which assumes that "delinquents" are "natural" social types distributed in some ordered fashion and produced by a set of abstract "pressures" from the "social structures" (Cicourel, 1968:335-6).

Cicourel felt that the study of delinquency has relied too much on samples based on law enforcement identification of the delinquent and delinquency. He argued that the relevant population for study in regard to delinquency is like a rumor, and that its generation is a negotiable enterprise within a socially bounded area of discourse (Cicourel, 1968:336).

One last study to be mentioned which is relevant to this research is a study of decision making on the part of juvenile officers in a large police department (Sullivan and Siegal, 1972). Sullivan and Siegal analyzed the decision making of twenty-four policemen, specifying the amount and types of information each used to make a decision about a juvenile charged with drunk and disorderly conduct.

The results of the study show that the police use more information to make a decision than is popularly believed. On the average, five pieces of information were selected before a decision was reached. The most critical information topic was the attitude of the offender. That is, this was the point at which the final decision regarding the disposition of a case was most likely to be made. The study indicated that the decisions that the police make in regard to the disposition of juvenile cases involve more than the occurrence of a particular type of offense. Other information was needed,

and the attitude of the offender became the most important piece of information.

The above studies indicate that there may be more involved in the creation of deviance and delinquency than engagement in particular types of behavior patterns. This is the point of departure that is taken by the labeling perspective on deviance. The chapter which follows will present an extensive analysis of the labeling perspective and its relationship to the historical development of the social phenomenon of juvenile delinquency in the United States.

CHAPTER III

THE LABELING PERSPECTIVE ON DEVIANCE

A great deal of sociological literature exists regarding the phenomenon of juvenile delinquency. The purpose of this dissertation is to present the labeling perspective on deviance as an especially useful way of explaining this phenomenon. This study attempts to demonstrate that an understanding of the factors associated with the label of delinquency is essential to a complete understanding of the phenomenon of juvenile delinquency.

1. Major Contributors to the Labeling Perspective

One of the best known expressions of the labeling perspective has been developed by Howard Becker (1963). Becker has discussed the labeling process and has asserted that there is too much emphasis upon explaining why individuals behave in a deviant manner and not enough emphasis on how behavior is defined as deviant.

"Social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labeling them as outsiders. From this point of view, deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an 'offender.' The deviant is one to whom that label has successfully been applied; deviant behavior is behavior that people so label."

In defining the problem this way, we direct our attention in research and theory-building to the questions: Who applies the label of deviant to whom? What consequences does the application of a label have for the

person labeled? Under what circumstances is the label of deviant successfully applied? (Becker, 1971:173).

Kai T. Erikson (1962, 1966) also has emphasized the definition of behavior as important in understanding deviance. He has stated that "deviance is not a property inherent in any particular kind of behavior; it is a property conferred upon that behavior by the people who come into direct or indirect contact with it" (Erikson, 1966:6). Erikson has pointed out that deviance performs the function of defining cultural boundaries; and, at the same time, the type of boundaries (values, beliefs) that a community has will, in part, determine the type of deviance that it experiences. He has also argued that a community will experience deviance at precisely those points where it feels threatened. This happens in two ways: one, by directing most of its energy toward these points; and two, by emphasizing particular values, it causes some people to want to challenge these values. In addition, Erikson has observed that deviance and nondeviance are part of the same cultural universe. Lastly, groups or individuals who are near the cultural boundaries of society will be more likely to be labeled as deviant (Erikson, 1966: 12-19).

Another observation on deviance related to the labeling perspective has been made by John I. Kitsuse (1962). Kitsuse has asserted that it is difficult to develop a theory of deviance that is related to normative expectations. He has argued that one should not be concerned with the fact that individuals deviate from norms.

A sociological theory of deviance must focus specifically upon the interactions which not only define behaviors as deviant but also organize and activate the application of sanctions by individuals, groups, or agencies. For in modern society, the socially significant differentiation of deviants from the non-deviant population is increasingly contingent upon circumstances of situation, place, social and personal biography, and the bureaucratically organized activities of agencies of control (Kitsuse, 1962:256).

Lemert (1967:67-71) also has emphasized the importance of societal definitions in dealing with deviant behavior. However, he has gone on to point out that social control does not automatically follow the labeling of behavior as deviant. That is, making social classifications depends rather heavily upon the ability to act on them. To Lemert, it is naive to assume that behavior becomes deviant just because it is defined as such. Once a behavior is defined as deviant, a complex process determines whether or not the label of deviance will stick. In other words, there is more involved in the labeling process than a simple operation of the self-fulfilling prophecy. The idea of social power is implicit in much of Lemert's writing. Namely, he has pointed out that different groups have differential ability to both resist and apply the deviant label.

Lewis Coser (1962) has developed ideas that are directly related to the above points made by Lemert. Coser has reflected upon the importance of the organization of statuses within a group and deviant behavior. He has stated that the status of group leaders has an impact upon whether or not they can engage in deviance. He has asserted that while leaders in

different types of groups are limited in both the amount and type of deviance that they can engage in, at the same time, their position as leader gives them a certain latitude in their behavior.

One can further observe that leaders in groups have the ability, either formal or informal authority, to define what behavior and which people are deviant. In addition, if the group leader identifies himself with the group, it is difficult for group members to label the leader as deviant without running the risk of labeling the whole group as deviant.¹

Tannenbaum (1938) also has discussed the labeling process in his discussion of what he calls the "Dramatization of Evil." Tannenbaum has pointed out that there is a gradual process in relationship to deviant behavior in which the label of deviance is transferred from behavior patterns to individuals.

There is a gradual shift from the definition of the specific acts as evil to a definition of the individual as evil, so that all his acts come to be looked upon with suspicion. In the process of identification his companions, hang-outs, play, speech, income, all his conduct, the personality itself, become subject to scrutiny and question. From the community's point of view, the individual who used to do bad and mischievous things has now become a bad and unredeemable human being (Tannenbaum, 1938: 17).

Tannenbaum is pointing out that the label of deviance can be transferred from specific acts of norm violation to other

¹This is not a new idea. Perhaps the best discussion of this notion can be found in Michels' discussion of the Bonapartist ideology and the identification of the party with the leader (Michels, 1911/1962:205-23).

behavior acts and to the individual who is engaging in the behavior. In addition, other individuals who associate with this person may come to be defined as deviant.

Kitsuse (1962) has also discussed some of the theoretical and methodological problems posed by the problems of societal reactions to deviant behavior. He has proposed that the focus of theory and research be shifted:

...from the forms of deviant behavior to the processes by which persons come to be defined as deviant by others....

.....

Accordingly, deviance may be conceived as a process by which the members of a group, community, or society (1) interpret behavior as deviant, (2) define persons who so behave as a certain kind of deviant, and (3) accord them the treatment considered appropriate to such deviants (Kitsuse, 1962:247-8).

Kitsuse is emphasizing the importance of societal definitions in the study of deviance and the idea that there is a process involved in making these definitions.

Edwin Schur (1971, 1973) has commented at length on the labeling perspective. Schur has asserted that delinquency is an ascribed status:

...it is a social position one occupies not simply as a consequence of one's own action, but also as a result of the actions of others. To understand delinquency, therefore, one studies not only the rule-violators themselves, but also those who react to them (Schur, 1973: 120).

Schur has gone on to discuss three components in the labeling process: stereotyping, retrospective interpretation, and negotiation (Schur, 1973:120-6).

The major point of departure of the labeling perspective has been to question the normative conception of deviance. The labeling perspective attempts to explain the nature of deviance as a social phenomenon (Becker, 1963, 1964; Erikson, 1962, 1966; Kitsuse, 1962; Reiss, 1966). Deviance is viewed not as a characteristic inherent in behavior and/or individuals but as a characteristic conferred upon behavior and/or individuals as a result of social interaction (Durkheim, 1893:81; Erikson, 1966:6). The major concern of this perspective is an attempt to assess the factors associated with the successful application of the deviant label to behavior patterns and/or individuals.

There are three major elements contained in the labeling perspective. First, a behavior is not deviant and individuals are not deviant until they have been defined as such (Becker, 1963, 1964; Erikson, 1962, 1966). Second, not all behavior that is defined as deviant and not all individuals who are defined as deviant will necessarily become deviant (Becker, 1963, 1964; Erikson, 1962, 1966; Scheff, 1964; Szasz, 1960). Third, there is a social process involved in the labeling of deviance (Erikson, 1962; Rubington and Weinberg, 1968). These labels do not occur automatically as behavior and individuals deviate from some normative pattern. The social process that is involved in the labeling of individuals and/or behavior is composed of a number of factors. These factors might include: differential status, power, and authority of the interacting elements; reaction of the interacting elements to the label of deviance or nondeviance; the social situation in which the

labeling takes place; or the degree to which the behavior is viewed as a threat to or a reinforcement of the values of the interacting elements. These factors may be in addition to or independent from norm violation.

The various authors who have contributed to the labeling perspective have suggested a number of different ideas. The following points can be made concerning the nature of deviance according to this perspective.²

1. Deviance is a sociological phenomenon and not a characteristic inherent in behavior and/or individuals. A sociological theory should not necessarily be concerned with why individuals deviate from norms or why behavior patterns deviate from norms, but with why and how social groups produce deviant behavior and deviant people (Durkheim, 1893:81; Kitsuse, 1962).
2. Deviance should be understood in terms of social interaction and social organization (Reiss, 1966).
3. Theories of deviance should not be produced as independent from theories of nondeviance. The same social processes that produce deviance produce nondeviance (Turk, 1964).

²Where appropriate a reference for each point is indicated. When a point does not have a reference, it is a result of an extension and synthesis of the following sources: Becker (1963, 1964), Coser (1962), Durkheim (1893), Erikson (1962, 1966), Hughes (1945), Kitsuse (1962), Lemert (1946, 1967), Matza (1964, 1969), Reiss (1966), Rubington and Weinberg (1968), Scheff (1964), Szasz (1960), Tannenbaum (1938), and Turk (1964).

4. Deviance is a characteristic conferred upon behavior patterns and/or individuals by interacting elements which define the behavior patterns and/or individuals as being a threat to the social values of a group. Deviance is not a characteristic inherent in any particular behavior pattern or individual (Becker, 1963, 1964; Erikson, 1962, 1966).
5. The interacting elements can be conceptually distinguished as involving an actor, labeler, and social audience (Rubington and Weinberg, 1968).
 - a. The actor(s) is an individual engaging in behavior.
 - b. The labeler(s) is a person who identifies or labels the behavior and/or actor.
 - c. The social audience is the group within which the labeling process takes place.
6. There are a number of different types of labels that can be conferred upon behavior and/or actors.
 - a. The label of nondeviance may be applied to both an actor and the behavior in which he is engaging.
 - b. The label of deviance may be applied to both an actor and the behavior in which he is engaging.
 - c. The label of deviance may be applied to an actor and the label of nondeviance may be applied to the behavior in which he is engaging.
 - d. The label of nondeviance may be applied to an actor and the label of deviance may be applied to the behavior in which he is engaging.

- e. The label of deviance may be applied to the behavior with no label applied to any particular actor.
 - f. The label of deviance may be applied to an actor with no label applied to the behavior in which he is engaging.
 - g. The situation may be labeled as indicative of deviance with a search for deviant actors and/or behavior.
7. There is a social process which results in the label of deviance. As a result of the social process, the label(s) of deviance and/or non-deviance is applied to actors and/or behavior (Erikson, 1962; Scheff, 1964).
- a. Norm violation is neither a necessary nor sufficient condition for the application of the deviant label (Becker, 1963, 1964; Erikson, 1962, 1966; Scheff, 1964).
 - b. A social group will experience deviance at the points in its cultural universe that it feels most threatened, that is, the points most closely related to the cultural values that define the group's identity (Erikson, 1966).
 - c. There is differential ability among members of social groups in applying and resisting the deviant label. Not all members of a social group are able to apply or resist the deviant and nondeviant labels equally (Coser, 1962; Lemert, 1946, 1967).
8. Deviant actors and deviant behavior are a result of the successful application of the deviant label. A deviant actor is one to whom the label of deviance is successfully applied, and a deviant behavior is a pattern of behavior to which the label of deviance is successfully applied (Becker, 1963, 1964; Erikson, 1962, 1966).

9. The successful application of a deviant or non-deviant label becomes the dependent variable, and the factors that influence the successful application of the deviant or nondeviant label become the independent variables. These factors might include:
- a. Differential status of the interacting elements (Matza, 1969).
 - b. Differential power and authority of the interacting elements (Coser, 1962; Vold, 1958).
 - c. Reaction of the interacting elements to the label of deviance or nondeviance (Becker, 1963, 1964; Erikson, 1962, 1966).
 - d. The social situation in which the labeling process takes place (Erikson, 1966).
 - e. The degree to which the behavior pattern is viewed as a threat to or a reinforcement of the values of one or more of the interacting elements (Becker, 1963, 1964; Erikson, 1962, 1966).

2. Stereotypes and Labeling

The study of stereotypes and group images has resulted in a number of ideas directly related to the labeling perspective on deviance. While much of the literature on stereotypes and group images has developed in relation to the study of race and ethnic relations, there are a number of contributions which can add to an understanding of the creation of deviance by social groups.

For purposes of this dissertation a stereotype will be defined as "...a collection of trait-names upon which a large percentage of people agree as appropriate for describing

some class of individuals " (Vinacke, 1957:230). The process of stereotyping will be referred to as "...the tendency to attribute generalized and simplified characteristics to groups of people in the form of verbal labels'" (Vinacke, 1957:230).

It should be pointed out that stereotypes can be positive or negative, and that the process of stereotyping is a common social process. It also should be noted that the process of stereotyping includes more than categorizing individuals or groups of individuals. It involves the imputation of positive and/or negative traits to groups of individuals. These traits may or may not have any basis in fact and are usually an oversimplification of reality. Stereotypes also may imply a value judgement as to the relative worth or status of groups or individuals (Vinacke, 1957).

The labeling perspective deals with the differential application of labels to individuals and groups of individuals. These labels include stereotypes which define individuals and/or their behavior as deviant or nondeviant. For example, the delinquent is often stereotyped by agents of social control as non-co-operative, unruly, or disrespectful. The nondelinquent is stereotyped as co-operative, respectful, and contrite about infractions (Piliavin and Briar, 1964:212). Once an individual or group of individuals is identified as being delinquent or nondelinquent, the attributes subsumed under the stereotypes may be assumed to be operative.

The idea of stereotypes can be used to point out the very basis of the labeling perspective's departure from other perspectives on the study of deviance. When a scientific

discipline develops, it is necessary to create categories or ways of classifying reality. One such set of categories has evolved in sociology in relation to the study of deviant behavior. The distinction has been made between the deviant and the nondeviant, the criminal and the noncriminal, and the delinquent and the nondelinquent. Once this distinction has been made, many attempts have been made to explain the difference between these categories. These attempts have focused on the differences between the deviant and the nondeviant and on the reasons why some people engage in certain forms of deviance. The implicit or explicit assumption is made that there is an inherent difference between deviant and nondeviant individuals and/or behavior.

The labeling perspective questions the idea of accepting a rigid categorization of reality into the deviant and the nondeviant. It has been pointed out that many theories of delinquency have tended to accept the society's stereotyped images of the deviant and the nondeviant, and much of the research on delinquency has used these images as a point of departure for study (Cicourel, 1968:332-3; Schur, 1973:13-4). It may be of practical importance for social control agents to categorize individuals and/or behavior through the use of stereotypes that define individuals or groups of individuals as deviant or nondeviant. However, it may be a mistake to accept this distinction as an accurate description of reality.

Another aspect of stereotypes that is relevant to the labeling perspective is that they can create a "master status" for individuals or groups (Becker, 1963:31-3; Hughes, 1945).

This master status will dominate other statuses that a person might occupy. When one has the master status of deviant, his behavior and other statuses will be interpreted and evaluated in terms of this master status. In this way, the label of deviance can be transferred from behavior and individuals to other behavior and individuals.

An example of this is seen in relation to minority groups and deviance. Once a minority group member's behavior or the minority group member himself has been identified as deviant, this label can be transferred to other behavior patterns of the minority group member, as well as, to other members of the minority group.

Stereotyping also involves the tendency to impute both positive and negative connotations to the same traits, depending upon to which group the individuals who possess these traits belong (Merton, 1957:428-9). If a group has a positive stereotype, then all their behavior and activities are interpreted in a positive context. If a group has a negative stereotype, then all their behavior is interpreted in a negative context.

There is some evidence that this type of phenomenon can be seen operating in the treatment of juveniles who are labeled as delinquent. Matza and Sykes (1961) have argued that delinquent values are far less deviant than commonly portrayed. They have asserted that a number of supposedly delinquent values are closely related to the values embodied in the leisure activity of the dominant society.

Briefly, Matza and Sykes have made the point that the same values are given different labels depending upon the group which adheres to them. A good example of this point is made in a footnote in which they paraphrase Merton's moral alchemy (Matza and Sykes, 1961:715).

I am daring
You are reckless
He is delinquent

In addition to the general nature of stereotypes, there are a number of functions of stereotypes which are useful in understanding certain aspects of the labeling process. One of the functions of stereotypes is that they can be used to provide rationalizations for the differential treatment of different groups (Samuels, 1973:30).

Another idea related to stereotypes has been developed by Sykes and Matza (1957). They have referred to a process called "techniques of neutralization." The concept was originally used by them to explain how juvenile delinquents use certain techniques: denial of responsibility, denial of injury, denial of the victim, condemnation of the condemners, and appeal to higher authorities to rationalize or justify their behavior. These techniques are viewed as mechanisms by which victims or potential victims are "neutralized." The concept also has been used to explain how a dominant group justifies its discriminatory treatment of a minority group (Daniels and Kitano, 1970:6).

In regard to delinquency, if a juvenile is a member of a social class, ethnic, or racial group which is stereotyped as having traits usually associated with delinquency, then it

becomes much easier for social control agents to justify differential treatment of this juvenile. Piliavin and Briar (1964) have pointed out that police officers tend to argue that black juveniles are likely to exhibit the traits associated with delinquents: giving officers a hard time, being unco-operative, and showing no remorse for their actions. They have noted that the officers claim that recurrent exposure to such attitudes among black youth tends to generate antipathy among police officers toward black youth and results in the differential treatment of black juveniles. They have implied that stereotypes of delinquents can serve as means by which officials of the juvenile justice system neutralize or justify punitive or harsh treatment of certain juveniles (Piliavin and Briar, 1964:213).

Stereotypes also can be a convenient way of categorizing social reality (Samuels, 1973:27). The problems associated with delinquency are complex with many vague definitions of what constitutes delinquency. Stereotypes make it much easier for social control agents to categorize the complex social reality which they encounter in their day to day work and enable them to make distinctions between delinquents and nondelinquents based on these stereotypes (Cicourel, 1968: 333-4).

Stereotypes further serve to socialize people as to how to view other groups (Samuels, 1973:33). It has been pointed out in this study that the United States has had a history of emphasizing a dichotomous division of social reality in terms of good and evil. This results in the

socialization of individuals to accept the idea that there is an inherent difference between the deviant and the nondeviant. There is a tendency for people to be socialized to attribute a negative stereotype to the deviant (Becker, 1963:31-3).

In addition to the socialization of members of an in-group which results in the acceptance of stereotypes of members of an out-group, the members of groups who are stereotyped may be socialized to accept the stereotypes as accurate descriptions of reality and incorporate them as part of their self-image. This is especially true if the out-group lacks control over agents of socialization.

In regard to delinquency, some authors have argued that the juvenile justice system tends to reinforce delinquent labels as juveniles are processed through the system (Cicourel, 1968:333; Schur, 1973:153-5). An example of this was discussed earlier in reference to Tannenbaum (1938) and his discussion of the "Dramatization of Evil."

Another concept which is related to stereotypes is the self-fulfilling prophecy (Merton, 1957:421-2; Thomas, 1931:189). In reference to stereotypes, if a group is treated differentially because they are stereotyped or labeled in a particular manner, they may appear to develop the traits contained in the stereotype. A number of authors have pointed out that the delinquent is an emergent phenomenon created by decisions that are made by officials of the juvenile justice system. These officials may be creating the very phenomenon that they are supposedly trying to prevent (Cicourel, 1968:333-5; Goldman, 1963; Piliavin and Briar, 1964; Schur, 1973:121).

Matza's ideas concerning the process of signification are relevant to this point (Matza, 1969:181-90). He has discussed how the process of signification is related to deviant behavior. Certain people are signified, or singled out, as deviant and come to represent deviant behavior. These groups are the first looked at when deviant behavior occurs and are constantly watched for deviant behavior. In other words, the behavior that these groups engage in may be defined as deviant regardless of whether or not it is in violation of norms, and these groups may be linked to norm violation regardless of whether or not they have engaged in norm violating behavior. This process is of special relevance to delinquency which can involve subjective states of individuals, as well as, objective behavior patterns.

The preceding discussion indicates that a number of ideas related to the literature on stereotypes and group images are relevant to an understanding of the labeling perspective on deviance. Stereotypes serve to facilitate the creation of delinquents by social control agents in a number of ways: by providing a rigid categorization of social reality, in terms of the delinquent and the nondelinquent; by serving as a "master status" for persons identified as delinquent; by providing rationalizations for the differential treatment of certain juveniles; by providing a negative connotation to juveniles identified as being delinquent; by providing negative self-images to juveniles identified as being delinquent; and by facilitating the operation of the self-fulfilling prophecy and the process of signification.

3. The Labeling Perspective and the Historical Development of Juvenile Delinquency

Although the concept of juvenile delinquency did not develop as a formal or legal concept until the latter part of the nineteenth century, there was a growing concern about juvenile crime throughout the late eighteenth and entire nineteenth century. Prior to this time, there was little concern about making a distinction among criminals on the basis of age (Rothman, 1971:15-20). The assumption was generally held that a criminal was a person who was inherently evil and little could be done to change this fact. However, there was a tendency to be much more lenient toward young offenders (Mennel, 1973:xxv).

The beginning of the nineteenth century marked a change in philosophy in relationship to law and the control of crime. In the colonial period, there was reliance on the law per se, and the colonists felt that crime did not indicate a basic defect in community organization. Since it was not possible to eliminate crime and poverty, it was not necessary to develop physical structures and institutions to deal with these problems in an ameliorative manner (Rothman, 1971:xix).

In the first years of the nineteenth century, a number of social reformers began directing their attention toward the treatment of criminals in the United States. One of the major areas of concern was an attempt to secure differential treatment for young offenders (Rothman, 1971:76). Reformers began to seriously question the policy of placing young criminals

in the same type of prison environment in which adult criminals were placed. It was argued that placing young people in the prisons occupied by adult criminals served only to perpetuate crime by allowing the children to be influenced by the older, more experienced criminals. Many early reformers stressed the notion that a person's criminal career usually started in prisons or jails, where he learned the skills and vocabulary of the older criminals (Pickett, 1969:37).

An example of an early movement that reflected the above ideas was the House of Refuge movement. This movement was created by the Society for the Prevention of Pauperism which later became the Society for the Reformation of Juvenile Delinquents. The New York House of Refuge was established in 1825, and a number of other cities established similar institutions in subsequent years.

The House of Refuge was an attempt to develop an institution designed to take young people in trouble off the streets. This trouble might include criminal offenses or merely the fact that the child was considered a vagrant. The bill for incorporation of the House of Refuge passed in 1824, by the New York State Legislature contained one of the first official American definitions of the term "juvenile delinquent" (Pickett, 1969:58). A youngster who was convicted of a criminal act, or any child picked up off the streets and charged with vagrancy could be considered a delinquent. No definite age was specified. The law also provided that the managers could pick their own successors, insuring a perpetual succession of people with like patterns of thought in control of the movement.

The law, further, gave very wide discretionary powers to the managers of the Refuge, giving them the sole right to determine who was in need of their services, including the right to take children away from their parents.

An example of another approach used by early reformers is represented by the activities of Charles Loring Brace (1880/1967). Brace took an opposite approach from the one taken by the advocates of the House of Refuge. He also viewed the hoards of children roaming the streets of urban areas as a threat to the society. In Brace's words:

...the class of a large city most dangerous to its property, its morals and its political life, are the ignorant, destitute, untrained, and abandoned youth: the outcast street-children grown up to be voters, to be the implements of demagogues, the "feeders" of the criminals, and the sources of domestic outbreaks and violations of the law (Brace, 1880/1967:ii).

He felt that the activity of institutions such as the House of Refuge represented punishment of children rather than a method for preventing the growth of the "Dangerous Classes." Brace's solution to the problem was one of "placing out" the children, that is, removing the children from the urban areas and placing them with families in rural areas of the country where they could learn all of the values and morals necessary for the development of a civilized society.

By the middle of the nineteenth century, the optimism that characterized the early reformers began to be replaced by a generally pessimistic outlook as to the possibility of preventing or eliminating crime and dependency by changing young people. This pessimism was, in part, due to the fact

that many people felt that the efforts of the early reformers were not meeting with success (Rothman, 1971:243). To many observers, it seemed that rather than decreasing, poverty and crime had actually increased.

While taking an essentially pessimistic view of the nature of crime and criminals, the people dealing with delinquents felt that something still could be done. The failure of the earlier approaches resulted in the establishment of reform schools. To some degree, the reform schools were a logical extension of the House of Refuge with added emphasis on education (Mennel, 1973:48-9). The purpose of the reform schools was to remove the children from the environmental influences that led to criminal tendencies. As with the earlier House of Refuge, the reform schools emphasized the ideas of self-control, self-discipline, self-reliance, and self-respect. They also tended to implement a highly regimented type of training program characterized by harsh discipline. The goal of the reform school was a complete transformation of character.

Another major development of the reform school movement, which also was contained in the Refuge movement, was the idea that the state could and should assume the parental role in relation to juvenile offenders. Since the causes of crime were assumed to rest in familial weakness, the state had the moral obligation to remove the child from his family and attempt to erase the harm already done and eventually prevent criminal tendencies from being transmitted from one generation to the next. This idea was later expressed in the concept of

parens patriae which was central to the formation of the juvenile court system.

By the end of the nineteenth century, a growing dissatisfaction with the reform school method of treating juvenile offenders had developed (Bremmer et al., 1971:440). The last part of the nineteenth century also marked the beginning of the juvenile court system in the United States. There was a growing concern about the treatment of children in reform schools; and there was a general consensus that the reform schools had failed, and that they were acting as prisons in which the inmates were being severely punished rather than treated.

According to Bremmer (1971:440), the juvenile court represented the culmination of various efforts to reform juvenile delinquents without committing them to reform schools. The juvenile court reflected the idea that juvenile offenders should not only be treated differently from adult offenders after conviction, but also they should be treated differently before conviction. In other words, a completely different system of justice should be developed for dealing with young people.

One of the early proponents of the juvenile court was Ben B. Lindsey (1931). He felt that treating the young offender in the same way as an adult offender resulted in young offenders being identified and treated as criminals. One of the major results of being tried in a criminal court was the acquisition of a criminal record which then followed the individual for the rest of his life. He also argued that

judges did not exercise enough compassion and restraint in sentencing young people. In addition, he pointed out, as did the early reformers, that arresting young people and placing them in jails to await trial subjected them to the influence of older and more hardened criminals.

The first juvenile court in the United States was established in Illinois in 1899, and by 1932, every state in the country except Maine and Wyoming had established a juvenile court system. The juvenile court system gave rise to a number of related organizations and agencies, all theoretically designed to protect the interests and welfare of children.

Herbert H. Lou (1927) has presented an extensive discussion of the origins and nature of the juvenile courts in the United States. One of the ideas that was central to the philosophy of the juvenile court was the concept of parens patriae (Lou, 1927:3-5). This doctrine was used as a justification both for the establishment of the court and for the development of special procedures in the courts that denied constitutional guarantees to children. In brief, the doctrine of parens patriae asserted that the state was the ultimate parent of the child. When the family or other institutions failed to provide support and protection for children, the state had the moral obligation to do so. The founders of the juvenile courts felt that the families of many children were failing to perform their proper functions, and that other institutions in the society had not assumed this responsibility. By establishing a juvenile court system, the state asserted its moral obligation to protect children.

The doctrine of parens patriae also was used to justify the denial of constitutional guarantees. Lou (1927:9-12) has pointed out that the juvenile courts were not criminal courts. They were designed not to punish but to protect the child. Therefore, the usual constitutional guarantees in favor of a person charged with a crime, such as: due process, right to trial by jury, right of appeal, or equal protection under the law did not apply to juvenile court cases. The major point was that the inquiries conducted by the juvenile courts were not criminal trials but designed to help the children who took part. This aspect of the juvenile court system was retained until the Gault decision of the Supreme Court in 1967, in which it was declared unconstitutional to deny children their constitutional rights. While the juvenile courts were designed to help neglected and dependent children, the courts also dealt with children who had committed criminal acts. However, the distinction between a delinquent and a dependent or neglected child was never made very clear (Lou, 1927:5-6).

It also is important to note the definition of delinquency which was used by the juvenile courts. Since the term delinquent had not been clearly defined in the past, a number of laws were passed by various states that attempted to define delinquency. Lou (1927:53-4) has reviewed some of the defining characteristics of delinquency.

A delinquent child is commonly defined by statutes as any child under a certain year of age who (1) violates a state law or local ordinance (offenses which, if committed by an adult, are punishable by death or life imprisonment are often excepted); (2) is wayward, incorrigible, or habitually disobedient; (3)

associates with thieves, criminals, prostitutes, vagrants, or vicious persons; (4) is growing up in idleness or crime; (5) knowingly visits a saloon, pool room, billiard room, or gambling place; (6) knowingly visits a house of ill-fame; (7) wanders about streets at night; (8) wanders about railroad yards, jumps on moving trains, or enters any car or engine without authority; (9) habitually uses or writes vile, indecent, or obscene language; (10) absents himself from home without just cause or without the consent of parent or guardian; (11) is immoral or indecent; or (12) is an habitual truant.

The inclusiveness of the definition of delinquency differs in different states mainly for the reason that some states classify a condition as delinquency which other states consider as dependency or neglect. The definition of delinquency given above is comprehensive enough to include all children who deport themselves in such a way as to injure or endanger the morals or health of themselves or others.

One can see from the above, that the definition of delinquency that developed in the juvenile court system was such that it included both the behavior patterns and subjective characteristics of the individuals in question. The term delinquent referred to both behavior patterns and individuals, and it was never very clear in specific cases which connotation was being applied. However, there was usually an implicit connection between the two connotations. The juvenile court system is an example of the official creation of a new type of deviant behavior and a new type of deviant individual.

Once juvenile delinquency had been officially identified as a distinct form of deviance, a number of approaches to delinquency control and prevention developed. It was pointed out in Chapter II that the psychological and psychoanalytical frame of reference became very influential in the juvenile justice system. In addition, the cultural transmission approach

mentioned earlier become one of the most prominent sociological theories of deviance.

The cultural transmission perspective, first developed by the Chicago School (Shaw, 1930; Thrasher, 1927/1963) and later built upon by Cloward and Ohlin (1960), formed the basis for a number of community programs designed to combat delinquency and crime. One of the direct outgrowths of the investigations of the Chicago School was the Chicago Area Project (Kobrin, 1959). The major object of this project was to promote change at a local community level by organizing community residents into many committees. The committees provided the framework for the development and administration of welfare programs for the local community. By emphasizing the involvement of local community members, it was hoped that the program could promote a desire for change on the part of community residents.

Another project based on the Chicago School's investigations was begun by Saul Alinsky. This was the Back of the Yards Neighborhood Council in the stockyards area of Chicago (Alinsky, 1941). This project attempted to promote local neighborhood welfare through uniting its existing groups and agencies. This program placed emphasis on indigenous leadership and the financial independence of the organization. The programs of the council were developed by persons living in the neighborhood and not imposed by outsiders. Both projects continued through the 1940's and 1950's.

While the early area projects tended to rely on the development of local community leadership, a later project

emphasized the creation of new opportunities in local neighborhoods. This was the Mobilization for Youth Project in New York City begun in the early 1960's. This project was explicitly based on Cloward and Ohlin's theory of opportunity structures. Based on the idea that much delinquency was the result of a lack of legitimate opportunity for success, the emphasis of this project was to create new opportunities and develop community programs aimed at direct action which would actively promote social change. The general purpose of this project was to increase all kinds of opportunity for achievement and thus increase success and reduce delinquency (Schur, 1973:102).

There has been little systematic evaluation of the programs mentioned above, and there is disagreement as to their success in combating delinquency and crime (Schur, 1973: 104). The major significance of these projects, in regard to this study, is that they assumed that certain types of groups or certain types of areas are more prone to delinquency and crime than others, and that action should be taken to change these groups or areas.

One of the purposes of this dissertation is to assess the degree to which the labeling perspective on deviance is useful in understanding the phenomenon of juvenile delinquency. The following discussion will show how some of the major elements of the labeling perspective can be used to understand the historical development of the phenomenon of juvenile delinquency in the United States.³

³The complete list of elements is presented on pages 27-30.

1. Deviance is a sociological phenomenon and not a characteristic inherent in behavior and/or individuals. A sociological theory should not necessarily be concerned with why individuals deviate from norms, but with why and how social groups produce deviant behavior and deviant people.

Much of the current work in the area of juvenile delinquency is preoccupied with explaining the factors that cause delinquent behavior and/or individuals. In so doing, the factors that have created the phenomenon of juvenile delinquency as a type of deviant behavior tend to be ignored. Platt (1969:11-3) has pointed out that most social scientific research on delinquency has accepted or taken for granted the current legal definitions of crime and emphasized the primacy of the criminal act, as the major point of departure in the construction of an etiological theory, rather than the criminal law.

The labeling perspective's focus on the question of why and how social groups create deviant behavior and/or people can be used as a different point of departure in the construction of a theory of delinquency. That is, juvenile delinquency is a sociological phenomenon informally created in the nineteenth century as a result of the activity of early social reformers and formally established as a legal phenomenon as a result of the juvenile court system. The labeling perspective provides a frame of reference within which the factors associated with the creation of juvenile delinquency as a sociological phenomenon are of central importance.

2. Deviance should be understood in terms of social interaction and social organization.

In looking at the phenomenon of juvenile delinquency, one can see that the social organization of relationships among the individuals who acquire the label of delinquency and the individuals and organizations who apply the label of delinquency is very important. Many theories of delinquency do discuss social organization in their explanations of delinquency, but these discussions tend to be centered around the organization of the cultures that produce delinquency (Cohen, 1955:121-79; Cloward and Ohlin, 1960:144-211; Shaw, 1930; Thrasher, 1927/1963).

The phenomenon of juvenile delinquency is a result of a number of social movements designed to save children. These social movements culminated in the establishment of the juvenile court system (Platt, 1969; Bremmer et al., 1971). A number of organizations developed in association with the juvenile court system, and a professional subculture developed whose sole purpose was to deal with the newly created phenomenon of juvenile delinquency (Lubove, 1971:118-56; Menzel, 1973:151-7).

The doctrine of parens patriae was the key element in the juvenile court system. The previous discussion of this doctrine indicates that, if one is to understand delinquency as a social phenomenon, one must understand how the juvenile court system used this doctrine in its relationships with young people. The doctrine of parens patriae allowed for a new type of social organization for dealing with children; and this organization, in turn, created the modern phenomenon of juvenile delinquency in the United States.

3. Theories of deviance should not be produced as independent from theories of nondeviance. The same social processes that produce deviance produce nondeviance.

The previous portions of this paper indicate that this point is very important in regard to the phenomenon of juvenile delinquency. Most theories of delinquency have developed to explain why behavior and/or individuals are delinquent in the sense of norm violation. By doing so, they take for granted the basic framework within which delinquent and non-delinquent behavior was conceptualized by the early reformers and the juvenile court system.

The juvenile court system inherited a dichotomous division of behavior and individuals. The early reformers tended to divide the universe in terms of good and evil or sickness and health. Delinquent children were either representative of good or health. The juvenile court system tended to accept this basic framework, although the terminology changed to normal and abnormal in reference to children and their behavior. This leads to the fourth point made in reference to the labeling perspective.

4. Deviance is a characteristic conferred upon behavior patterns and/or individuals by interacting elements which define the behavior patterns and/or individuals as being a threat to the social values of a group. Deviance is not a characteristic inherent in any particular behavior pattern or individual.

The phenomenon of juvenile delinquency clearly reflects this idea. The behavior patterns that could be defined as delinquent included almost every type of behavior that could be engaged by in young people (Lou, 1927:53-4). The definition of delinquency also included ideas that reflected character

traits or states of mind (incorrigible, immoral, indecent) rather than any objective behavior. It became a somewhat arbitrary decision whether or not an individual or behavior pattern fell under the definition of delinquency.

Another point that should be mentioned in this regard is the blurring of the distinction between dependent and delinquent children. That is, the juvenile court never really made it clear whether it was helping a neglected child or punishing a delinquent child.

Anthony Platt (1969:135-6) has observed that the philosophy and practice of the juvenile court reflected a conservative and middle-class bias. Platt has asserted that the "child-savers" in the juvenile court movement set such high standards of familial propriety that almost any parent could be accused of not performing his proper function. He has also pointed out that, in effect, only lower-class families were evaluated as to their competence. Further, Platt has noted that the blurring of the lines between dependent and delinquent children served to make a social fact out of the norm of adolescent dependence. The juvenile courts tended to punish premature independence in children and restrain youthful autonomy.

In addition to the middle-class bias, the juvenile court system became dominated by a psychological frame of reference. This resulted in a focus on the individual child as the major factor to be dealt with in delinquency. The prevention of delinquency involved the diagnosis and treatment of the mental conflicts and psychological problems of individual

delinquents. This tended to reinforce the notion that there was something inherently different about the delinquent and his behavior.

It can be seen that the labeling perspective takes issue with this idea by pointing out the way in which children acquire the delinquent label. It is apparent from the above discussion and other points made in this paper, that delinquency is not a characteristic inherent in any particular behavior pattern or individual. It is a characteristic conferred upon behavior and/or individuals by the officials of the Refuge movement, reform schools, and the juvenile court system.

5. There is a social process which results in the label of deviance. As a result of the social process, the label(s) of deviance and/or non-deviance is applied to actors and/or behavior.
 - a. Norm violation is neither a necessary nor sufficient condition for the application of the deviant label.

There was a tendency to make a general distinction between delinquency and nondelinquency in the juvenile court system. However, there was much more involved in the labeling of children as delinquent or nondelinquent than determining whether or not they had engaged in some sort of behavior pattern. Both the early reformers and the juvenile court system distinguished between the children who were essentially bad and those children who were essentially good but engaging in temporary misconduct (Platt, 1971:18-28; Lou, 1927:148-54).

The fact that juvenile court statutes insisted upon making a distinction between neglected and delinquent children also, to some degree, reflected the distinction between bad

and good children (Lou, 1927: Chapter I). The way in which delinquency was defined also tended to imply a distinction between different types of delinquent labels. By referring to both behavior patterns and character traits as indicators of delinquency, one can easily see that the term delinquent could refer to behavior patterns, character traits, or both.

Another practice that developed, especially among those who advocated the psychological and psychoanalytical approaches was the tendency to interpret certain normal behavior patterns as indicators of delinquency once a delinquent label had been applied to an individual. Once a child had been labeled as delinquent, all his behavior became subject to scrutiny by officials of the juvenile court system (Friedlander, 1947/1960:110-15). Conversely, once a child had been identified as engaging in delinquent behavior, there was an intensive search into his personality and background to find the factors that indicated whether or not he was really a delinquent person as well.

It is apparent that behavior patterns alone were neither a necessary nor sufficient condition for the label of delinquency. The label of delinquency can refer to behavior patterns, individual moral character, or both. The vague definitions of delinquency made it problematic whether or not the label would be applied in specific situations, and it was usually unclear just what the label of delinquency implied.

- b. A social group will experience deviance at the points in its cultural universe that it feels most threatened, that is, the points most closely related to the cultural values that define the group's identity.

It is apparent that those who were identifying the delinquents felt that their values were being threatened. The early reformers were very much concerned about the problems of crime and poverty associated with the growth of urban areas. The successive waves of immigrants that began in the early nineteenth century were viewed as one of the chief factors associated with the increase in crime and poverty (Pickett, 1969: Chapter I). The reformers were especially concerned about the children of immigrant families. These children were viewed as a potential threat to the established social order. Something had to be done to prevent these children from becoming paupers and criminals and eventually overrunning the entire society.

The early answer took the form of the House of Refuge. The managers and directors of the House of Refuge were characterized by the benevolent desire to improve the lot of young people. However, Stanford J. Fox has referred to their efforts as "...training the children to be neat, diligent, punctual, thrifty, ambitious, etc.--all essentially an imposition of middle-class values on lower-class children" (Pierce, 1869/1969:3).

Another thing that influenced the early reformers was the Philosophy of Enlightenment (Pickett, 1969:xvii-xviii). That is, the early reformers had an explicit faith in the theory that societies, especially the United States, were progressing toward higher and higher levels of civilization. They believed in the ultimate perfectibility of man and society. When the reformers were confronted with the problems created

by urbanization, immigration, and the beginnings of industrialization that were taking place, they sensed that something was drastically wrong. Something should be done to set American society back on the course to progress and civilization.

In addition, Platt (1969:42) has pointed out that most of the movements in relation to "child-saving" had an idealized, rural, agrarian view of the world. It is not surprising that the definitions of delinquency that developed tended to reflect the antithesis of this world view.

The early reformers and the founders of the juvenile court system also viewed the family as the backbone of society. The doctrine of parens patriae clearly reflects this concern. In addition, they were preoccupied with pointing out that the major cause of delinquency was to be found in families who failed to live up to idealized middle-class values.

In regard to juvenile delinquency, it has been noted that the juvenile court system was an example of the successful incorporation of middle-class values in an official agency designed to deal with deviants (Platt, 1969:135-6). In addition, the juvenile court system represented the imposition of middle-class values upon lower-class behavior and individuals. Most lower-class children, who got caught up in the juvenile court system, could do little to resist the labeling process. One can see this in the fact that the early critics of the juvenile court system were representative of Catholic immigrant groups who viewed the juvenile court system as a direct attack on their religious and ethnic values (Platt, 1969).

This point also can be illustrated in regard to the community programs developed to deal with delinquency. Many of these programs aimed at combating delinquency in certain areas and tended to imply that delinquency is primarily a working-class or lower-class phenomenon (Schur, 1973:153-7). That is, many of the programs designed to deal with delinquency may reflect the fact that the organizers of the programs viewed delinquency in terms of a threat to middle-class values.⁴

6. Deviant actors and deviant behavior are a result of the successful application of the deviant label. A deviant actor is one to whom the label of deviance is successfully applied, and a deviant behavior is a pattern of behavior to which the label of deviance is successfully applied.

In regard to the phenomenon of juvenile delinquency, one can see from the above discussion that juvenile delinquency as a social phenomenon was the result of the application of labels to behavior and/or children. The juvenile court system became the chief source of the labels applied to behavior and/or actors.

7. The successful application of a deviant or nondeviant label becomes the dependent variable and the factors that influence the successful application of the deviant or nondeviant label become the independent variables.

It has been indicated previously that there were a number of factors that influenced the successful application

⁴One of the best discussions of this point can be found in C. Wright Mills' analysis of the "professional ideology of social pathologists" (1943).

of the delinquent label. One of the most important factors was the differential status and power of the individuals involved in the system. The law tended to give very wide discretionary power to the officials of the juvenile court. They had the sole right to determine who and what was delinquent. At the same time, children were defined as having virtually no rights at all. This factor, along with the middle-class bias mentioned above, resulted in the label of delinquent being applied mostly to lower-class children.

In addition, the reaction of the child to the label of delinquent was an important factor in determining whether or not he was really a delinquent or just a good kid engaging in temporary misconduct. If he showed remorse and expressed a willingness to conform to middle-class values, he would probably not acquire a delinquent label. On the other hand, if he was unco-operative or refused to accept middle-class values, he would be likely to acquire a delinquent label (Platt, 1969:151-2).

It also has been pointed out above that the social situation in which the juvenile court system was set up was an important variable in determining who and what type of behavior would acquire the delinquent label. The juvenile court system was, in part, a reaction to the rapid material and social changes that took place in the nineteenth century. This reaction took the form of implementing essentially conservative, rural, middle-class values in the juvenile court system. The behavior and individuals who were identified and

labeled as delinquent were usually representative of the opposite of these values.

Furthermore, since the juvenile court system was representative of middle-class values, individuals and behavior who threatened these values, mostly lower-class immigrant groups, would acquire the label of delinquent. The juvenile court system was established in such a way that it virtually excluded the possibility of middle-class or upper-class children being identified as delinquent.

In understanding any social problem, it is important to recognize that there are vested interests which contribute to the maintenance of the problem (Horton and Leslie, 1970: Chapter IV). In regard to the problem of juvenile delinquency, it can be seen that the reformers who created the problem of juvenile delinquency insured that they would remain in positions that allowed them to define the extent of the problem and the solutions to the problems. As noted previously, the New York State law that established the House of Refuge gave very wide discretionary powers to the managers. This power, along with a vague definition of delinquency, insured the reformers a constant supply of delinquents who could be reformed.

The doctrine of parens patriae was first used to justify the degree of power exercised over the lives of children by the reform schools and the House of Refuge. This doctrine was later incorporated as part of the central philosophy of the juvenile court system and virtually assured that the officials of the juvenile court would have complete power over the lives of children and their families for more

than fifty years. This doctrine, along with the psychological frame of reference, provided a source of professional identity for a large number of people (Lubove, 1971:118-56; Mennel, 1973:151-7). This professional identity was jealously guarded. Critics of the wide discretionary power of the juvenile court were dismissed as sentimental idealists or simply lacking in knowledge of the true nature of juvenile delinquency (Platt, 1969:135-6).

In short, the phenomenon of juvenile delinquency was created by middle-class reformers who developed vested interests in the problem that they were supposedly solving. These vested interests also are evidenced in the theories of delinquency that developed. As pointed out above, many theories either explicitly or implicitly assumed that middle-class values were the norm from which to judge behavior. These values were generally a reflection of the values of the officials of the system. The theories of delinquency also tended to focus upon the individual child as the major problem of study, and by emphasizing prevention and control, tended to reinforce the positions of those in power and authority in the juvenile court system.

4. Criticisms of the Labeling Perspective

There are a number of criticisms that can be directed at the labeling perspective on deviance. One of the most thorough criticisms of the labeling perspective has been presented by Gibbs (1968). Gibbs has analyzed the labeling perspective in contrast to other theories of deviance that

have historically been found in sociology. He then has presented a critique of the labeling perspective in which he points out that the labeling perspective is not a theory of deviance but a conception of deviance. He has argued that the labeling perspective has been unclear in its formulation of the problem, that is, is it trying to explain deviance or reactions to it? In addition, he has asserted that the labeling perspective has not identified the problem of deviance clearly and that its concepts are unclear.

This section of the study will review some of the major criticisms of the labeling perspective including those made by Gibbs. Positive contributions of the labeling perspective will also be pointed out. One criticism that can be directed at the labeling perspective is that its subject matter determines the nature of the theory of deviance. In other words, by implying that deviance is whatever groups say it is, the social scientist is not developing a theory of deviance that is distinct from popular ideas. This is always a problem in social science, especially when the social scientist is studying a phenomenon about which social groups have strong feelings. While this is a danger that a social scientist must be aware of, it is not necessarily a problem inherent in the labeling perspective on deviance.

It has been pointed out previously that there is more involved in the creation of deviance by social groups than the simple application of the deviant label. The labeling perspective explains deviance in terms of the decisions that are made which result in the successful application of the

deviant label. These decisions reflect a complex social process and are influenced by a number of factors.

Another point that should be made in respect to this criticism is that the labeling perspective views man as an active rather than a passive object of study. Man, as a subject matter, is constantly changing and active in creating the subject matter which is the object of study of the social scientist. Deviance is viewed as a social phenomenon which occurs as a result of social interaction. It is a characteristic conferred upon behavior and/or individuals by interacting elements. Proponents of the labeling perspective could answer the above criticism by pointing out that this perspective is an attempt to develop a theory that more accurately reflects social reality than previous theories of deviance (Cicourel, 1968:328-37; Schur, 1973:118-30). This is not the same as developing a theory that is determined by social reality.

A second criticism that can be directed at the labeling perspective is that it is circular. Another way of expressing this idea is to say that the labeling perspective is not a theory of deviance but a definition of deviance (Gibbs, 1968: 49). If a theory is to be scientific, the subject matter that is to be explained must be distinct from the factors that explain it. Critics of the labeling perspective point out that it defines deviance as behavior that is labeled as such and then explains the occurrence of deviance by saying the deviance occurs because people label it as deviant. This criticism has been made because many of the proponents of the labeling perspective have not been clear in the way that they

have developed their ideas. When one examines individual proponents of the labeling perspective, it can be seen that this is a problem (Gibbs, 1968:50). However, when one takes the labeling perspective as a whole, as developed in preceding portions of this dissertation, it becomes questionable whether this is a valid criticism.

It appears that this criticism is not so much a criticism of the labeling perspective but a disagreement concerning the nature of deviance. The criticism also appears to be based on a misconception of the variables that are of importance to the labeling perspective. According to this perspective, the dependent variable is the decision that results in the successful application of the deviant label. The independent variables are the factors that influence the decision. In other words, the labeling perspective is asking a different question than implied by the criticism. It is interested in explaining how social groups create deviance rather than why people deviate from a preconceived set of norms.

A third major criticism of the labeling perspective is that its concepts are unclear and difficult to operationalize (Gibbs, 1968:52-3). This is especially true in regard to the conception of deviance in terms of reaction to behavior patterns. The difficulty in operationalizing the labeling perspective is partly due to the fact that it implies a much more complex conception of deviance than simple violation of normative patterns.

One of the reasons for the above criticism is disagreement with or a misunderstanding of the questions that are asked by those who advocate the labeling perspective. If one is attempting to assess why people deviate from normative patterns, then it is difficult to operationalize the labeling perspective in a way in which it will provide an answer. However, the labeling perspective, as developed in this study, does not distinguish between behavior patterns that are inherently deviant and those that are inherently nondeviant. Further, the labeling perspective is interested in understanding and explaining the decisions that result in the application of the label of deviance rather than explaining why individuals deviate from norms.

A second reason that the labeling perspective appears difficult to operationalize is that traditional theories of deviance have tended to accept a dichotomous division of social reality in terms of deviant and nondeviant. As pointed out in Chapter II, this division of reality tends to reflect earlier conceptions of good and evil and sickness and health. At the same time, much of the data on deviance comes from social control agents who also operate within the same type of conception of reality (Turk, 1964:455-6). This data fits much better within the framework of the traditional theories. The labeling perspective rejects the idea of an inherent difference between the deviant and the nondeviant. As a consequence, it is difficult to operationalize the labeling perspective in terms of the type of data most readily available from social control agencies.

The labeling perspective implies an expanded focus for the study of deviance, that is, theories that can be applied to both deviance and nondeviance. The labeling perspective rejects the concept of deviance in terms of aberrant behavior upsetting a relatively stable and orderly social system. This is replaced with the idea of a dynamic and ever-changing social system which is constantly creating and sustaining deviant behavior.

A fourth criticism which can be made in regard to the labeling perspective is that it represents an attack on the status quo rather than a theory of deviance per se. The labeling perspective presents a much different concept of deviance than popular opinion assumes. It rejects the idea that individuals who are labeled as deviant are inherently different from other members of the population and also rejects the idea that their behavior is necessarily any different. By pointing out that the groups in positions of power and authority exploit and suppress other groups by labeling them as deviant, this concept can be used as a basis for an attack on existing political systems and systems of social control.

While this idea may be inferred from the labeling perspective, it is not the major point of this perspective. The decisions to label are not always made by some official political agent, and the decisions are not influenced by any one particular factor. The labeling process is much more complex than one group exploiting another group.

The labeling perspective does point out that it is possible for people in positions of power and authority to begin to label people and behavior as deviant as one mechanism of maintaining their power and authority. When their authority is threatened, they may react by labeling the threat as deviant (Michels, 1911/1962:205-23). This gives insight as to how behavior that is normative becomes deviant in some circumstances and as to how many forms of deviance are created by social groups.

Preceding portions of this study have asserted that this point is useful in understanding the historical development of juvenile delinquency. Many social control agents developed a vested interest in the problem with which they were dealing. This, along with the great amount of power that officials of agencies and organizations designed to deal with juvenile delinquency had, made it very problematic which groups of people and what types of behavior patterns would be labeled as delinquent.

The idea that the labeling perspective is a threat to the status quo could be a criticism directed at any sociological theory or scientific theory in general that tends to contradict or disagree with popular opinion. Whenever a scientific theory contradicts established concepts of reality, it can be viewed as a threat to the status quo. It is hardly a reason for rejecting the theory.

A fifth criticism that can be levelled at the labeling perspective is that it does not explain why individuals engage in deviance in the first place. This criticism argues that

the labeling perspective does not present any clear cut cause for the occurrence of deviance other than definition by members of social groups (Gibbs, 1968:51). It assumes that the concept of deviance refers to behavior patterns that can be distinguished from behavior patterns that are nondeviant. If one is asking the question: What causes individuals to engage in deviant behavior?; then he is correct in saying that the labeling perspective does not provide much of an answer. However, the labeling perspective is not interested in what causes deviance. It is interested in what causes decisions to be made that result in the successful application of the deviant label.

The above criticism appears to be based on the normative conception of deviance. It assumes that deviance is defined in terms of behavior that violates some normative pattern. It further rests on the idea that norm violation is a necessary condition for the application of the deviant label. This type of perspective is important if one is interested in controlling behavior or detecting and apprehending deviants. If one views the study of deviance in this manner, then explaining why people commit deviant acts is an important element in a theory of deviance.

Yet another criticism of the labeling perspective is that it does not provide an explanation for differential rates of deviance (Gibbs, 1968:50). As with other criticisms, this assumes a normative conception of deviance in which deviant behavior patterns are distinct from nondeviant behavior patterns. It further assumes that rates of deviant behavior

reflect the occurrence of a particular type of behavior that can be distinguished from other behavior patterns. When one accepts these assumptions, then the occurrence of differential rates of deviance becomes an important object of study.

The labeling perspective does not assume that deviance is a form of behavior that can be distinguished from other forms of behavior. The label of deviance is applied to behavior patterns in general and not to behavior patterns that are already predefined to be deviant. Rates of deviant behavior rely on the reports of interacting elements. They reflect behavior patterns that are identified and labeled as deviant.

Those who employ the labeling perspective are interested in differential rates of deviance, but those rates are approached with a different question in mind than most other theories of deviance. The interest is in finding out why one group labels behavior patterns with one type of deviant label more often than another group. One of the answers might be that this occurs because of the higher incidence of a particular type of behavior. However, this is only one possible answer.

The status of group(s) in positions of power and authority may be threatened. The higher rates of deviance may reflect attempts to react to this threat by labeling it as deviant. It may be that other values in the group are threatened, and the labels of deviance represent an attempt to identify this threat. The group may be experiencing a period of social disorganization or rapid social change. The rates of deviance may reflect an attempt to find and label

the cause of the disruption. The group may assume that there is deviance of a particular kind and then begin to look for and identify various behavior patterns as this type of deviance. Many crime waves are of this nature. The agents of social control may develop a vested interest in the type of behavior that they are supposed to be controlling. Many behavior patterns will be defined as deviant in order to justify the existence of agents of social control. A particular behavior pattern may occur for a brief period and the agents of social control may be delayed in reacting to the deviance. When they do react, they will identify and report many forms of behavior as deviant which have nothing to do with the original behavior pattern.

The above examples indicate that there may be more to differential rates of deviance than the differential occurrences of a particular behavior pattern. The labeling perspective on deviance provides an understanding of some of the other factors that can contribute to differential rates of deviance.

Another criticism of the labeling perspective is that it does not explain why the act in question is considered deviant by some groups and nondeviant by others (Gibbs, 1968: 50). As with the previous criticism, this criticism assumes that there is something inherent in a behavior that makes it deviant, or at least that deviance is defined in terms of violation of normative patterns. According to the labeling perspective, a particular behavior is not deviant until it has been defined as such. All behavior patterns are potentially

deviant and nondeviant in all social groups. The labeling perspective assumes that there is more involved in deviance than norm violation.

Rather than being concerned with why one social group considers a particular behavior pattern as deviant and another social group does not, the labeling perspective is interested in understanding why behavior patterns are labeled with one type of deviant label in one social group and labeled with a nondeviant label in other social groups. That is, the labeling perspective asks a different question than most other theories of deviance.

The labeling perspective can be helpful in understanding the apparent contradiction between what behavior patterns are said to be deviant and what behavior patterns are labeled as deviant by social groups. The labeling perspective assumes that social groups are not rational in the way that they apply deviant labels. It further maintains that social groups create deviance by a situational and relativistic response to behavior patterns all of which at one time or another may be labeled as deviant.

The preceding discussion of the historical development of the phenomenon of juvenile delinquency indicates that there is more involved in acquiring a delinquent label than engaging in behavior that violates norms. Delinquency is defined in such a way as to include behavior patterns that all juveniles might engage in at one time or another. The labeling perspective can be useful in explaining how social control agents go about deciding which behavior and which individuals are to be identified and labeled as delinquent.

A final criticism of the labeling perspective is that it ignores hidden or undetected deviance. According to the labeling perspective, an act is not deviant and an individual is not deviant unless they are identified and labeled as such. Strictly speaking, this perspective implies that if a behavior is undetected then it is not deviant and the individual who is engaging in the behavior is not deviant. For example, a murder may be committed that is unobserved and undetected. As far as the labeling perspective is concerned, the act is not murder and the person committing the act is not a murderer. This then leads to people who are really deviant and behavior which is really deviant not being considered as part of the subject matter. It might be said that by taking this perspective, the social scientist is saying that unless he can directly observe his subject matter, it does not exist.

As with other criticisms of the labeling perspective, this is actually a disagreement with the labeling perspective's conception of deviance. That is, the criticism is based on the normative conception of deviance which calls any violation of norms deviant.

Proponents of the labeling perspective reject the normative conception of deviance. By focusing upon the decisions that result in the label of deviance being applied to behavior, the labeling perspective does deal with hidden deviance. It can lead to a better understanding of why certain behavior patterns remain undetected and unobserved. It also offers insight into the operation of agents of social control such as the juvenile justice system. The labeling

perspective also may lead to a better understanding of why certain forms of behavior that are clearly in violation of the so-called norms remain undetected, unobserved, or unidentified as deviant.⁵

The above discussion indicates that there are a number of contributions that the labeling perspective can make to the study of deviance. These contributions can be summarized as follows:

1. The labeling perspective deals with deviance as a social phenomenon. That is, it explains how groups create deviance as a result of social interaction rather than why people deviate from social norms.
2. The labeling perspective expands the focus of study of deviance and produces theories that can be applied to both deviance and nondeviance.
3. The labeling perspective points to the implications of power and authority in the creation of deviance by social groups.
4. The labeling perspective explains why differential rates of deviance may not necessarily represent the differential occurrence of deviance.
5. The labeling perspective explains the contradiction between what behavior patterns are said to be deviant and what behavior patterns are labeled as deviant.
6. The labeling perspective explains why certain behavior patterns remain unobserved and undetected.

⁵There is evidence that a great deal of delinquency remains undetected by agents of social control (Short and Nye, 1970).

CHAPTER IV

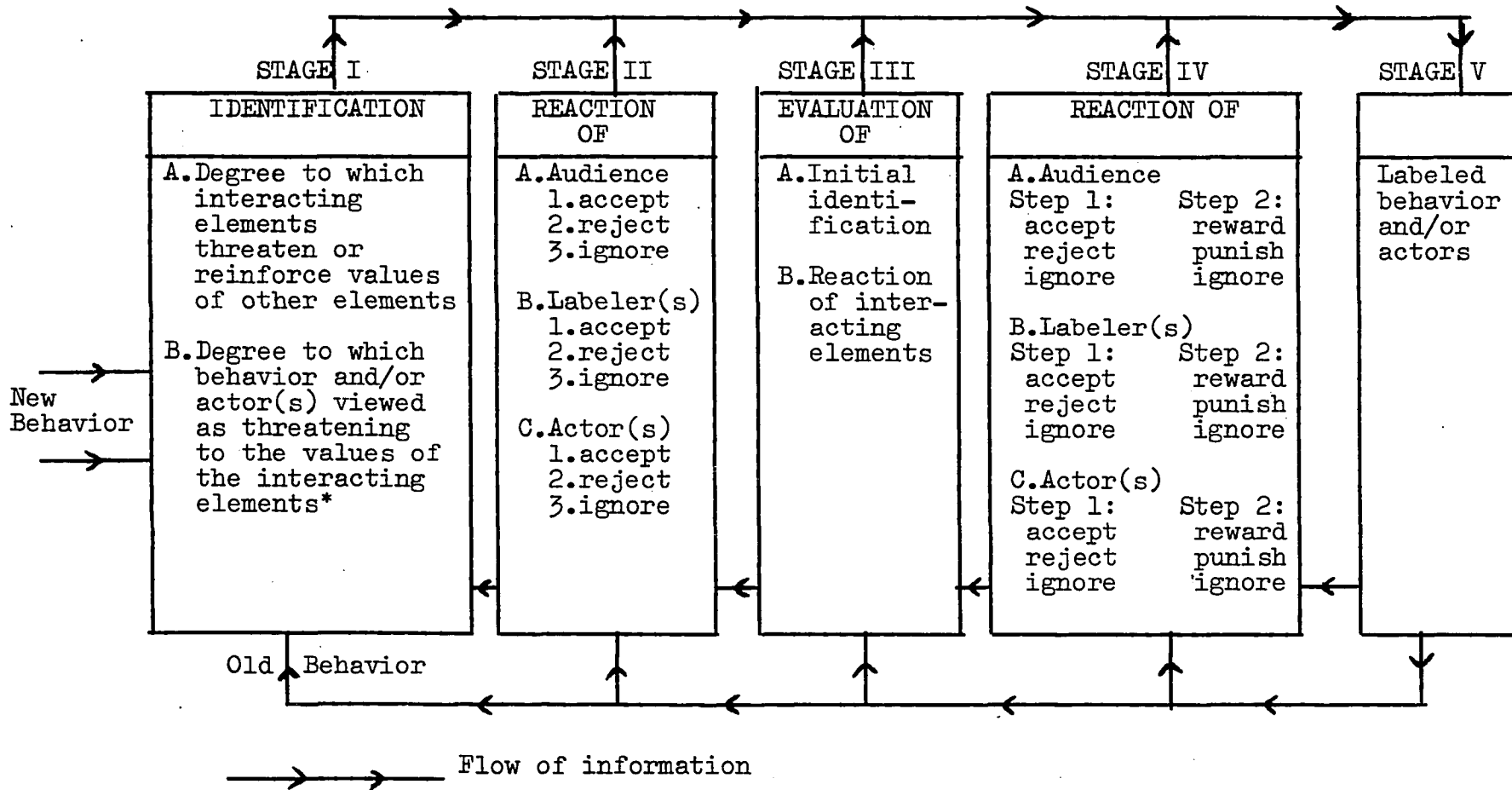
A MODEL OF THE LABELING PROCESS

The following discussion will attempt to develop a model of the labeling process designed to show how behavior and/or individuals acquire deviant or nondeviant labels. First, the model deals with social interaction among three conceptually distinct elements: an actor, a labeler, and a social audience. The actor is a person engaging in behavior. The labeler is the person who identifies or labels the behavior and/or actor. The social audience is the group which views the labeling process. Secondly, the model deals with four conceptually distinct areas of social interaction: identification of a behavior and/or actor, a reaction to the initial identification by one or more of the interacting elements, an evaluation of the initial identification and reaction, and a later reaction by one or more of the interacting elements to the initial identification, reaction, and evaluation.

Although a more detailed discussion of the model will follow, it can be summarized briefly as follows. (See Figure I.) In Stage I of the process a behavior and/or individual is identified as deviant or nondeviant. In Stage II one or more of the interacting elements react to the initial identification. In Stage III an evaluation of the initial identification and reaction is made by one or more of the interacting elements. In Stage IV one or more of the interacting elements react to the initial identification, reaction, and evaluation. As a result of the social interaction that takes place in the

FIGURE I

A MODEL OF THE LABELING PROCESS



*The cultural values that define the group's identity

four stages of the labeling process, a behavior pattern and/or actor acquire some sort of label. This labeled actor and/or behavior can be fed back into the process and the entire process can be repeated. That is, the labeling process can involve new behavior patterns and/or individuals or behavior patterns and/or individuals who have already acquired some sort of label.

It also should be pointed out that the labeling process is cumulative. While it is not necessary for all stages to be experienced by a behavior pattern and/or individual, the process is cumulative up to whatever point the label is applied. Although the labels that are acquired usually result from the entire process, a behavior and/or individual can emerge from any one of the stages with a label.

The following discussion will break down the labeling process and explore more carefully the nature of each stage. Before discussing each stage, it should be remembered that there are a number of possible labels that can be applied to behavior and/or actors. (See page 28.) For purposes of clarity, the following discussion will refer only to deviant and nondeviant labels.

It was pointed out earlier that proponents of the labeling perspective argue that deviance is a social phenomenon which should be understood in terms of the decisions that are made which result in behavior and/or individuals being identified and labeled as deviant (Becker, 1963, 1964; Erikson, 1962, 1966). Erikson (1966:12-19) has pointed out that the cultural values that define a group's identity will, in part, determine

the deviance that it experiences. In addition, differential status, power, and authority of the interacting elements in the labeling process will have an impact on the individuals and behavior that are initially labeled as deviant (Coser, 1962:172-81; Matza, 1969:181-90; Vold, 1958:214-19).

Stage I of the process involves the initial identification of a behavior and/or actor. This identification can be influenced by the degree to which behavior is viewed as a threat to or a reinforcement of the values of the interacting elements and the degree to which the interacting elements threaten or reinforce values of other elements (for example, relative status of the elements).

If the behavior and/or individual is viewed as a threat to the labeler, then it is more likely that a deviant label will be applied to the behavior and/or individual. If the behavior and/or individual is viewed as reinforcing the values of the labeler, then it is more likely that a nondeviant label will be applied. If the actor controls or represents values of importance to the labeler, then it is less likely that he will acquire a deviant label. For example, if the actor is of high status, he will be less likely to acquire a deviant label than if he is of low status.

Once a behavior and/or individual is initially defined or identified as deviant, reactions to the label can take place. These reactions will, in part, determine the degree to which the initial label of deviance will stick to the individual and/or behavior. Proponents of the labeling perspective have pointed out that the reaction of the person labeled as

deviant can be very influential in the subsequent reinforcement or rejection of the label (Becker, 1963, 1964; Erikson, 1962). The ability of a person to act on an initial identification also is important if the initial label is to become permanent (Lemert, 1967:67-71).

Stage II of the labeling process refers to the reaction of one or more of the interacting elements to the initial identification of the behavior and/or actors. Each interacting element can accept, reject, or ignore the initial identification. If they are all in agreement, then it is likely that the initial label will be retained. If they are in disagreement as to acceptance or rejection of the label, then it becomes problematic as to the type of label that will result. The factors influencing the initial identification (Stage I) may again become influential in the labeling process.

Stage III of the labeling process consists of the evaluation of the initial identification and reaction. That is, the initial label and the reaction of the three elements are evaluated. This evaluation may be made by the same, new, or additional labelers. The same factors that influenced the initial label are in operation in this stage of the labeling process along with the reaction of each of the elements to the initial identification. As a result of this evaluation, the actor and/or behavior may emerge with a deviant or nondeviant label.

Stage IV of the labeling process involves the reaction of one or more of the interacting elements to the other three stages in the process. The reaction can be made by the same,

new, or additional labelers and consists of two steps. First, the three elements of the labeling process can accept, reject, or ignore the labeled behavior and/or individual. In the second step, they can reward, punish, or ignore the labeled behavior and/or individual.

As a result of the interaction that takes place in the four stages, the actor and/or behavior acquire some sort of label from the process (Stage V). It should be pointed out that each of the stages produces information that leads to some type of label being applied to individuals and/or behavior. The information that is developed in each stage is related to the information gained in the previous stages. For example, the different types of reaction in Stage II are influenced by the information that is developed in Stage I.

In addition, an actor may come to the labeling process with a deviant or nondeviant label as a result of a previous labeling process. This also will influence the type of label that is produced by the process. That is, the labeling process can be cumulative with new labels reinforcing previous labels.

Advocates of the labeling perspective have argued that the same social processes produce both deviance and nondeviance, and that theories of deviance should not be developed independent from theories of nondeviance (Becker, 1963, 1964; Erikson, 1962, 1966; Kitsuse, 1962; Turk, 1964). While the model developed here is being used primarily in reference to the label of deviance, the model could be applied to the creation of any type of label in reference to behavior

and/or individuals. That is, the model is not restricted solely to the explanation of deviance.

The above model of the labeling process is used as a frame of reference to analyze the processing of juveniles in the juvenile justice system in Manchester, New Hampshire. The study deals with the process by which juveniles acquire delinquent or nondelinquent labels from the point of initial contact with the police to the point that the juvenile emerges from the process with some sort of label. This label may be official in terms of the decision of a juvenile court judge, or it may be unofficial in terms of subjective judgements made by officials of the juvenile justice system.

First, a juvenile makes contact with the juvenile division of the police department. This corresponds to Stage I of the model, identification. As a result of this contact, a juvenile officer compiles a written report of the contact. This report may contain subjective comments which can be viewed as unofficial labels. As a result of a brief investigation, the juvenile officer reacts (Stage II) to the initial identification: he can counsel and release the juvenile; he can refer the juvenile to the Office of Youth Services; or he can refer the juvenile to juvenile court. It should be noted that copies of the police reports accompany the juvenile to the Office of Youth Services and to the juvenile court.¹ In

¹The reports of the police sometimes go to the juvenile court in written form, and sometimes the police use the reports for reference at juvenile court hearings.

addition, the reports are kept on file for future reference at the juvenile division.

As a result of the initial contact with the police and the reaction of the police, the juvenile acquires some sort of label. If the juvenile is counseled and released, he does not acquire the official label of delinquent, but he may acquire an unofficial positive or negative label in the police records. The labeling process ends as far as the particular contact is concerned.

If the juvenile is referred to the Office of Youth Services, the labeling process continues. There he is interviewed by the intake worker (a new labeler), and an evaluation (Stage III) is made of the initial identification and reaction. As a result of this evaluation, the Office of Youth Services can refer the juvenile to another agency, counsel the juvenile on a continuing basis, or take no further action (Stage IV).

In addition, informal labels are applied to the juvenile in the form of subjective comments made in the case records. It should be pointed out that these case records are not available to the juvenile court or police department. They may accompany the juvenile to another agency, but they do not accompany him in the event of subsequent contacts with the police.

Juvenile officers also can refer the juvenile to juvenile court (Stage III). An initial hearing is set for the next calendar day of the court. At this hearing, the juvenile court judge may schedule another hearing for disposition, place the case on file, or dismiss the case. If the

case is placed on file or dismissed, it results, in effect, in the official label of nondelinquency being applied to the juvenile.

If another hearing is set, the probation department conducts an investigation of the case (Stage III) prior to the hearing. Part of this investigation involves written records which contain subjective comments made by the probation officer (a new labeler) in regard to the juvenile. These subjective comments can be viewed as unofficial labels of delinquency or nondelinquency.

At the next hearing, the juvenile court judge decides on a disposition of the case, basing this decision, in large part, on the reports of the juvenile officer and probation officer. As a result of this decision, the juvenile may be officially adjudicated as delinquent and one or more conditions imposed on him. The case also may be dismissed which results in the official label of nondelinquent being applied to the juvenile. As far as this analysis is concerned, the labeling process ends at the point of disposition by the juvenile court. It should be recognized that both the official and unofficial labels remain in case records in the police and probation departments, and these labels accompany the juvenile in subsequent contacts with the police or probation.

The preceding discussion indicates how the model of the labeling process is related to the processing of juveniles in the juvenile justice system in Manchester. It is apparent that the above model can be useful in understanding the way

in which delinquent and nondelinquent labels are produced in the juvenile justice system.

At this point a brief discussion of the type of data available for this study will be presented. Since there were limitations on the availability of data, it is not possible to test all of the theoretical ideas of the labeling perspective discussed in Chapter III nor all of the aspects of the model of the labeling process (See page 73.)

The data used consist primarily of case records of juveniles who come into contact with the agencies of the juvenile justice system in one city, Manchester, New Hampshire. These agencies include: the Juvenile Division of the Manchester Police Department, the Manchester Juvenile Court, and the Office of Youth Services.² These records include background information on the juveniles along with subjective comments made by juvenile officers, probation officers, and the Office of Youth Services intake worker.

In terms of the model of the labeling process presented on page 73, this study deals primarily with the actor and the labeler as two conceptually distinct elements in the labeling process. The labelers are the officials who process individuals through the juvenile justice system (juvenile officers, probation officers, and the Office of Youth Services intake worker). The actors are the juveniles who come into contact

²The Office of Youth Services is an alternative to court processing of juveniles. It is discussed more thoroughly in Chapter V.

with the juvenile justice system. Data directly concerning the social audience are not available for this study.

The following aspects of the labeling process are considered the independent and dependent variables of the study.

A. Dependent Variables

1. The type of delinquent or nondelinquent labels that are applied to the individuals as they are processed through the system.
2. The type of disposition of cases in the juvenile court.

B. Independent Variables

1. Differential status of the actors in terms of the occupational prestige of the juvenile's parents.
2. Family situation of the juvenile.
3. The reaction of the interacting elements in terms of the written records of juvenile officers, probation officers, and the Office of Youth Services intake workers.
4. The degree to which the behavior pattern is viewed as a threat to the interacting elements. This is measured in terms of the offenses which the juvenile officers, probation officers, and the Office of Youth Services intake worker believe are the most threatening to society.
5. Differential ability to apply or resist the deviant label. This is studied by looking at the following: presence or absence of counsel for the juvenile at the juvenile court hearing and whether or not the juvenile is sent to the State Industrial School prior to the court hearing.

One limitation on the data is the lack of an accurate measure of the differential power and authority of the interacting elements in the labeling process. Legally, the agents of the juvenile justice system have a great deal of discretion

in deciding how an individual is to be labeled and how an individual is to be processed in the system. However, it was not possible to assess differential power and authority in specific interaction situations involving juveniles and officials of the juvenile justice system.

Because of the confidential nature of the juvenile court records, it was impossible to interview the juveniles who come into contact with the system. This means there is no direct measure of the juvenile's reaction to the delinquent label. In addition, it was not possible to obtain an assessment of the juvenile's self-image prior to and subsequent to processing by the juvenile justice system, that is, the degree to which juveniles have incorporated a delinquent self-image. Since the records are confidential, there was no measure of the reaction of other people (family, peer group, etc) who may be socially significant to the juvenile. Therefore, the study deals primarily with the reaction of the labelers and actors to the label of delinquent.

At this point it should be made clear that this study does not deal directly with individuals who are labeled as deviant. Rather, it emphasizes how certain aspects of the social structure, in this case the juvenile justice system, create deviant labels and apply them differentially to members of society. The model developed in this chapter is not designed to show the effects of labeling on an individual, but it is designed to provide a frame of reference for an understanding of the creation and application of deviant labels.

One of the criticisms of the labeling perspective has been that it tends to focus on the social psychological effects of labeling on individuals who are labeled as deviant and ignores some of the implications that labeling has for a better understanding of the social structures and processes that produce deviant labels (Schervish, 1973). This study is directed at the social structures that have been developed to identify and label certain individuals and forms of behavior as delinquent. It is concerned with examining these social structures and processes that produce delinquent labels and with understanding some of the sociological factors that influence the way in which these labels are applied to individuals and behavior.

CHAPTER V

RESEARCH SETTING

As indicated earlier, the focus of this study is on the processing of juveniles identified by the police as having committed a delinquent offense in the city of Manchester, New Hampshire.¹ It is necessary to present a brief description of this research setting in order to provide a context for the hypotheses which follow in Chapter VI.

In July, 1971, a court diversionary program was established in connection with the processing of juveniles identified as having committed an offense by the police. One of the objectives of this program is to decrease the number of juveniles appearing in juvenile court. Prior to July, 1971, all police contacts with juveniles either were handled informally by the police or referred to Manchester Juvenile Court. This resulted in a large number of cases which involved minor offenses being referred to juvenile court. In addition, juveniles could be referred to court by any member of the police department.

Another major objective of the court diversionary program is to divert juveniles away from becoming involved in

¹The New Hampshire Revised Statutes (1972:361) define a delinquent child as follows:

(a) Any child who violates any law of this state or any city or town ordinance or who so deports himself as to injure or endanger the health or morals of himself or others.

(b) Any child who is wayward, disobedient, or uncontrolled by his parent, guardian, or custodian.

the juvenile justice system, by providing preventative programs and by offering alternatives to the juvenile court and traditional correctional facilities for juveniles (Gemignani, 1972: 3). There are three major elements in the court diversionary program: the Juvenile Division of the Manchester Police Department, the Office of Youth Services, and the Manchester Juvenile Court.

With the inception of this program, a juvenile division was established in the Manchester Police Department. The juvenile division consists of one police lieutenant and four juvenile officers. The juvenile division officers primarily respond to complaints made by individuals, schools, or social agencies and deal with offenses which are detected by other police officers. They also investigate crimes the police believe indicate juvenile involvement.

A record of each contact regarding juveniles is maintained in the juvenile division in the form of a card file system. When the juvenile officers have contact with a juvenile, they refer to this file to determine the amount and type of prior involvement with the juvenile division. Then they interview the juvenile and make a decision regarding the disposition of the case.

The juvenile officers have three major alternatives in regard to processing juveniles identified as having committed an offense: they can refer the juvenile to juvenile court; they can counsel and release the juvenile; or they can refer

the juvenile to the Office of Youth Services.² (See Figure II.) It should be noted that the juvenile officers have a great deal of latitude in the type of disposition they recommend.

If the juvenile is referred to juvenile court, a preliminary hearing is held and a date for a hearing and disposition of the case is scheduled. The juvenile court judge also may dismiss the case at this point or place the case on file without a finding. If a hearing for disposition of the case is scheduled, it usually is held within a month of the preliminary hearing.

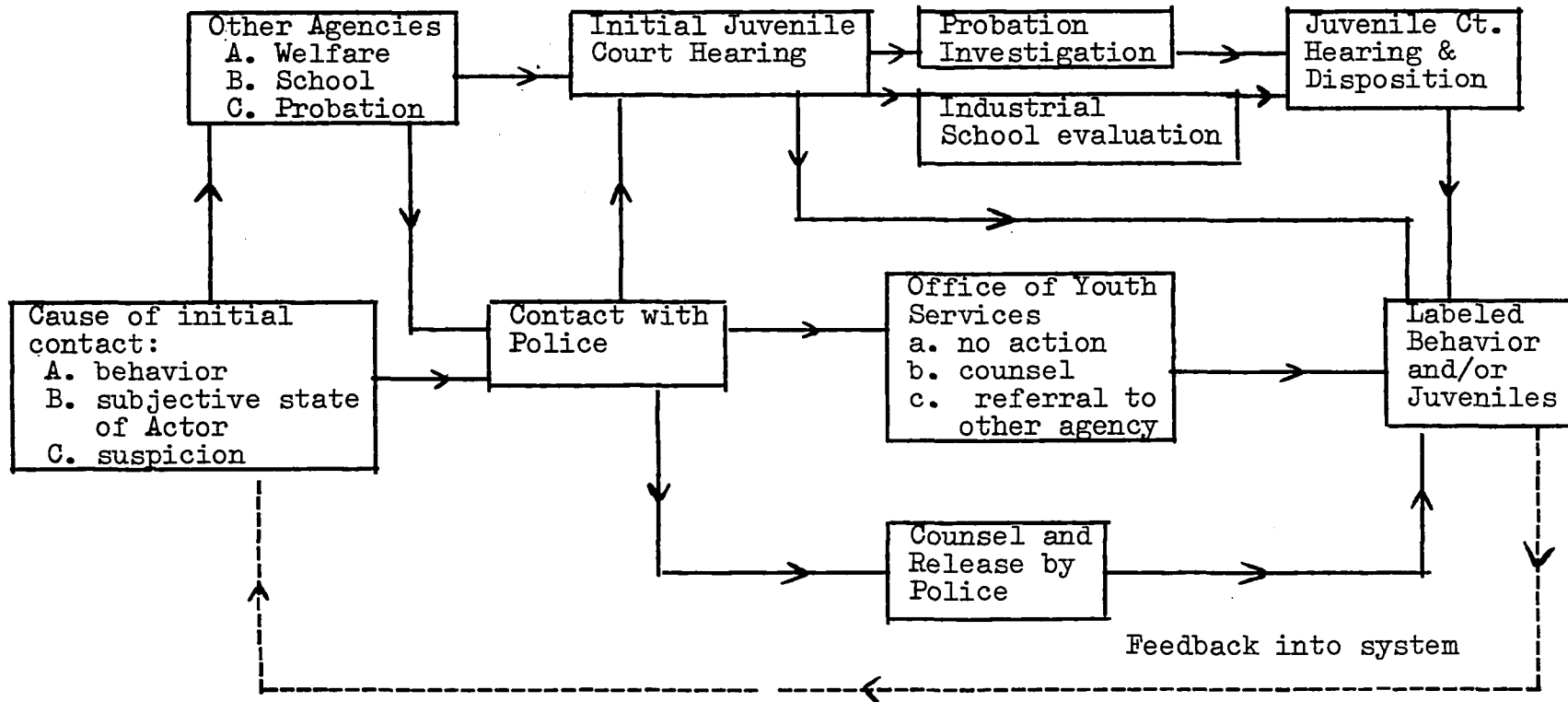
At the preliminary hearing, the juvenile court judge also may decide to send the juvenile to the State Industrial School for thirty days for what is called a diagnosis and evaluation of the juvenile. This is designed to provide information about the juvenile which can be helpful in the disposition of the case. It may involve a psychological profile, intelligence tests, and detection of learning problems or family adjustment problems. As a result of the evaluation, recommendations concerning the disposition of the case are made to the juvenile court. These recommendations are made in conjunction with the probation officer assigned to the case.

If the juvenile is not sent to the State Industrial School, the probation department performs a social investigation

²The juvenile officers also may refer the juvenile to the State Industrial School if the juvenile is sought by them or, in some cases, refer the juvenile to another agency. This study deals primarily with the three major alternatives listed above.

FIGURE II

PROCESSING OF JUVENILE OFFENDERS IN MANCHESTER, NEW HAMPSHIRE



of the case and makes recommendations to the juvenile court concerning the disposition of the case. This investigation involves interviews with the juvenile and his family and an investigation of the circumstances surrounding the contact with the police. A case record is compiled by the probation officer and used as a reference in the juvenile court hearing and in the event of any subsequent contacts with the juvenile court.

At the hearing, the juvenile court judge makes the final decision concerning the disposition of the case. This usually is one of the following: dismiss the case, place the case on file with no finding, continue the case for disposition, place the juvenile on probation, commit the juvenile to the State Industrial School, or refer the juvenile to another agency. If the juvenile is placed on probation, he may be brought back into court in the event that he violates the conditions of his probation.

The juvenile officer also has the alternative to counsel and release in regard to the initial disposition of a case involving a juvenile identified as having committed an offense. If the juvenile officer uses this alternative, he usually interviews the juvenile and his parents concerning the case, and no further action is taken. However, a record is kept of the contact for possible future reference. This alternative is designed to keep juveniles who have committed minor offenses

out of juvenile court.³ It can be viewed as a more formalized type of street corner justice.

The third major alternative available to juvenile officers is referral of the juvenile and/or his parents to the Office of Youth Services. Referral to the Office of Youth Services is voluntary on the part of the juvenile and/or his parents. If they are agreeable to this alternative, arrangements are made for an interview with the Office of Youth Services intake worker. The intake worker interviews the juvenile and/or his parents and attempts to assess what other problems may be underlying the particular incident that resulted in police contact. As a result of the interview, the intake worker may suggest one or more of the following alternatives (none of which are mandatory) to the juvenile and/or his parents: the case may be dropped with no further action taken; the case may be followed up on a later date by the Office of Youth Services; the Office of Youth Services may provide continued supportive counseling for the juvenile and/or his parents; or the juvenile and/or his parents may be referred to other agencies in the community which can deal with the underlying problems surrounding the incident that resulted in police contact.

During the first full year of operation of the court diversionary program almost thirteen hundred juveniles made

³While this is the intent of the alternative, data discussed in Chapter VII indicate that the juvenile officers are not consistent in the type of offenses which result in counsel and release. That is, other factors, in addition to the type of offense, may influence the decision to counsel and release.

contact with the juvenile division as a result of complaints made to the police. Prior to the diversionary program, contacts could have resulted in court action. Of these contacts, almost half were counseled and released. About twenty-five percent were referred to the Office of Youth Services, and about twenty percent were referred to juvenile court. The remaining were referred to the State Industrial School or some other agency.

There was no systematic record keeping in regard to juveniles prior to the diversionary program, so it is not possible to determine the difference in contacts before and after the program was implemented. The general feeling expressed by juvenile officers was that there has probably been an increase in formal contacts with the police department since the program was begun. This is due, in large part, to the fact that in the past there was no juvenile division to handle juvenile complaints. Consequently, a large number of cases were probably handled informally. In addition, there is an increasing awareness in the community of the juvenile division's existence, so more individuals and agencies are now referring juveniles to the police.

While the number of contacts has increased, the number of referrals made by the police to juvenile court has decreased by over one-third. That is, a large number of cases which previously would have gone to juvenile court are now being counseled and released or referred to the Office of Youth Services.

It is within the context of the above situation that the research for this study took place. The investigation centered around an analysis of case records of the three major elements in the court diversionary program: the juvenile division, the juvenile court and probation department, and the Office of Youth Services. The following chapter will present the hypotheses of the study and a description of the research methodology employed.

CHAPTER VI

HYPOTHESES AND METHODOLOGY

In July, 1971, the city of Manchester, in conjunction with the New Hampshire Governor's Commission on Crime and Delinquency, began a court diversionary program to deal with juveniles identified as delinquent by the police.¹ The purpose of this program is to divert youth with behavior problems from the juvenile court system to agencies which may be able to diagnose and deal with some of the underlying causes of the behavior problems. In addition, the program is designed to intervene early in the labeling process and prevent juveniles from acquiring a delinquent label as a result of involvement in the juvenile court system.

A major source of data for the study is case records of juveniles in the city of Manchester. These include records from the juvenile division of the police department, the probation department, and the Office of Youth Services. (See Appendix A for sample forms.) In addition, the data include responses to questionnaires administered to juvenile officers, probation officers, and the Office of Youth Services intake worker. The study also uses summary data on cases processed between July 1, 1971, and June 30, 1972, the first full year of operation of the court diversionary program. There are a number of hypotheses related to the labeling perspective on

¹Robert Gemignani (1972) presents an extensive discussion of the national court diversionary program on which the Manchester program is based.

deviance which are tested in this study. The following discussion will first present the general ideas of the labeling perspective on which the hypotheses are based and then explain how the hypotheses are operationalized.

- I. Violation of norms does not necessarily result in identification and labeling of a behavior and/or individual as deviant.

Hypothesis I. All juveniles who are initially identified as delinquent by the police will not be officially defined as delinquent regardless of the type of offense.

This hypothesis is related to the labeling perspective's assertion that the label of deviance does not automatically follow as an individual's behavior violates social norms. That is, deviance is a result of a social process rather than something inherent in individuals and/or behavior. Behavior patterns and/or individuals may be technically defined as deviant at the beginning of the process yet emerge with a nondeviant label. As far as a social group is concerned, a behavior and/or individuals are not deviant until they have been defined as such.

Delinquency, as a specific form of deviance, can be viewed from this perspective. That is, juveniles are not officially delinquent until they have been defined as such by the juvenile court system. It has been pointed out earlier in this study that much delinquency goes undetected by the juvenile court system. In addition, much of the behavior that is detected goes unrecorded as delinquency (Black and Reiss, 1970; Goldman, 1963; Piliavin and Briar, 1964). This study is not able to deal with undetected delinquency, but it deals

with the discrepancy between those individuals who are detected by the police as engaging in delinquent behavior and those who subsequently acquire an official delinquent label.

There are a number of behavior patterns which are legally defined as delinquent. In addition, there are some less specific types of offenses that involve subjective states of individuals.² The juvenile court system is designed in such a way that there are a number of alternatives available to officials of the system once they have detected a behavior pattern or subjective state of an individual that falls within the legal definition of delinquency. Once an individual and/or his behavior is detected, the official label of delinquency may or may not be applied.

In regard to this study, the above hypothesis is operationalized by looking at the discretionary power of the police at the point where an individual and his behavior come into contact with the juvenile justice system. At this point of initial contact, the police have a number of alternative actions available to them: they can release the juvenile, termed "counsel and release"; they can refer the juvenile to the Office of Youth Services; or they can refer the juvenile to juvenile court. If they counsel and release the juvenile or refer him to the Office of Youth Services, he will not acquire the official label of delinquency. If they refer the

²For example, stubborn and unruly, wayward and disobedient, and endangering the health or morals of others.

juvenile to juvenile court, he may acquire the official label of delinquency.

Hypothesis I is tested by examining the disposition of different types of offenses by the police. Many behavior patterns and individuals may be detected by the police but not acquire the official label of delinquency. Type of offense refers to the offense listed in the police report. Those juveniles who are referred to juvenile court provide the operational definition of juveniles who are identified and defined as delinquent. Those juveniles who are counseled and released or referred to the Office of Youth Services are representative of the operational definition of juveniles identified yet not defined as delinquent.

A second way that this hypothesis is operationalized is by comparing the type of official labels applied to juveniles who are caught in the commission of an offense as opposed to those who are not caught in the commission of an offense. That is, by only viewing the offense that is recorded in the police records, one might argue that in many cases there is some doubt as to whether or not an individual has engaged in delinquent behavior. This is especially so in cases in which an individual is not caught in the commission of an act of delinquency. Juveniles caught in the commission of an act provide a more precise definition of norm violation.

II. Groups will perceive deviance at the points where its cultural value system is most threatened.

Hypothesis II.A. Juvenile officers will tend to initiate contact with individuals committing those types of offenses which they perceive as serious

(those that they believe are the most threatening to society) more often than those committing other types of offenses.

Hypothesis II.B. Juvenile officers will tend to deal with the offenses they perceive as serious more severely than other types of offenses.

Hypothesis II.C. Cases which involve offenses that probation officers perceive as serious (those that they believe are a threat to society) will receive a more severe disposition from the juvenile court.

These hypotheses deal with the idea that the types of boundaries (social values and social beliefs) that a group has, will determine, in part, the types of deviance that it experiences (Erikson, 1966:12-19). The group responds by directing most of its energy toward these points and thus perceives the given type of deviance.

In regard to delinquency, it can be argued that at any given time and in any juvenile court system, certain types of offenses are viewed by officials of the system as more of a threat to society than other types of offenses. In turn, they tend to direct their attention toward the offenses which they believe represent a threat to society. If this is correct, there should be a relationship between the type of offenses that officials of the juvenile court system perceive as a threat to society and the type of offenses which are reacted to most severely.

In reference to Hypothesis II.A., the offenses which the officials of the system believe represent a threat to society are defined in terms of a scale which measures the

offenses that juvenile officers and probation officers perceive as being a threat to society. Serious cases are those cases which the juvenile officers and probation officers believe are the most threatening (as measured by the scale). The type of contact with the juvenile (police initiated or other initiated) will be related to the perceived seriousness of the offense.

In reference to Hypotheses II.B. and II.C. severity of disposition is defined in terms of the type of disposition which is made by the police or juvenile court. For purposes of this study, severity of disposition is defined as the amount of restriction placed on the juveniles as a result of the disposition. In regard to the alternative dispositions available to the juvenile division, counsel and release represents the least amount of restriction; referral to the Office of Youth Services an intermediate amount; and referral to the juvenile court the greatest amount of restriction on the juvenile's behavior. Dispositions of the juvenile court range in the amount of restriction on behavior from least to greatest in terms of the following: case dismissed or placed on file, case continued for disposition, probation, and commitment to the State Industrial School.

III. Group members have differential ability to resist the deviant label.

Hypothesis III.A. The lower the occupational prestige of the parents of juveniles identified as having committed an offense, the more severe will be the disposition of the case by the juvenile division.

Hypothesis III.B. The lower the occupational prestige of the parents of juveniles identified as having committed

an offense, the more severe will be the disposition of the case by the juvenile court.

- Hypothesis III.C. Juveniles identified as having committed an offense who come from families that are not intact (at least one biological parent absent) will receive a more severe disposition from the juvenile division than those coming from families that are intact (both biological parents present).
- Hypothesis III.D. Juveniles identified as having committed an offense who come from families that are not intact will receive a more severe disposition from the juvenile court than those who come from families that are intact.
- Hypothesis III.E. Juveniles identified as having committed an offense who do not have counsel will receive a more severe disposition from the juvenile court than those who do have counsel.
- Hypothesis III.F. Juveniles identified as having committed an offense sent to the State Industrial School for diagnosis and evaluation prior to the juvenile court hearing will receive a more severe disposition from the juvenile court than those not sent.

The above hypotheses deal with the differential ability of individuals to resist the delinquent label and to resist the consequences of having a delinquent label. It is argued here that not all juveniles are able to resist the label of delinquency equally, nor are they able to resist the consequences of the label equally.

Hypotheses III.A. and III.B. are tested by relating the occupational prestige of the juvenile's parents to the type

of disposition made by the police and the juvenile court. Severity of disposition refers to the amount of restriction placed on the juvenile as a result of the disposition as discussed above in relation to Hypotheses II.B. and II.C. Hypotheses III.C. and III.D. concern the family situation of the juvenile identified as having committed an offense. Intact families refers to families that have both biological parents present, and families not intact refers to families that have at least one biological parent absent. These hypotheses examine the question of whether or not family status is a factor related to the acquisition of a delinquent label.

Hypothesis III.E. is tested by relating whether or not the juvenile has counsel to the type of disposition of the case made by the juvenile court. Again, severity of disposition refers to the amount of restriction placed on the juvenile as a result of the disposition. Hypothesis III.F. is tested by relating whether or not the juvenile is sent to the State Industrial School for diagnosis and evaluation prior to the juvenile court hearing to the type of disposition by the juvenile court.

- IV. The more contact that an individual has with labeling agents, the greater the likelihood of his acquiring a deviant label and having subsequent involvement.

Hypothesis IV. The more severe the disposition received by juveniles from the juvenile division, the more likely they will have subsequent contacts with the juvenile court system.

This hypothesis deals with the cumulative nature of the labeling process. When viewing delinquency as a form of

deviance, it can be seen that juveniles may have a number of contacts with the police and/or other agents of the juvenile justice system. With each contact, the identification of the juvenile is reinforced, and he begins to acquire a relatively permanent delinquent label.

The court diversionary program is designed to intervene in the labeling process and prevent future contact with the system. The alternatives counsel and release and referral to the Office of Youth Services reflect this intent. The above hypothesis is tested by relating the disposition of the case by the police to the number of subsequent contacts with the police. That is, in addition to indicating the amount of restriction on behavior, the severity of disposition also reflects the degree of involvement in the system. Counsel and release reflects the least involvement, Office of Youth Services an intermediate degree, and juvenile court referral the most involvement in the system. In other words, the more involvement a juvenile has with the juvenile court system, the more likely he will have subsequent contacts with the police.

The following hypotheses are concerned with the idea that the more negative the reaction of the elements in the labeling process, the more the initial label of delinquent will be reinforced. The element of direct concern in this study is the labeler. Since the source of data is case records compiled by officials of the juvenile justice system, there is no direct measure of the reaction of the social audience or the actor(s).

V. The more negative the reaction of the labelers, the more the initial label of deviance is reinforced.

Hypothesis V.A. The more negative the image of the juvenile presented in the police and probation reports, the more severe will be the disposition of the case by the juvenile division and the juvenile court.

Hypothesis V.B. The more negative the image of the juvenile's family presented in the police and probation reports, the more severe will be the disposition of the case by the juvenile division and the juvenile court.

Hypothesis V.C. The more negative the image of the juvenile's encounter with police and probation officers presented in the police and probation reports, the more severe will be the disposition of the case by the juvenile division and the juvenile court.

These hypotheses deal with the idea that the reaction of the interacting elements to the initial label of deviance influences the successful application of the deviant label. That is, the actor(s), labeler(s), and social audience can all react to the initial label of deviance. This reaction, in turn, may or may not reinforce the initial label of deviance.

In this study, some of the data being dealt with are subjective comments made by the police and probation officers in their case records. These comments represent the reaction of the police and probation officers to the initial label of delinquency and represent their interpretation of the juvenile's reaction to the initial label of delinquency.

The hypotheses are operationalized by the use of rating scales which measure the following: the image of the juvenile as presented in the police and probation case records

(social background, milieu, etc.), the image of the juvenile's family as presented in the police and probation case records, and the image of the juvenile's encounter with the police and probation officers as presented in the police and probation case records. If the case records reflect negative images, as measured by the scales, of the juvenile, the juvenile's family, or his encounter with the police and probation, it should result in more severe disposition of the case and increase the likelihood that the juvenile will be officially adjudicated as delinquent.

All of the hypotheses involve attempts to operationalize some of the elements of the labeling perspective on deviance and gain a better understanding of the way in which delinquent labels are produced in the juvenile justice system. Following a brief discussion of the methodology employed, Chapters VII, VIII, and IX will present an analysis of data relevant to the above hypotheses.

The major source of data for this study is case records of juveniles identified as having committed an offense in the city of Manchester. For each case sent to court or to the Office of Youth Services, a case record which contains a number of background characteristics and subjective comments made by the investigating officer is kept in the juvenile division of the police department. A less complete record also is kept of the cases that are counseled and released.

One of the unique aspects of this study is that it is able to compare juveniles who are identified as committing an offense and released by the police with those who become further

involved with the juvenile justice system. That is, since a record is kept of all contacts, the study deals with a large number of cases which in the past may have gone unreported. One of the advantages of having this type of data is that it enables one to assess the degree of social class bias in the operation of the juvenile justice system more precisely.³

In addition to the police records, case records are also maintained by the probation department of the juvenile court and the Office of Youth Services. The records of these three agencies are the primary source of data for the study. (See Appendix A for case record forms.)

The study sample consists of two hundred cases randomly selected from the total number of police contacts with juveniles identified as having committed an offense from July 1, 1971, to June 30, 1972. The data which were collected consist of standard background and demographic information on each case, along with rating scales developed to measure the subjective elements of the case records.

The image of the juvenile in each agency's case records is determined by two scales: one measures the degree to which a positive image is presented in the case records, and one assesses the degree to which a negative image is presented in the case records. The image of the juvenile's family in each

³It should be noted that while juvenile officers informally assured the author that all contacts are recorded, there may be some contacts that do not get into the records. At any rate, the records are much more inclusive than when contacts that do not result in juvenile court action are handled informally by the police and not recorded at all.

agency's case records is estimated in a similar manner. The third set of scales deals with the image of the juvenile's encounter (interview presence) with officials of each agency: one assesses the degree to which a positive image of the encounter is presented in the case records, and the other measures the degree to which a negative image of the juvenile's encounter is presented in the case records. (The complete scales are presented in the data collection forms in Appendix B.)

The scales were constructed by taking a random sample of case records from each agency and listing the types of comments reflecting a positive or negative image which appear repeatedly in the case records. It was found that the same type of comments appear in the probation department records and Office of Youth Services records, and the same scales are used for case records of these agencies. Other types of comments appeared in the juvenile division records so somewhat different scales are used for its case records.⁴

The reliability of the scales was checked by having two coders use the scales on a sample of case records from each agency. All of the scales had a reliability correlation

⁴The difference in comments between the juvenile division and the other two agencies probably reflects the different functions of the agencies. That is, juvenile officers are primarily investigating the commission of an act of delinquency, while probation officers and the Office of Youth Services intake workers are investigating the social and/or psychological background of the juvenile, as well as, the act of delinquency.

of .85 or higher.⁵ That is, there was at least 85 percent agreement between the two coders on all of the scales.

In addition to the above, another major source of data is responses to a questionnaire administered to juvenile officers, probation officers, and the Office of Youth Services intake worker. These questionnaires obtained the following information from the people involved in the juvenile justice system: their perception of their occupational role, their assessment of their own and other agencies' decisions in regard to the processing of juveniles (that is, what criteria are most important), the degree to which they feel the various juvenile offenses are a threat to society, their assessment of the effectiveness of alternative ways that the juvenile justice system deals with juveniles, and their ideas concerning the causes of delinquency. (See Appendix C for complete questionnaire.)

⁵The formula for determining the correlations was as follows (Budd, et al., 1967:68):

$$R = \frac{2(C_1, 2)}{C_1 + C_2}$$

$C_1, 2$ was the number of category assignments both coders agreed on, and $C_1 + C_2$ was the total of category assignments made by both coders. ²The correlations for the scales used to measure the images in juvenile division records were as follows: negative image of juvenile .90; positive image of juvenile 1.00; negative image of juvenile's family .88; positive image of juvenile's family .90; negative image of encounter .90; and positive image of encounter .87. The correlations for the scales used to measure the images in the probation department and Office of Youth Services records were as follows: negative image of juvenile .88; positive image of juvenile .86; negative image of juvenile's family .86; positive image of juvenile's family .87; negative image of encounter 1.00; and positive image of encounter .87.

The questionnaires were used to obtain a descriptive picture of the operation of the juvenile justice system. They also were used to identify the attitudes and perceptions of the officials of the juvenile justice system in regard to juvenile delinquency and the juvenile justice system in general.

The data was subjected to chi-square analysis to determine if there were statistically significant relationships between dependent and independent variables. In addition, Goodman and Kruskal's gamma was computed to determine the degree and direction of association between the dependent and independent variables.

CHAPTER VII

CREATING DELINQUENT LABELS IN THE JUVENILE JUSTICE SYSTEM

One of the major implications of the labeling perspective is that an explanation of deviance should involve an examination of the processes by which deviant labels are created and applied to individuals and/or behavior. This chapter will focus on an analysis of data relevant to the creation of delinquent labels in the juvenile justice system in the city of Manchester, New Hampshire. Chapters VIII and IX will consider the data relevant to the differential application of delinquent labels.

As mentioned previously, juvenile officers have three major alternatives in regard to the processing of juveniles with whom they come into contact: counsel and release, referral to the Office of Youth Services, or referral to juvenile court. This study used a random sample of two hundred cases from the total number of juveniles identified by the police as having committed a delinquent offense during the first full year of operation of the court diversionary program. Of this sample, ninety-four juveniles were counseled and released; fifty-eight juveniles were referred to the Office of Youth Services; and forty-five juveniles were referred to juvenile court. The remaining three juveniles were referred to other agencies.¹

¹When subsequent analysis of data involves the disposition of cases, these cases are omitted from the analysis.

The hypothesis discussed below deals with the conception of deviance which has been developed in the labeling perspective. This perspective emphasizes the idea that deviance is a sociological phenomenon and not a characteristic inherent in behavior and/or individuals. It further emphasizes the idea that violation of norms does not necessarily result in identification and labeling of a behavior and/or individual as deviant. In other words, social groups create deviance through the successful application of deviant labels to individuals and/or behavior (Becker, 1971:173; Erikson, 1966:6; Kitsuse, 1962:256; Schur, 1973:120). Deviance as a sociological phenomenon can be viewed in terms of the labels that are applied to individuals and/or behavior. These labels may be official in the sense that a formal agency or organization is designed to create and apply the labels, or the labels may be unofficial or informally applied by one or more members of a group. This study is concerned with the formal official labels that are created and applied by the juvenile justice system. The following will provide a frame of reference for the hypotheses concerning the differential application of delinquent labels.

Hypothesis I. All juveniles who are initially identified as delinquent by the police will not be officially defined as delinquent regardless of the type of offense.

As pointed out in Chapter III, early juvenile courts in the United States made a distinction between the delinquent and the nondelinquent. However, this involved much more than determining whether or not children had engaged in some sort

of behavior pattern. Both the early social reformers and the juvenile court system distinguished between children who were essentially bad and those children who were essentially good but engaging in temporary misconduct (Platt, 1969:18-28; Lou, 1927:148-54). It was further pointed out that the juvenile court statutes made a distinction between neglected and delinquent children which also, to some degree, reflected the distinction between good and bad children. The term delinquency can refer to behavior patterns, character traits, or both.

As mentioned in Chapter VI, the above hypothesis deals with the discrepancy between those juveniles who are detected by the police as engaging in delinquent behavior and those who subsequently acquire a delinquent label. That is, all juveniles who are initially identified by the police as engaging in norm violation will not necessarily be officially defined as delinquent by the police.

In regard to this study, while the police may identify a juvenile's behavior as delinquent, they may not subsequently officially define the juvenile as delinquent. One of the purposes of the court diversionary program is to intervene early in the processing of juveniles and prevent the official label of delinquency being applied as a result of referral to juvenile court.

This hypothesis is tested by examining the disposition by the police of different types of offenses. Type of offense refers to the type of offense listed in the police records. Disposition refers to the alternatives: counsel and release, referral to the Office of Youth Services, or referral to

juvenile court. Those juveniles who are referred to juvenile court provide the operational definition of juveniles identified and officially defined as delinquent by the police. Those juveniles who are counseled and released or referred to the Office of Youth Services represent the operational definition of juveniles identified yet not officially defined as delinquent.

Table I shows the relationship between the type of offense and disposition of the case by juvenile officers.² It can be seen that of the total sample 23 percent of the juveniles were referred to juvenile court and about 77 percent were counseled and released or referred to the Office of Youth Services. In other words, about 23 percent of the juveniles initially identified as having committed a delinquent offense by the police were officially defined as delinquent by the police.

Table I reveals a statistically significant relationship at the .01 level between the type of offense and the type of disposition. That is, some types of offenses tend to result in court referral more than others. At the same time, this table also indicates that there is some heterogeneity in the types of dispositions for particular offenses. For example, while juveniles committing property offenses are more likely

²The offenses were classified as follows: property offenses (including burglary, theft, and vandalism); juvenile status offenses (offenses related to the fact that a person is under seventeen years of age, for example: runaway, truant, stubborn and unruly, wayward and disobedient); assault; disorderly conduct; drug and liquor offenses; and miscellaneous offenses (usually offenses of a minor nature, for example: throwing eggs, bothering neighbors, giving someone a hard time, picking on someone, etc.).

TABLE I

TYPE OF OFFENSE AND DISPOSITION OF CASE BY JUVENILE OFFICER

Disposition:	Offense													
	Property		Juvenile Status		Assault		Disorderly Conduct		Drugs & Liquor		Misc.		Total	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Counseled & Released	(25)	35	(12)	29	(7)	64	(19)	76	(6)	30	(25)	86	(94)	48
Referred to Office of Youth Services	(23)	32	(16)	39	(2)	18	(5)	20	(10)	50	(2)	7	(58)	29
Referred to Juvenile Court	(23)	32	(13)	32	(2)	18	(1)	4	(4)	20	(2)	7	(45)	23
Total	(71)	100	(41)	100	(11)	100	(25)	100	(20)	100	(29)	100	(197)	100

Chi-square = 42.479 $p < .001$

to be referred to juvenile court than juveniles committing other types of offenses, there is a large number of cases which are not referred to juvenile court.

In order to determine the amount of heterogeneity in the type of disposition of each type of offense, an Index of Qualitative Variation was computed for each of the offenses (Mueller and Schuessler, 1961:177-9). To be brief, the Index of Qualitative Variation gives an indication of the degree of statistical heterogeneity among groups of items classified in two or more ways. In this instance, it shows how much heterogeneity or homogeneity there is for each type of offense in regard to the type of disposition of that offense. The higher the Index of Qualitative Variation for any offense, the more heterogeneous the dispositions are for that type of offense.³ The Index of Qualitative Variation (IQV) values for each offense are as follows:

Property, IQV = 98%
 Juvenile Status, IQV = 95%
 Assault, IQV = 82%
 Disorderly Conduct, IQV = 57%
 Drugs and Liquor, IQV = 94%
 Miscellaneous, IQV = 37%

This indicates that there is considerable heterogeneity in the disposition for all offenses except disorderly conduct and miscellaneous offenses. The majority of these types of offenses tend to be counseled and released or referred to the

³The formula for computing the Index of Qualitative Variation is as follows (Mueller and Schuessler, 1961:189):

$$\text{IQV} = \frac{\text{Total Observed Differences}}{\text{Maximum Possible Differences}} \times 100$$

Office of Youth Services. If one assumes that disorderly conduct and miscellaneous offenses are of a relatively minor nature, then it might be expected that they would not be dealt with as severely as other types of offenses.

In summary, Table I shows that there is a relationship between offense and disposition. At the same time, the IQV values for property offenses, juvenile status offenses, assaults, and drug and liquor related offenses indicate much heterogeneity in the types of dispositions of these offenses. That is, while the relationship between offense and disposition is not statistically independent, the variation in dispositions for a number of offenses suggests considerable discretionary power on the part of juvenile officers independent of type of offense. In general, this lends support to the hypothesis.

Hypothesis I can also be tested by comparing the disposition of cases involving juveniles who are caught in the commission of an act of delinquency to those not caught in an act of delinquency. As pointed out in Chapter VI, by viewing only the offense that is recorded in police records, one might argue that there is some doubt as to whether or not an individual has engaged in delinquent behavior. Juveniles who are caught in the commission of an act of delinquency provide a more precise definition of norm violation.

With this in mind, Table II shows the relationship between the way in which the juvenile was apprehended and the type of disposition by the juvenile division. Those juveniles who are referred to juvenile court provide the operational definition of juveniles identified and officially defined as

TABLE II
TYPE OF APPREHENSION OF JUVENILE AND DISPOSITION
BY JUVENILE DIVISION

Disposition:	Apprehension					
	In Commission of Act		Not in Commission of Act		Total	
	#	%	#	%	#	%
Counseled & Released	(31)	42	(63)	51	(94)	48
Referred to Office of Youth Services	(25)	34	(33)	27	(58)	29
Referred to Juvenile Court	(18)	24	(27)	22	(45)	23
Total	(74)	100	(123)	100	(197)	100

Chi-square = 1.715 $p > .05$ ($p < .25 > .10$)
Gamma = .132

delinquent. Those juveniles who are counseled and released or referred to the Office of Youth Services provide the operational definition of juveniles identified yet not officially defined as delinquent.

Table II indicates that there is not a statistically significant relationship between type of disposition and the nature of the apprehension of the juvenile. That is, juveniles who are caught in the act of delinquency are not any more likely to be referred to juvenile court than juveniles who are not caught in the act of delinquency. In other words, if one uses being caught in the act of delinquency as an operational definition of norm violation, then there is very little relationship

between norm violation and acquisition of an official label of delinquency from the police.

Tables I and II show that norm violation is not a sufficient condition for the application of the delinquent label. That is, all juveniles who are initially identified as delinquent by the police will not be officially defined as delinquent. It can also be assumed that juvenile status offenses sometimes involve subjective states of an individual (stubborn and unruly, wayward and disobedient) with no particular norm being violated.⁴ If this is correct, one can also see from Table I that norm violation is not a necessary condition for the application of the delinquent label. That is, 32 percent of the juveniles identified as having committed juvenile status offenses were subsequently defined as delinquent by the juvenile division.

The data discussed above tend to support the labeling perspective's assumption that norm violation is neither a necessary nor sufficient condition for the successful application of the deviant label. The remaining hypotheses of this study deal with several factors, in addition to norm violation, that influence the application of the label of delinquency.

One of the views set forth by the proponents of the labeling perspective is that groups will perceive deviance at the points where its cultural value system is most threatened. The next group of hypotheses is concerned with the idea that

⁴This point was discussed in Chapter III in relation to the historical development of delinquency and the labeling perspective.

the types of boundaries (social values and social beliefs) that a group has, will determine, in part, the types of deviance that it experiences (Erikson, 1966:12-19). The group responds by directing most of its energy toward these points and thus perceives the given type of deviance.

Hypothesis II.A. Juvenile officers will tend to initiate contact with individuals committing those types of offenses which they perceive as serious (those that they believe are the most threatening to society) more often than those committing other types of offenses.

As pointed out in Chapter VI, it can be argued that at any given point in time and in any given court system, certain types of offenses are viewed by the police as more of a threat to society than other types of offenses. In turn, they tend to direct their attention toward the offenses which they believe represent a threat to society. If this is correct, there should be a relationship between the type of contact that a juvenile has with the police (police initiated or other initiated) and the types of offenses the officials of the juvenile justice system believe are most threatening. The offenses which the officials of the system believe represent a threat to society are defined in terms of a scale which measures the offenses that juvenile officers and probation officers perceive as being a threat to society. Serious cases are those cases which the juvenile officers and probation officers believe are most threatening to society (as measured by the scale). These scales listed twelve different types of offenses each of which the respondent could classify as follows: a very serious threat, a serious threat, not a very serious

threat, or no threat at all. For purposes of this study, the offenses which a majority of juvenile officers or probation officers listed as either a very serious threat or a serious threat are classified as serious offenses. The remaining are classified as nonserious offenses.

Table III shows the number of juvenile officers and probation officers classifying individual offenses as serious or nonserious. In regard to juvenile officers, the following offenses are included in the category of serious offenses in this study: burglary, theft, drug related offenses, morals, and vandalism. In regard to probation officers, the following offenses are included in the category of serious offenses: drug related offenses, morals, vandalism, theft, burglary, and assault.

Table IV shows the relationship between the type of contact that a juvenile has with the police (police initiated or other initiated) and the perceived severity of offense by juvenile officers. It indicates that there is a relationship between type of contact and perceived severity of offense by juvenile officers. That is, 97 percent of the contacts for serious offenses were police initiated, while only 87 percent of the contacts for nonserious offenses were police initiated. This relationship is statistically significant at the .05 level. It should be noted that there were relatively few cases that were initiated by others, and this makes it difficult to draw any definite conclusions from the table.⁵

⁵Type of contact was determined by relying on the written reports of the police. It may be that these reports do not accurately reflect who actually initiates contact.

TABLE III

NUMBER OF JUVENILE OFFICERS AND PROBATION OFFICERS CLASSIFYING
INDIVIDUAL OFFENSES AS SERIOUS OR NONSERIOUS

Offense:	Juvenile Officers		Offense:	Probation Officers	
	Serious	Nonserious		Serious	Nonserious
Burglary	6	0	Drugs	5	0
Theft	6	0	Morals	3	2
Drugs	5	1	Vandalism	3	2
Morals	5	1	Theft	3	2
Vandalism	4	2	Burglary	3	2
Runaway	3	3	Assault	3	2
Stubborn & Unruly	3	3	Motor Vehicle	2	3
Liquor	3	3	Stubborn & Unruly	1	4
Assault	2	4	Disorderly Conduct	1	4
Disorderly Conduct	2	4	Liquor	1	4
Motor Vehicle	2	4	Truancy	1	4
Truancy	0	6	Runaway	0	5

TABLE IV
 TYPE OF CONTACT BY JUVENILE OFFICER
 AND PERCEIVED SEVERITY OF OFFENSE

Contact:	Perceived Severity of Offense					
	Serious		Nonserious		Total	
	#	%	#	%	#	%
Police Initiated	(84)	97	(98)	87	(182)	91
Initiated by Others	(3)	3	(15)	13	(18)	9
Total	(87)	100	(113)	100	(200)	100

Chi-square = 4.657 p < .05 (p < .05 > .025)
 Gamma = .622

Another way of dealing with the idea that a perceived threat to cultural values will influence the type of deviance that a group experiences is by relating the perceived severity of offense to the type of disposition that is made by the police and probation. The following hypotheses are addressed to this point.

Hypothesis II.B. Juvenile officers will tend to deal with the offenses they perceive as serious more severely than other types of offenses.

Hypothesis II.C. Cases which involve offenses that probation officers perceive as serious (those that they believe are a threat to society) will receive a more severe disposition from the juvenile court.

Table V illustrates the relationship between perceived severity of offense and disposition by the police. As mentioned in Chapter VI, severity of disposition is determined by the amount of restriction that the disposition places on

TABLE V

PERCEIVED SEVERITY OF OFFENSE BY JUVENILE OFFICER
AND DISPOSITION BY JUVENILE DIVISION

Disposition:	Perceived Severity of Offense					
	Serious		Nonserious		Total	
	#	%	#	%	#	%
Counseled & Released	(31)	36	(63)	57	(94)	48
Referred to Office of Youth Services	(28)	33	(30)	27	(58)	29
Referred to Juvenile Court	(27)	31	(18)	16	(45)	23
Total	(86)	100	(111)	100	(197)	100

Chi-square = 9.747 $p < .01$ ($p > .005$)
Gamma = -.364

the juvenile's behavior. Counsel and release places the least restriction, and referral to juvenile court places the most restriction. Table V demonstrates that there is a positive relationship between perceived severity of offense and disposition of the case by the police. This relationship is statistically significant at the .01 level.

Table V also shows that 57 percent of the nonserious offenses were counseled and released while only 36 percent of the serious offenses were counseled and released. The difference between the percentages of serious and nonserious offenses which were referred to the Office of Youth Services is not as great, with 33 percent of the serious offenses being referred to the Office of Youth Services and 27 percent of the nonserious

offenses being referred to the Office of Youth Services. At the same time, 31 percent of the serious offenses were referred to juvenile court and 16 percent of the nonserious offenses were referred to juvenile court.

Table VI illustrates the relationship between the perceived severity of offense on the part of probation officers and the type of disposition by the juvenile court. This table indicates there is a relationship between perceived severity of offense and severity of disposition by the juvenile court.

TABLE VI
PERCEIVED SEVERITY OF OFFENSE BY PROBATION OFFICER
AND DISPOSITION BY JUVENILE COURT*

Disposition:	Perceived Severity of Offense					
	Serious		Nonserious		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(3)	10	(2)	12	(5)	11
Continued for Disposition	(13)	45	(3)	19	(16)	36
Probation	(11)	38	(9)	57	(20)	44
State Indus- trial School	(2)	7	(2)	12	(4)	9
Total	(29)	100	(16)	100	(45)	100

Gamma = .310

*Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute a chi-square.

Nonserious offenses tend to receive a more severe disposition than serious offenses. However, this relationship is not a very strong one. It should be noted that this relationship was in the opposite direction than that predicted by the hypothesis.

One of the reasons for this may be due to the fact that almost two-thirds of the cases handled by the juvenile court are cases that probation officers believe are serious. That is, there tends to be agreement between probation officers and juvenile officers concerning the type of offenses that they perceive as serious, and the serious offenses tend to be referred to juvenile court more often than nonserious offenses.⁶

Another reason for this finding may be due to the fact that the final disposition of cases is made by a juvenile court judge. While the juvenile court judges rely on the probation officers' reports in making a disposition, they also may rely on other information as well.⁷

In summary, juvenile officers tend to initiate contact with juveniles identified as committing offenses the juvenile officers believe are a threat to society somewhat more often than offenses they do not believe are a threat to society.

⁶It was pointed out above that probation officers and juvenile officers agree on all offenses in regard to the threat to society except assaults. That is, the majority of probation officers believe that assaults are a threat to society while the majority of juvenile officers do not believe that assaults are a threat to society.

⁷The probation case records did not clearly indicate what recommendation was made by the probation officer, so it is not possible to determine in which cases the juvenile court judge followed the recommendation of the probation officer.

In addition, juveniles committing offenses that juvenile officers believe are a threat to society are more likely to receive a severe disposition from the juvenile division than juveniles committing offenses that the juvenile officers do not believe are a threat to society. There is no significant relationship between the disposition of cases by the juvenile court and perceived severity of offense on the part of probation officers.

Since the degree of involvement with the juvenile court system also increases with the degree of severity of disposition by the juvenile division, officials of the system tend to have more direct contact with juveniles committing offenses the juvenile officers believe are serious than with juveniles committing offenses the juvenile officers do not believe are serious. This may cause them to believe that these offenses occur more often and reinforce their perception of them as serious. In other words, the officials of the system tend to experience the types of deviance they believe are a threat to society more often than other types of deviance. This tends to lend support to the labeling perspective's assertion that groups will perceive and experience deviance at the points where they believe their cultural value system is most threatened.

The findings of this chapter can be summarized as follows. First, there is differential disposition of cases involving juveniles identified as having committed a specific juvenile offense. That is, commission of an act of delinquency (norm violation) is neither a necessary nor sufficient condition

for the successful application of the delinquent label. In addition, juvenile officers will tend to initiate contact with offenses that they believe are a threat to society more often than offenses they do not believe are a threat to society. This results in officials of the system (juvenile officers and probation officers) perceiving and experiencing deviance at the points where they feel their value system is most threatened. Lastly, there is no significant relationship between offenses that probation officers believe are the most threatening to society and the disposition that juveniles identified as having committed these types of offenses receive in juvenile court.

The following chapter will consider some of the factors which influence the differential disposition of cases involving juveniles identified as having committed a delinquent offense.

CHAPTER VIII

THE DIFFERENTIAL APPLICATION OF DELINQUENT LABELS:
ABILITY TO RESIST DELINQUENT LABELS

One of the major points that has been emphasized in this study is that deviant labels are applied differentially to individuals and/or behavior. The preceding chapter indicated that norm violation does not necessarily lead to the application of delinquent labels to juveniles who are identified by the police as having committed a delinquent offense. The following hypotheses will consider some of the factors which influence the differential disposition of cases involving juveniles identified by the police as having committed a delinquent offense. As pointed out in Chapter VI, it is argued here that not all juveniles are able to resist the label of delinquency equally, nor are they able to resist the consequences of the label of delinquency equally.

Hypothesis III.A. The lower the occupational prestige of the parents of juveniles identified as having committed an offense, the more severe will be the disposition of the case by the juvenile division.

Hypothesis III.B. The lower the occupational prestige of the parents of juveniles identified as having committed an offense, the more severe will be the disposition of the case by the juvenile court.

These hypotheses are directly related to Lemert's ideas concerning how the social power of certain groups in society influences their ability to resist deviant labels (Lemert, 1967:67-87). They were tested by relating the occupational prestige of the juvenile's parents to the type of disposition

made by the police and the juvenile court.¹ Severity of disposition refers to the amount of restriction placed on the juvenile as a result of the disposition. Disposition can also be viewed as a form of labeling. That is, the more severe the disposition, the more clear-cut is the application of the label of delinquency to the individual.

Table VII shows the relationship between occupational prestige of the parents of juveniles identified as having committed an offense and the type of disposition of the case by the juvenile division. It demonstrates that there is a statistically significant inverse relationship between occupational prestige and type of disposition by the juvenile division at the .05 level.² That is, the lower the occupational prestige the more severe is the disposition of the case by the juvenile division. For example, 32 percent of the juveniles whose parents' occupational prestige was low were referred to juvenile court, while 11 percent of the juveniles whose parents' occupational prestige was medium and 13 percent of the juveniles

¹The Alba M. Edwards' Social-Economic Grouping of Occupations was used as a basis for determining occupational prestige (Edwards, 1934/1960). Occupational prestige was classified as high, medium, or low. Occupations of high prestige included: professional, technical, and kindred workers; and business managers, officials, and proprietors. Occupations of medium prestige included: clerical and kindred workers; and craftsmen, foremen, and kindred workers. Occupations of low prestige included: operative and kindred workers; and unskilled, service, and domestic workers. In addition, juvenile's parents who were unemployed and receiving public assistance were included in the low category.

²When the term occupational prestige is used in subsequent discussions, it will refer to the occupational prestige of the juvenile's parents.

TABLE VII
 OCCUPATIONAL PRESTIGE OF JUVENILE'S PARENTS* AND
 DISPOSITION BY JUVENILE DIVISION

Disposition:	Occupational Prestige**							
	Low		Medium		High		Total	
	#	%	#	%	#	%	#	%
Counseled & Released	(37)	39	(27)	50	(15)	65	(79)	46
Referred to Office of Youth Services	(28)	29	(21)	39	(5)	22	(54)	31
Referred to Juvenile Court	(30)	32	(6)	11	(3)	13	(39)	23
Total	(95)	100	(54)	100	(23)	100	(172)	100

Chi-square = 12.274 p < .05 (p < .025 > .01)
 Gamma = -.333

*Father if present; if father not present, then mother.

**Based on Alba M. Edwards' Social-Economic Grouping of Occupations.

whose parents' occupational prestige was high were referred to juvenile court. At the same time, 65 percent of the juveniles whose parents' occupational prestige was high and 50 percent of the juveniles whose parents' occupational prestige was medium were counseled and released. In contrast, 39 percent of the juveniles whose parents' occupational prestige was low were counseled and released.

Table VIII shows the relationship between occupational prestige and type of disposition by the juvenile court. The

TABLE VIII
 OCCUPATIONAL PRESTIGE OF JUVENILE'S PARENTS* AND
 DISPOSITION BY JUVENILE COURT**

Disposition:	Occupational Prestige***							
	Low		Medium		High		Total	
	#	%	#	%	#	%	#	%
Dismissed or Placed on File	(3)	10	(1)	17	(0)	0	(4)	10
Continued for Disposition	(11)	37	(2)	33	(0)	0	(13)	33
Probation	(12)	40	(3)	50	(3)	100	(18)	46
State Indus- trial School	(4)	13	(0)	0	(0)	0	(4)	11
Total	(30)	100	(6)	100	(3)	100	(39)	100

Gamma = .088

*Father if present; if not father, then mother.

**Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute a chi-square.

***Based on Alba M. Edwards' Social-Economic Grouping of Occupations.

small number of juveniles whose parents' occupational prestige is medium or high makes it difficult to draw any generalizations concerning the relationship between occupational prestige and disposition by the juvenile court. At the same time, the majority of juveniles referred to the juvenile court have parents whose occupational prestige is low. Less than one-fourth of the juveniles referred to juvenile court have parents whose occupational prestige is medium or high. In other words, occupational prestige may influence the disposition of cases prior to the appearance of these cases in juvenile court.

The next two hypotheses deal with the differential ability to resist the delinquent label in terms of the family situation of juveniles identified as having committed a delinquent offense. These hypotheses examine the question of whether the family status, intact or not intact, is a factor related to the acquisition of a delinquent label.

Hypothesis III.C. Juveniles identified as having committed an offense who come from families that are not intact (at least one biological parent absent) will receive a more severe disposition from the juvenile division than those coming from families that are intact (both biological parents present).

Hypothesis III.D. Juveniles identified as having committed an offense who come from families that are not intact will receive a more severe disposition from the juvenile court than those who come from families that are intact.

Proponents of the labeling perspective have asserted that some individuals have less ability to resist deviant labels than others due to the fact that they are a member of

a particular social group (Lemert, 1967:67-87). There are two possible reasons for this. First, the group to which they belong may not be able to give them the support and assistance they need in resisting deviant labels. In addition, the group to which they belong may be of low status in the eyes of the labeler, and the fact that they are a member of this group may tend to reinforce the deviant label.³

It has been pointed out that the historical development of the juvenile court system was characterized by a middle-class bias, and that juveniles who came from families which did not live up to middle-class values were more likely to get caught up in the system (Platt, 1969:135-6). In addition, the juvenile court system was set up not only to punish delinquent children but also to help neglected children (Lou, 1927: 53-4). Part of the definition of neglect related to the family situation of the children who came into contact with the system. It was further pointed out previously in this study that the distinction between delinquency and neglect was never made very clear.

If the above is correct, one might expect that the family situation of juveniles who come into contact with the police will have an impact on the type of processing they receive in the juvenile court system. Table IX shows the relationship between the family situation of the juvenile and the type of disposition of the case by the juvenile division.

³This point was discussed more thoroughly in Chapter III in regard to stereotypes and labeling.

TABLE IX
FAMILY OF JUVENILE, INTACT OR NOT INTACT, AND
DISPOSITION BY JUVENILE DIVISION

Disposition:	Intact		Family Not Intact		Total	
	#	%	#	%	#	%
Counseled & Released	(67)	55	(19)	29	(86)	45
Referred to Office of Youth Services	(36)	29	(22)	33	(58)	31
Referred to Juvenile Court	(20)	16	(25)	38	(45)	24
Total	(123)	100	(66)	100	(189)	100

Chi-square = 14.889 p < .001
Gamma = .458

Intact families refers to families with both biological parents present and families not intact refers to families with one or more of those parents absent. Table IX indicates that there is a statistically significant relationship between the type of disposition and the family situation of juveniles at the .001 level. That is, juveniles from families not intact are likely to receive a more severe disposition from the juvenile division than juveniles from intact families. For example, 16 percent of juveniles from intact families were referred to juvenile court, while 38 percent of juveniles from families not intact were referred to juvenile court. At the same time, 55 percent of juveniles from intact families were counseled

and released, while only 29 percent of juveniles from families not intact were counseled and released.

Table IX also indicates that juveniles from families that are not intact accounted for about one-third of the total number of juveniles in the sample used in this study. At the same time, these juveniles accounted for over one-half of the cases referred to juvenile court.

Table X shows the relationship between the family situation of juveniles and the type of disposition of the case by the juvenile court. This table reveals a very weak relationship between family situation and disposition by the juvenile court. As with occupational prestige, one of the reasons for this may be that the majority of cases referred to juvenile court involves juveniles from families that are not intact. That is, family situation may influence the disposition of cases before they appear in court.

At this juncture, it will be useful to point out the relationship between occupational prestige and family situation of juveniles identified as having committed an offense. That is, there is a statistically significant relationship between occupational prestige and family situation of the juvenile at the .01 level.⁴ Juveniles from families of low occupational prestige are more likely to come from families not intact, than juveniles from families of medium or high occupational prestige.

⁴See Appendix D, Table XXVIII.

TABLE X
FAMILY OF JUVENILE, INTACT OR NOT INTACT, AND
DISPOSITION BY JUVENILE COURT

Disposition:	Intact		Family Not Intact		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(3)	15	(2)	8	(5)	11
Continued for Disposition	(5)	25	(11)	44	(16)	36
Probation	(9)	45	(11)	44	(20)	44
State Indus- trial School	(3)	15	(1)	4	(4)	9
Total	(20)	100	(25)	100	(45)	100

Gamma = $-.181$

*Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute a chi-square.

When one relates occupational prestige to type of disposition by the juvenile division and controls for family situation, the relationship disappears for families that are not intact. At the same time, when one relates family situation to type of disposition and controls for occupational prestige, the relationship holds for all three categories of occupational prestige.⁵ In other words, the factor that is influencing disposition is family situation and not occupational prestige.

⁵See Appendix D, Tables XXIX and XXX.

One of the reasons for this finding may be due to the lack of a more specific definition of family situation. That is, it was not possible to determine the precise type of non-intact family. The records in the juvenile division indicated whether both biological parents were present but did not clearly indicate the specific type of family situation.

It should also be pointed out that it is not known for certain whether the juveniles with parents of low occupational prestige are more likely, in fact, to come from families not intact. It may be that it is easier for juvenile officers to determine the family situation of juveniles whose parents have low occupational prestige than those whose parents have medium or high occupational prestige.

One might also speculate that given the nature of the historical development of the juvenile court system mentioned above, it might be expected that family situation would be the more relevant variable in determining the type of disposition. That is, since the juvenile justice system as a whole has tended to confuse neglect and delinquency, officials of the system may be more sensitive to the family situation of a juvenile identified as having committed an offense.⁶

⁶This idea is reinforced by the results of a questionnaire administered to juvenile officers. That is, the majority of juvenile officers believe that family problems and lack of an adequate family life are major causes of delinquency. If this is so, it is not surprising that they tend to deal with juveniles from nonintact families more severely than those from intact families. In addition, since the majority of cases involve juveniles from intact families, the handling of cases by juvenile officers may serve as an example of the self-fulfilling prophecy. In other words, the more severe dispositions result in more involvement of juveniles from nonintact families with the juvenile justice system than juveniles from intact families. This may reinforce the idea that family problems are a major cause of delinquency.

In summary, the above findings indicate that family situation of juveniles identified as having committed an offense is an important factor in influencing the type of disposition they receive from the juvenile division. One of the studies cited in Chapter II indicated that juveniles charged with delinquency live in disrupted families more often than children in the general population (Chilton and Markle, 1972). At the same time, this study did not indicate whether family disruption was causing delinquency or if family disruption was causing referral for delinquency. The findings discussed above indicate the latter. That is, children from nonintact families are not any more likely to come into contact with the police for juvenile offenses, but they are more likely to be referred to juvenile court for delinquent offenses they may commit.⁷

In addition to the above, two further hypotheses of this study are addressed to the differential ability of juveniles to resist the label of delinquency. One deals with the presence or absence of counsel at the juvenile court hearing. The other addresses itself to whether the juvenile was sent to the State Industrial School prior to the final juvenile court hearing.

⁷One of the unique aspects of this study is that it was able to view a formalized version of what was previously an informal process. That is, the counsel and release alternative now available to the police on a formal basis probably operated on an informal basis prior to the establishment of the court diversionary system.

Hypothesis III.E. Juveniles identified as having committed an offense who do not have counsel will receive a more severe disposition from the juvenile court than those who do have counsel.

Hypothesis III.F. Juveniles identified as having committed an offense sent to the State Industrial School for diagnosis and evaluation prior to the juvenile court hearing will receive a more severe disposition from the juvenile court than those not sent.

It has been pointed out in previous parts of this study that the ability to resist the deviant label is influenced by the power and authority of the individuals who are labeled as deviant (Coser, 1962; Vold, 1958). Hypothesis III.E considers whether the presence or absence of counsel for the juvenile is related to the type of disposition that he receives from the juvenile court. It might be speculated that juveniles with legal counsel would be better able to defend themselves at the hearing and thus receive a less severe disposition.

Table XI shows the relationship between the presence or absence of counsel and the type of disposition that a juvenile receives in the juvenile court hearing. Since there were only a few cases involving juveniles who lacked counsel, it is difficult to make generalizations from this table. However, all of the juveniles who lacked counsel were either placed on probation or referred to the State Industrial School. A factor which this study was not able to determine was whether the counsel was appointed by the court or retained privately by the juvenile's parents. One might expect that juveniles with privately retained counsel would be less likely to receive a severe disposition from the juvenile court than juveniles with court appointed counsel.

TABLE XI
 PRESENCE OF COUNSEL AT HEARING AND DISPOSITION
 BY JUVENILE COURT*

Disposition:	Counsel					
	Present		Not Present		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(4)	12	(0)	0	(4)	10
Continued for Disposition	(12)	36	(0)	0	(12)	30
Probation	(14)	43	(6)	86	(20)	50
State Indus- trial School	(3)	9	(1)	14	(4)	10
Total	(33)	100	(7)	100	(40)	100

Gamma = .750

*Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute a chi-square.

Hypothesis III.F. examines the relationship between juveniles who are or are not sent to the State Industrial School prior to the court hearing and the type of disposition that they receive in the juvenile court hearing. If juveniles are incarcerated for the time period prior to their court hearing, it might be predicted that this incarceration would make it difficult for them to resist the delinquent label. That is, this incarceration cuts them off from the support of members of their family or other persons who might provide assistance to them prior to the hearing.

Table XII shows the relationship between the cases sent to the State Industrial School and the type of disposition that a juvenile receives in juvenile court. There is a very weak relationship between these two variables. That is, juveniles who are sent to the State Industrial School prior to the juvenile court hearing are not significantly more likely to receive a severe disposition from the juvenile court than juveniles not sent. One reason for the relative lack of relationship may be due to the use of the thirty-day diagnosis and evaluation as a punishment by the juvenile court judge.⁸ That is, juveniles may be sent to the State Industrial School for a thirty-day diagnosis and evaluation and then receive a less severe disposition at the juvenile court hearing. The diagnosis and evaluation that is completed by the school also may tend to result in a disposition that takes into account some of the psychological and family problems that may be related to the specific offense that the juvenile was identified as having committed.

The last hypothesis to be discussed in this chapter deals with the cumulative nature of the labeling process. That is, the more contact that an individual has with the officials of the juvenile justice system, the greater the likelihood of his acquiring a delinquent label and having subsequent involvement (Schur, 1973:118-26).

⁸Informal conversations with probation officers and judges indicate that this does occur in some cases.

TABLE XII

STATE INDUSTRIAL SCHOOL DIAGNOSIS AND EVALUATION,
 CONDUCTED OR NOT CONDUCTED, AND DISPOSITION
 BY JUVENILE COURT*

Disposition:	Diagnosis and Evaluation					
	Conducted		Not Conducted		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(1)	8	(4)	13	(5)	11
Continued for Disposition	(5)	38	(11)	34	(16)	36
Probation	(4)	31	(16)	50	(20)	44
State Indus- trial School	(3)	23	(1)	3	(4)	9
Total	(13)	100	(32)	100	(45)	100

Gamma = -.193

*Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute a chi-square.

Hypothesis IV. The more severe the disposition received by juveniles from the juvenile division, the more likely they will have subsequent contacts with the juvenile court system.

As pointed out in Chapter VI, juveniles may have a number of contacts with the police and/or other agents of the juvenile justice system. With each contact, the identification of the juvenile is reinforced, and he begins to acquire a relatively permanent delinquent label. The court diversionary program is designed to intervene in the labeling process and prevent future contact with the system. The alternatives of

counsel and release and referral to the Office of Youth Services reflect this intent.

Hypothesis IV was tested by relating the disposition of the case by the police to the number of subsequent contacts with the police. In addition to indicating the amount of restriction on behavior, the severity of disposition also reflects the degree of involvement with officials of the system. Counsel and release reflects the least involvement, Office of Youth Services referral an intermediate degree of involvement, and juvenile court referral the most involvement with officials of the system.

Table XIII indicates the disposition of cases by the juvenile division and the numbers of subsequent contacts with the police. There is a statistically significant relationship between type of disposition and number of subsequent contacts at the .001 level. That is, the more severe the disposition of the case by the juvenile division, the more likely the juvenile will have subsequent contacts with the police. This relationship holds when controlling for perceived severity of offense by juvenile officers.⁹ Table XIII shows that 79 percent of the juveniles who were counseled and released had no further contacts with the police during the time this study was done.¹⁰ At the same time, 36 percent of those juveniles

⁹See Appendix D, Table ~~XXXI~~.

¹⁰The study sampled a one year period, July 1, 1971, until June 30, 1972. The data were collected in March and April of 1973.

TABLE XIII

DISPOSITION BY JUVENILE DIVISION AND NUMBER
OF SUBSEQUENT CONTACTS WITH JUVENILE DIVISION

Number of Subsequent Contacts:	Disposition							
	Counsel & Release		Referred to Office of Youth Services		Referred to Juvenile Court		Total	
	#	%	#	%	#	%	#	%
None	(74)	79	(47)	81	(16)	36	(137)	70
One	(12)	13	(7)	12	(15)	33	(34)	17
Two or More	(8)	8	(4)	7	(14)	31	(26)	13
Total	(94)	100	(58)	100	(45)	100	(197)	100

Chi-square = 32.708 p < .001
Gamma = .470

who were referred to juvenile court had no further subsequent contacts with the police.

One might argue that the reason that those juveniles who were referred to juvenile court were more likely to have further contacts with the police was because they were really delinquent and the other juveniles were not. Proponents of the labeling perspective would argue that this relationship is due to the fact that the more involvement the juveniles have with the juvenile justice system the more likely they are to acquire a delinquent label which will increase their chances of further contact with the police. Regardless of the cause of the recidivism, it is clear from Table XIII that the

alternative of referring a juvenile to juvenile court is not a very effective means of preventing recidivism.¹¹

It should be pointed out that there are no data available which could lead to a comparison of dispositions before and after the court diversionary program was instituted. It may be that the program is screening out the juveniles who have more severe problems and referring them to juvenile court. This may result in a higher rate of recidivism for juveniles who are presently being sent to court compared to those juveniles who were sent prior to the court diversionary program. That is, prior to the inception of this program a large number of cases of a relatively minor character were being sent to juvenile court. These cases are no longer being sent to court which may make the recidivism rate for juvenile court dispositions appear to be abnormally high.

In any case, it is apparent from the data available that a large number of juveniles are now being diverted away from the juvenile court. Most of the juveniles who are diverted do not have further contact with the juvenile justice system. In this respect, it can be said that the court diversionary program is effective. The question of whether the same thing was happening under the previous more informal system cannot

¹¹It was pointed out previously that the juvenile court system has never been very clear in regard to whether it was designed to punish delinquents or to help neglected children, Table XIII indicates that if its purpose is to punish, then punishing juveniles tends to lead to further contact with the system. If it is designed to help neglected children, then it does not seem to be very effective in terms of preventing neglected children from having further contacts with the system.

be answered within the scope of this study. For example, one might argue that the court diversionary program is creating more official deviance in the sense that records are now being kept of what was previously an informal procedure; and by keeping records, the juvenile justice system is, in effect, creating a larger pool of official delinquents or official potential delinquents. However, the data in Table XIII indicate that the juveniles who are diverted away from court are far less likely to become official delinquents than those who are sent to court. This along with the fact that a much smaller number of cases are being referred to juvenile court by the police since the court diversionary program was started, indicates that fewer official delinquents are created by this program than by the previous system of processing juveniles.

The major findings of this chapter can be summarized as follows. First, there is a statistically significant relationship between the family situation of juveniles identified as having committed a delinquent offense and the type of disposition that they receive from the juvenile division. Juveniles from families that are not intact are likely to receive a more severe disposition from the juvenile division than juveniles from intact families. There is a very weak relationship between family situation and type of disposition by the juvenile court.

A statistically significant relationship was found between occupational prestige and disposition by the juvenile division, but this relationship disappeared when controlling for family situation. There is no significant relationship

between occupational status and disposition by the juvenile court.

Commitment to the State Industrial School for diagnosis and evaluation prior to the juvenile court hearing is not related to disposition by the court in a significant manner. The lack of an adequate number of cases makes it difficult to make generalizations concerning the presence or absence of counsel at the hearing and the disposition by the juvenile court. However, the data suggest that there may be a relationship between these two variables. Lastly, it was found that there is a statistically significant relationship between the type of disposition and the number of subsequent contacts with the juvenile justice system. Juveniles who are referred to juvenile court are more likely to have further contacts with the police than juveniles who are referred to the Office of Youth Services or counseled and released.

CHAPTER IX

THE DIFFERENTIAL APPLICATION OF DELINQUENT LABELS:
IMAGES OF JUVENILES

Previous portions of this study have indicated that the reaction of the various elements in the labeling process has an impact on the type of labels that are applied to individuals and/or behavior (Erikson, 1966:12-19; Kitsuse, 1962; Schur, 1973:120). The following hypotheses reflect the idea that the more negative the reaction of the elements in the labeling process, the more the initial label of deviance will be reinforced. As pointed out in Chapter VI, the element of direct concern in this study is the labeler. Since the source of data was case records compiled by officials of the juvenile justice system, there is no direct measure of the reaction of the social audience or the actor(s).

One of the factors assessed in this study was written subjective comments made by juvenile officers and probation officers. Three sets of scales were developed to measure the different aspects of the image of the juvenile reflected in these comments: one measured the image of the juvenile presented in case records; one appraised the image of the juvenile's family presented in case records; and the other assessed the image of the juvenile's encounter with officials of the juvenile justice system presented in case records.¹

¹A more complete discussion of these scales can be found in Chapter VI. The actual scales which were used can be found in the data collection forms for each agency in Appendix B.

Each set of scales consisted of one which measured the degree to which a positive image was presented in the case records and one which assessed the extent to which a negative image was presented in the case records. In addition, the median score on each scale was determined and used to construct high and low categories. That is, the scales which reflected a positive image were divided into a high positive and a low positive, and the scales which appraised a negative image were divided into a high negative and a low negative.²

One of the methodological problems confronted was the question of whether analysis of the data should include those cases in which no image of the juvenile was presented in case records. Some of the case records did not have any positive and/or negative comments and simply contained a descriptive account of the case. Since a lack of subjective comment still reflects a type of reaction, it was decided to include these cases in the analysis.

Another methodological aspect of this study which should be mentioned is this: due to the nature of the scales, it was not possible to score each case on a continuum from a positive to a negative image. For example, the scales which appraised the positive image of the juvenile's family contained a different number of items than the scales which measured the negative image of the juvenile's family. In addition, the

²The complete distribution of the scores on all the scales can be found in Appendix D. It also contains tables showing the relationships between the raw scores on the scales and the severity of disposition.

scales which assessed positive images contained items which were not the logical opposites of the items in the scales which measured negative images.

The hypotheses in this chapter deal with the reaction of juvenile officers and probation officers to juveniles identified as having committed a delinquent offense. Their reaction is defined in terms of the scales mentioned above which measured their subjective written comments. The hypothesis below is directed at the image of the juvenile presented in the juvenile division and probation records.

Hypothesis V.A. The more negative the image of the juvenile presented in the police and probation reports, the more severe will be the disposition of the case by the juvenile division and the juvenile court.

This hypothesis addresses itself to the way in which the juvenile is described in police and probation records. Positive and/or negative comments may appear in the juvenile division records in reference to juveniles identified as having committed a delinquent offense. If a juvenile is referred to juvenile court, positive and/or negative comments may appear in the probation records in reference to this juvenile.

As pointed out above, this hypothesis was operationalized through the use of two scales for each agency: one measured the extent to which a positive image of the juvenile was presented in juvenile division or probation records; the other assessed the degree to which a negative image of the juvenile was presented in juvenile division or probation

records. If Hypothesis V.A. is valid, there should be a positive association between the degree of severity of disposition and the degree to which a negative image is presented in the juvenile division and/or probation department records. Conversely, there should be a negative relationship between the severity of disposition and the degree to which a positive image of the juvenile is presented in the juvenile division and/or probation department records.

Tables XIV and XV depict the relationship between the image of the juvenile in police records and the disposition of the case by the juvenile division. Table XIV indicates a strong positive relationship between the degree to which a negative image of the juvenile is presented and the severity of the disposition of the case by the juvenile division. This relationship is statistically significant at the .001 level. That is, juveniles with a high negative image are likely to receive a more severe disposition from the juvenile division than juveniles with a low negative image.

Table XV demonstrates the relationship between the type of positive image of the juvenile presented in the police report and the disposition by the juvenile division. This table reveals a very weak negative relationship between the degree to which a positive image is presented and the degree of severity of disposition by the juvenile division. This relationship is statistically significant at the .001 level.

Tables XVI and XVII show the relationship between the image of the juvenile in probation reports and the disposition of the case by the juvenile court. A positive association is

TABLE XIV

NEGATIVE IMAGE OF JUVENILE PRESENTED IN JUVENILE
DIVISION REPORT AND DISPOSITION BY JUVENILE DIVISION

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Counseled & Released	(81)	66	(13)	17	(94)	48
Referred to Office of Youth Services	(28)	23	(30)	40	(58)	29
Referred to Juvenile Court	(13)	11	(32)	43	(45)	23
Total	(122)	100	(75)	100	(197)	100

Chi-square = 48.84996 p < .001
Gamma = .730

TABLE XV

POSITIVE IMAGE OF JUVENILE PRESENTED IN JUVENILE
DIVISION REPORT AND DISPOSITION BY JUVENILE DIVISION

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Counseled & Released	(76)	50	(18)	39	(94)	48
Referred to Office of Youth Services	(33)	22	(25)	54	(58)	29
Referred to Juvenile Court	(42)	28	(3)	7	(45)	23
Total	(151)	100	(46)	100	(197)	100

Chi-square = 20.570 p < .001
Gamma = -.037

TABLE XVI

NEGATIVE IMAGE OF JUVENILE PRESENTED IN PROBATION
REPORT AND DISPOSITION BY JUVENILE COURT*

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(5)	22	(0)	0	(5)	11
Continued for Disposition	(8)	35	(8)	36	(16)	36
Probation	(10)	43	(10)	45	(20)	44
State Industrial School	(0)	0	(4)	18	(4)	9
Total	(23)	100	(22)	100	(45)	100

Gamma = .532

TABLE XVII

POSITIVE IMAGE OF JUVENILE PRESENTED IN PROBATION
REPORT AND DISPOSITION BY JUVENILE COURT*

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(3)	10	(2)	13	(5)	11
Continued for Disposition	(12)	40	(4)	27	(16)	36
Probation	(12)	40	(8)	53	(20)	44
State Industrial School	(3)	10	(1)	7	(4)	9
Total	(30)	100	(15)	100	(45)	100

Gamma = .071

*Due to a lack of a sufficient number of cases in some of the cells of the tables, it was not possible to compute chi-squares.

indicated in Table XVI between the degree to which a negative image is presented and severity of disposition of the case by the juvenile court. In other words, juveniles with a high negative image are likely to receive a more severe disposition from the juvenile court than juveniles with a low negative image. The relationship between the degree to which a positive image of the juvenile is presented in the probation reports and severity of disposition of the case by the juvenile court is shown in Table XVII. There is a very weak relationship between these two variables.

The findings related to Hypothesis V.A. can be summarized in the following manner. Juveniles with a high negative image in juvenile division records are likely to receive a more severe disposition from the juvenile division than juveniles with a low negative image. At the same time, there is only a slight relationship between degree of positive image and severity of disposition by the juvenile division. In addition, juveniles with a high negative image in probation records are likely to receive a more severe disposition from the juvenile court than juveniles with a low negative image. There is no significant relationship between the degree to which a positive image of the juvenile is presented in probation department reports and the degree of severity of disposition by the juvenile court.

Hypothesis V.B. The more negative the image of the juvenile's family presented in the police and probation reports, the more severe will be the disposition of the case by the juvenile division and the juvenile court.

This hypothesis considers the way in which the juvenile's family is presented in juvenile division and probation department records. That is, another aspect of the reaction to the juvenile can be seen in relation to the subjective comments about the juvenile's family. Positive and/or negative comments may appear in the juvenile division reports in reference to the families of juveniles they identify as having committed a delinquent offense. If a juvenile is referred to juvenile court, positive and/or negative comments may appear in probation department records in reference to this juvenile.

This hypothesis was operationalized through the use of two scales for each agency: one measured the degree to which a negative image of the juvenile's family was presented in case records; the other appraised the extent to which a positive image of the juvenile's family was presented in case records.

If the hypothesis is to be accepted, there should be a positive association between the severity of disposition and the degree to which a negative image of the juvenile's family is presented in the case records. Conversely, there should be a negative relationship between the severity of disposition and the extent to which a positive image of the juvenile's family is presented in the case records.

Tables XVIII and XIX show the relationship between the image of the juvenile's family and the disposition by the juvenile division. Table XVIII reveals a positive association between the degree to which a negative image of the juvenile's family is presented and the severity of disposition of the

TABLE XVIII

NEGATIVE IMAGE OF JUVENILE'S FAMILY IN JUVENILE DIVISION
REPORT AND DISPOSITION BY JUVENILE DIVISION

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Counseled & Released	(86)	52	(8)	26	(94)	48
Referred to Office of Youth Services	(43)	26	(15)	48	(58)	30
Referred to Juvenile Court	(37)	22	(8)	26	(45)	23
Total	(166)	100	(31)	100	(197)	100

Chi-square = 8.327 p < .05 (p < .025 > .01)
Gamma = .320

TABLE XIX

POSITIVE IMAGE OF JUVENILE'S FAMILY IN JUVENILE DIVISION
REPORT AND DISPOSITION BY JUVENILE DIVISION

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Counseled & Released	(59)	62	(35)	34	(94)	48
Referred to Office of Youth Services	(5)	5	(53)	52	(58)	29
Referred to Juvenile Court	(31)	33	(14)	14	(45)	23
Total	(95)	100	(102)	100	(197)	100

Chi-square = 52.091 p < .001
Gamma = .162

case by the juvenile division. This relationship is statistically significant at the .05 level. In other words, juveniles whose families have a high negative image are likely to receive a more severe disposition from the juvenile division than juveniles whose families have a low negative image.

Table XIX indicates that there is a weak positive relationship between the type of positive image and severity of disposition of the case by the juvenile division. This relationship is statistically significant at the .001 level. Juveniles whose families have a high positive image in the police records are likely to receive a more severe disposition from the juvenile division than juveniles whose families have a low positive image.

It should be noted that this finding is in the opposite direction than that predicted by the hypothesis. That is, 62 percent of juveniles whose families had a low positive image were counseled and released, and 34 percent of those whose families had a high positive image were counseled and released. At the same time, 5 percent of those with a low positive image were referred to the Office of Youth Services, while 52 percent of those with a high positive image were referred to the Office of Youth Services. In addition, 33 percent of those juveniles whose families had a low positive image were referred to juvenile court, while 14 percent of those with a high positive image were referred to juvenile court.

The difference in direction occurs in the dispositions of counsel and release and referral to the Office of Youth Services. One reason for this may be that referral to the

Office of Youth Services requires the co-operation of the parents. Their co-operation may be reflected in the degree to which a positive image of the family is presented in the case records.

The relationship between the degree to which a positive or negative image of the juvenile's family is presented in probation department records and the degree of severity of disposition of the case by the juvenile court is dealt with in Tables XX and XXI. Table XX indicates a weak positive relationship between the degree to which a negative image of the juvenile's family is presented in the probation department records and the severity of the disposition of the case by the juvenile court. In other words, juveniles whose families have a high negative image in probation department records are somewhat likely to receive a more severe disposition than juveniles whose families have a low negative image.

The relationship between the type of positive image of the juvenile's family presented in the probation reports and the disposition of the case by the juvenile court is indicated in Table XXI. This table shows that there is a weak positive relationship between these two variables. In other words, juveniles whose families have a high positive image are somewhat more likely to receive a severe disposition from the juvenile court than juveniles whose families have a low positive image.³

³It should be noted that this finding is in the opposite direction than that predicted by the hypothesis. This may be due to the fact that the analysis included cases in which no positive comments at all appeared in the record. These cases fell into the low positive category. It may be safer to assume that a lack of negative comments implies a positive image than to assume that a lack of positive comments implies a negative image.

TABLE XX

NEGATIVE IMAGE OF JUVENILE'S FAMILY IN PROBATION REPORT
AND DISPOSITION BY JUVENILE COURT*

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(4)	16	(1)	5	(5)	11
Continued for Disposition	(9)	38	(7)	33	(16)	36
Probation	(9)	38	(11)	52	(20)	44
State Industrial School	(2)	8	(2)	10	(4)	9
Total	(24)	100	(21)	100	(45)	100

Gamma = .287

TABLE XXI

POSITIVE IMAGE OF JUVENILE'S FAMILY IN PROBATION REPORT
AND DISPOSITION BY JUVENILE COURT*

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(3)	14	(2)	9	(5)	11
Continued for Disposition	(10)	45	(6)	26	(16)	36
Probation	(6)	27	(14)	61	(20)	44
State Industrial School	(3)	14	(1)	5	(4)	9
Total	(22)	100	(23)	100	(45)	100

Gamma = .241

*Due to a lack of a sufficient number of cases in some of the cells of the tables, it was not possible to compute chi-squares.

The findings in relation to Hypothesis V.B. can be summarized in the following manner. Juveniles whose families have a high negative image in the juvenile division records are likely to receive a more severe disposition than juveniles whose families have a low negative image. Juveniles whose families have a high positive image are only somewhat likely to receive a more severe disposition from the juvenile division than juveniles whose families have a low positive image. In addition, there is a weak relationship between the type of positive or negative image of the juvenile's family and the severity of disposition by the juvenile court.

Hypothesis V.C. The more negative the image of the juvenile's encounter with police and probation officers presented in the police and probation reports, the more severe will be the disposition of the case by the juvenile division and the juvenile court.

A further aspect of the reaction to the juvenile which was dealt with in this study was the way in which the juvenile's encounter with juvenile officers and probation officers was presented in the case records of the juvenile division and/or probation department. That is, positive and/or negative comments may appear in juvenile division records in reference to the juvenile's encounter with juvenile officers. If a juvenile is referred to juvenile court, positive and/or negative comments may appear in the probation department records in regard to this juvenile.

This hypothesis was operationalized through the use of two scales for each agency: one assessed the degree to which a negative image of the juvenile's encounter with

juvenile officers and/or probation officers was presented in case records; the other measured the extent to which a positive image of the juvenile's encounter was presented in the case records.

If Hypothesis V.C. is to be accepted there should be a positive relationship between the severity of disposition and the degree to which a negative image of the juvenile's encounter is presented in the case records. Conversely, there should be a negative relationship between the severity of disposition and the extent to which a positive image of the juvenile's encounter is presented in the case records.

Tables XXII and XXIII indicate the relationship between the image of the juvenile's encounter presented in juvenile division records and the disposition of the case by the juvenile division. A strong positive relationship is shown in Table XXII between the degree to which a negative image of the encounter is presented and the severity of disposition by the juvenile division. In other words, cases which reflect a high negative image of the juvenile's encounter with juvenile officers are likely to receive a more severe disposition than cases which reflect a low negative image of the encounter. It should be noted that there were only a few cases with a high negative image of the encounter. At the same time, however, the majority of these cases were referred to juvenile court.

Table XXIII deals with the relationship between the type of positive image of the juvenile's encounter with juvenile officers and the disposition of the case by the juvenile

TABLE XXII

NEGATIVE IMAGE OF JUVENILE'S ENCOUNTER IN JUVENILE DIVISION
REPORT AND DISPOSITION BY JUVENILE DIVISION*

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Counseled & Released	(92)	51	(2)	12	(94)	48
Referred to Office of Youth Services	(54)	30	(4)	23	(58)	29
Referred to Juvenile Court	(34)	19	(11)	65	(45)	23
Total	(180)	100	(17)	100	(197)	100

Gamma = .727

* Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute a chi-square.

TABLE XXIII

POSITIVE IMAGE OF JUVENILE'S ENCOUNTER IN JUVENILE DIVISION
REPORT AND DISPOSITION BY JUVENILE DIVISION

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Counseled & Released	(56)	52	(38)	43	(94)	48
Referred to Office of Youth Services	(17)	16	(41)	46	(58)	29
Referred to Juvenile Court	(35)	32	(10)	11	(45)	23
Total	(108)	100	(89)	100	(197)	100

Chi-square = 25.673
Gamma = -.060

p < .001

division. This table shows that there is a very weak negative relationship between these two variables. This relationship is statistically significant at the .001 level.

The relationship between the type of image of the juvenile's encounter with probation officers and the severity of disposition by the juvenile court is dealt with in Tables XXIV and XXV. Table XXIV indicates that there is a strong positive relationship between the degree to which a negative image of the juvenile's encounter is presented in probation records and the severity of disposition by the juvenile court. It should be noted that there are only a few cases which have a high negative image which makes it difficult to draw any generalizations from this table. Table XXV demonstrates a very weak negative relationship between the type of positive image of the encounter with probation officers and the disposition by the juvenile court.

One possible reason for the lack of clear relationship between the image of the encounter with the probation department and disposition of the case by the juvenile court may be due to the fact that the probation records contain more information in regard to the social background and family situation of the juvenile than they do in regard to the image of the encounter with the probation officer. That is, a large number of the cases used in this study contained no information in regard to the encounter with the probation officer.

The findings related to Hypothesis V.C. can be summarized in this manner. Cases which reflect a high negative image of the juvenile's encounter with a juvenile officer are

TABLE XXIV

NEGATIVE IMAGE OF JUVENILE'S ENCOUNTER IN PROBATION REPORT
AND DISPOSITION BY JUVENILE COURT*

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(5)	13	(0)	0	(5)	11
Continued for Disposition	(15)	40	(1)	14	(16)	36
Probation	(16)	42	(4)	57	(20)	44
State Industrial School	(2)	5	(2)	29	(4)	9
Total	(38)	100	(7)	100	(45)	100

Gamma = .715

TABLE XXV

POSITIVE IMAGE OF JUVENILE'S ENCOUNTER IN PROBATION REPORT
AND DISPOSITION BY JUVENILE COURT*

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Dismissed or Placed on File	(3)	14	(2)	8	(5)	11
Continued for Disposition	(7)	33	(9)	38	(16)	36
Probation	(7)	33	(13)	54	(20)	44
State Industrial School	(4)	19	(0)	0	(4)	9
Total	(21)	100	(24)	100	(45)	100

Gamma = -.087

*Due to a lack of a sufficient number of cases in some of the cells of the tables, it was not possible to compute chi-squares.

likely to receive a more severe disposition from the juvenile division than cases which reflect a low negative image of the encounter. Cases which reflect a low positive image of the encounter are only slightly more likely to receive a severe disposition from the juvenile division than cases which reflect a high positive image. In addition, cases which reflect a high negative image of the juvenile's encounter with a probation officer in probation records are likely to receive a more severe disposition from the juvenile court than cases reflecting a low negative image of the juvenile's encounter with a probation officer. There is a very weak negative relationship between the degree to which a positive image of the encounter is presented in probation records and the disposition by the juvenile court.

All of the hypotheses in this chapter were concerned with the reaction of juvenile officers and probation officers in terms of their written subjective comments in case records to juveniles identified as having committed a delinquent offense. Each of the three hypotheses dealt with a different aspect of this reaction: their reaction to the juvenile, their reaction to the juvenile's family, and their reaction to their encounter with the juvenile. Table XXVI summarizes the findings in terms of the gamma values for each of the relationships discussed in this chapter. It also provides a comparison of the positive and negative scales for each type of image (juvenile, juvenile's family, and juvenile's encounter). In general, Table XXVI indicates that there is a relationship between the reaction of the juvenile officer (labeler) to the

TABLE XXVI

GAMMA VALUES FOR RELATIONSHIPS BETWEEN IMAGE AND DISPOSITION
BY JUVENILE DIVISION OR PROBATION DEPARTMENT

Image:	Gamma Values for Scales	
	Measuring Negative Image	Measuring Positive Image
Juvenile in Juvenile Division Records	.730**	-.037**
Juvenile in Probation Department Records	.532	.071
Juvenile's Family in Juvenile Division Records	.320*	.162**
Juvenile's Family in Probation Department Records	.287	.241
Juvenile's Encounter with Juvenile Officer	.727	-.060**
Juvenile's Encounter with Probation Officer	.715	-.087

*Significant at .05 level.

**Significant at .001 level.

juvenile (actor) and the type of disposition (application of the delinquent or nondelinquent label) by the juvenile division. That is, the more negative the reaction of the labeler to the initial label of deviance the more likely the actor will acquire the official label of deviant.

At the same time, the relationship between the reaction of the probation officer and the type of disposition by the juvenile court is not fully clear. This may be due to the fact that juveniles who are referred to probation already have been identified as delinquent by the police. Most of the juveniles who are referred to juvenile court by the juvenile division are officially adjudicated as delinquent.⁴ This may mean that since the court diversionary program was introduced the police have a great deal more formal influence regarding which juveniles acquire an official label of delinquency.⁵ In other words, the decision that the police make in regard to the disposition of a case is a primary factor in determining whether or not a juvenile will be officially adjudicated as delinquent by the juvenile court.

By viewing Table XXVI one can also see that the relationships between the dispositions and the scales which measured a negative image are of a greater degree than the

⁴Of the sample used in this study, 89 percent of the cases referred to juvenile court were officially adjudicated as delinquent.

⁵This same influence may have existed in the past in terms of the informal decisions in regard to the disposition of cases involving juveniles. However, it is not possible to determine the extent of this informal influence.

relationships between the disposition and the scales which assessed a positive image. That is, negative comments in the case records tend to be related to the type of disposition to a greater degree than positive comments. This may be related to a major limitation of the type of data used in this study. The scales only reflect the reaction of the juvenile officers in terms of their written subjective comments. It might be argued that written subjective comments are not an accurate measure of their reaction.⁶ It may be that the written comments reflect the juvenile officer's justification for the disposition. In other words, juvenile officers may decide on a disposition and then write the report in a way that justifies the disposition.

Table XXVI also indicates that the strongest statistically significant relationships are between the following: the degree to which a negative image of the juvenile is presented in the juvenile division records and the severity of disposition by the juvenile division, and the degree to which a negative image of the juvenile's family is presented in the juvenile division records and the severity of disposition by the juvenile division. Table XXVII presents the relationship between the degree to which a negative image of the juvenile's family is presented in the juvenile division report and the severity of disposition by the juvenile division while

⁶Cicourel (1968:328-36) argues that much of the social interaction that takes place between a juvenile officer and a juvenile is not included in the official written report.

TABLE XXVII

NEGATIVE IMAGE OF JUVENILE'S FAMILY IN JUVENILE DIVISION
 REPORT AND DISPOSITION BY JUVENILE DIVISION:
 CONTROLLING FOR NEGATIVE IMAGE OF JUVENILE
 AS PRESENTED IN JUVENILE DIVISION REPORT*

Low Negative Image of Juvenile

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Counseled & Released	(77)	68	(4)	44	(81)	66
Referred to Office of Youth Services	(23)	20	(5)	56	(28)	23
Referred to Juvenile Court	(13)	12	(0)	0	(13)	11
Total	(113)	100	(9)	100	(122)	100

Gamma = .296

High Negative Image of Juvenile

Disposition:	Low		Image High		Total	
	#	%	#	%	#	%
Counseled & Released	(9)	17	(4)	18	(13)	17
Referred to Office of Youth Services	(20)	38	(10)	46	(30)	40
Referred to Juvenile Court	(24)	45	(8)	36	(32)	43
Total	(53)	100	(22)	100	(75)	100

Gamma = -.127

*Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute chi-squares.

controlling for the degree to which a negative image of the juvenile is presented in the report.

Table XXVII shows that the degree to which a negative image of the juvenile is presented in the report affects the relationship between the negative image of the juvenile's family and dispositions by the juvenile division. That is, if a low negative image of the juvenile is presented in the report, then the degree to which a negative image of the juvenile's family is presented is positively related to the severity of disposition. At the same time, if a high negative image of the juvenile is presented in the report, there is a negative relationship between the degree to which a negative image of the juvenile's family is presented in the report and severity of disposition by the juvenile division. In short, the reaction of the juvenile officer to the juvenile is the more important variable in predicting disposition by the juvenile division. Again, one might argue that this is not a reaction to the juvenile but a justification for the disposition.

The last two chapters have attempted to assess some of the factors that influence the successful application of the delinquent label. The following chapter will summarize the major findings of the study.

CHAPTER X

SUMMARY AND CONCLUSIONS

This study has utilized the labeling perspective on deviance as a frame of reference for examining the creation and application of delinquent labels in the juvenile justice system in the city of Manchester, New Hampshire. A review of some of the major approaches to the explanation of delinquency has been presented, and the labeling perspective has been distinguished from other theories of deviance as especially useful in understanding the phenomenon of juvenile delinquency. This distinction has been based on the idea that the labeling perspective tends to focus on the factors associated with the creation of deviant labels rather than on what causes individuals to behave in a deviant manner.

A brief review of the major contributors to the labeling perspective has been presented and an attempt has been made to show how a number of contributions to the literature on stereotypes and group images are related to the labeling perspective. A number of elements of the labeling perspective have been used as a frame of reference in reviewing the historical development of juvenile delinquency as a social phenomenon in the United States.

Before reviewing the major results of this study, it would be useful to discuss some of its assets and liabilities. One limitation of this study is that it is a rather narrow utilization of the labeling perspective on deviance. That is, the study focused primarily on the creation and application of

official labels of deviance and did not deal to any great degree with the creation of informal labels. It has been pointed out that there is a great deal of informal interaction that contributes to the creation of informal labels in the juvenile justice system (Cicourel, 1968:328-36). In addition, this study considered only the reaction of the labeler to the individuals who were identified as delinquent and did not deal directly with the reaction of juveniles who were identified as deviant or the social audience.

Another limitation of this study related to the above, is that the study relies on case records for information concerning the labeling process. This study did not make the mistake of relying on these case records for a theoretical frame of reference (Platt, 1969:11-13). However, the study did rely on the case records in determining the reaction of the labeler to the initial label of deviance. It was pointed out in Chapter IX that it was not clear if this study was assessing the reaction of the juvenile officer or the juvenile officer's justification for a particular disposition. That is, the study did not reveal the actual social interaction that took place between the officials of the juvenile justice system and the juveniles identified as delinquent.

The study is further limited by the fact that the sample of cases is based on a one year time period. It was not possible to follow up cases over an extended period of time. This was due to the fact that the court diversionary program is a relatively new system of processing juveniles. At the same time, no systematic records of juvenile contacts

with the police were kept prior to the establishment of the court diversionary program. This made it impossible to make any comparative generalizations concerning the processing of juveniles before and after the diversionary program was established.

Proponents of the labeling perspective have asserted that the differential power and authority of interacting elements are important variables to be considered in assessing the labeling process (Coser, 1962; Lemert, 1967:67-71; Vold, 1958:214-9). It was pointed out in Chapter III that the historical development of the juvenile court system was based on a middle-class bias and resulted in the imposition of middle-class values on lower-class individuals (Platt, 1969: 135-6). A major limitation of the research is that it did not directly measure the power and authority of the interacting elements in the process of creating delinquent labels. This was assessed indirectly in terms of the occupational prestige of the juvenile's parents and the family situation of juveniles.

A final limitation of this study to be mentioned here is that the research did not deal with the labeling process prior to the involvement of juveniles with the police. Proponents of the labeling perspective have indicated that the labeling process is long and complex, involving a number of different people and organizations (Tannenbaum, 1938:17). This study arbitrarily viewed the beginning of the process as the point of contact with the police. It ignored the earlier process of labeling that may have taken place in the family, neighborhoods, schools, or other social agencies.

With the above limitations in mind, there are some unique assets of this study that should be brought out. One important contribution that is made by this study is that it represents an attempt to operationalize certain aspects of the labeling perspective on deviance. That is, one of the criticisms of the labeling perspective is that its concepts are unclear and difficult to operationalize (Gibbs, 1968: 52-3). This study has attempted to clarify the major elements in the labeling perspective on deviance and use some of them in explaining a specific form of deviance. It is hoped that this study has contributed to an understanding of the creation and application of delinquent labels by official social control agents.

A further unique aspect of this study is that it was able to view a formal version of what was previously an informal process. That is, the counsel and release alternative now available to police under the court diversionary program can be viewed as a formalized sort of street corner justice. One of the criticisms that has been directed at earlier studies of delinquency is that they ignored the decisions that were made by the police prior to the juvenile's actual involvement with the juvenile court (Goldman, 1963). To some degree, this study has overcome this problem.

Studies of delinquency have also been criticized for their tendency to ignore the historical factors that contributed to the development of juvenile delinquency in the United States (Platt, 1969:11-13). This study used the labeling perspective on deviance as a frame of reference for understanding

the historical development of delinquency in the United States. In addition, it has attempted to show that many of the historical origins of the juvenile court system are still influencing decisions that are made by officials of the system. For example, some of the findings discussed in Chapter VIII indicated that it is still not clear whether the juvenile justice system is helping neglected children or punishing delinquent children.

The labeling perspective on deviance has also been criticized for ignoring the implications that labeling has for understanding the social structures and processes that produce deviant labels (Schervish, 1973). This study has been directed at the official social structures that have been developed to identify and label certain individuals and/or behavior patterns as delinquent. It is apparent that labels of delinquency are created and applied by officials of the juvenile justice system. That is, to understand delinquency as a social phenomenon one must look at the official agencies and organizations that have been developed to deal with this problem. Previous portions of this study have attempted to show that many of the agencies and organizations that were initially designed to deal with delinquency developed a vested interest in the problem they were designed to control.

A final asset of this study which should be mentioned here is that the frame of reference utilized in this research could easily be applied to the creation of nondeviant, as well as, deviant labels. Turk (1964:455-6) has asserted that theories of deviance should not be developed independent from

theories of nondeviance. The frame of reference of this study could be used in explaining the creation and application of any type of label. For example, the perspective developed in this study has implications for the explanation of why one individual acquires a deviant label as a result of engaging in a particular type of behavior, while another person acquires a nondeviant label as a result of engaging in the exact same type of behavior.

With the above in mind, a brief review of the major findings of the study will be presented. Several hypotheses were formulated, based on some of the elements of the labeling perspective on deviance. These hypotheses were tested by analyzing data from a sample of case records of juveniles identified by the police as having committed a delinquent offense during the first full year of operation of the court diversionary program.

It was found that a number of juveniles initially identified by the police as having committed a delinquent offense failed subsequently to acquire the official label of delinquency. In addition, juvenile officers tended to initiate contact with the juveniles committing offenses that they perceived as serious more often than those committing other types of offenses. Juveniles committing offenses that the juvenile officers perceived as serious tended to receive a more severe disposition from the juvenile division than juveniles committing other types of offenses. These results lend support to the labeling perspective's assertion that groups will perceive and experience deviance at the points that

their cultural value system is most threatened (Erikson, 1966: 12-19).

Another finding of this research was that the lower the occupational prestige of the juvenile's parents the more severe the disposition of the case by the juvenile division. At the same time, juveniles whose families were not intact received a more severe disposition from the juvenile division than juveniles whose families were intact. In addition, there was a relationship between family situation and occupational prestige of the juvenile's parents. It was determined that the factor that influenced disposition was family situation of juveniles identified as having committed an offense and not the occupational prestige of their parents.

Juveniles who had counsel present at the juvenile court hearing were likely to receive a less severe disposition than juveniles who did not have counsel present. In addition, juveniles who were sent to the State Industrial School prior to the juvenile court hearing tended to receive a more severe disposition from the juvenile court. However, neither of these findings were statistically significant. These findings lend support to the labeling perspective's view that there is differential ability among members of groups in resisting the label of delinquency and the consequences of delinquency.

A further implication of this research was that the more severe the disposition received by juveniles from the juvenile division, the more likely they will have subsequent contacts with the juvenile justice system. Juveniles who were counseled and released had the least number of subsequent

contacts, juveniles referred to the Office of Youth Services had an intermediate number, and juveniles referred to juvenile court had the greatest number of subsequent contacts with the police. While this research did not indicate why this happens, proponents of the labeling perspective would argue that it is due to the increased involvement of juveniles with the juvenile court system. That is, juveniles who are referred to juvenile court are more likely to acquire a permanent delinquent label which will influence their subsequent ability to avoid further contact with the juvenile justice system (Schur, 1973: 118-26).

The reaction of the juvenile officers and probation officers to juveniles initially identified as delinquent was also a factor related to the type of disposition of the case by both the juvenile division and the juvenile court. This reaction was in the form of verbal subjective comments in case records. In general, the more negative the reaction of the juvenile officers and/or probation officers the more severe the disposition by the juvenile division and/or juvenile court. This tends to lend support to the idea that the more negative the reaction of the labeler the more the initial label of deviance is reinforced (Becker, 1971:173; Kitsuse, 1962). However, it was not clear whether the verbal subjective comments were a reaction to the juvenile or a justification for the disposition.

This study suggests a number of possible avenues for further research. One such study might compare cities with and without a court diversionary program in terms of rates of

recidivism, types of dispositions of cases, and content of case records. A study of a particular juvenile court system before and after a court diversionary program was set up would also shed light on the question of the effectiveness of a court diversionary program in preventing further involvement of juveniles in the juvenile court system.

Another important area of research which could be undertaken in a further study is the question of the reaction of the juveniles actually involved in the court diversionary program. That is, it would be useful to obtain knowledge of how juveniles perceive the system. This could be done through the use of interviews or a participant observation approach. This approach would lead to a better understanding of the actual interaction that takes place between the labeler and the juvenile who is identified as having committed a delinquent offense.

The court diversionary program should also be studied over a longer time period. That is, the program is relatively new and its impact on the processing of juveniles may take time to assess. There are still many juveniles who come into contact with the police who first became involved with the juvenile justice system prior to the establishment of the court diversionary program.

Another important avenue of research would be an examination of the labeling process in regard to juveniles from an earlier point in time. That is, one might study the labeling of juveniles by the families, neighbors, school officials, or other social agencies prior to the time that

the juveniles come into contact with the juvenile justice system. It may be that many juveniles make contact with the police who have already developed a negative self-image as a result of their experience in school or elsewhere.

Another possible line of research directly related to the above could assess the process by which nondeviant labels are created and compare this to the process by which deviant labels are produced. For example, this type of study might focus on the creation and application of deviant labels to children by teachers and other school officials. One might suspect that the same process produces both the deviant and the nondeviant labels that are created and applied to children.

This study has also indicated that both the family situation of juveniles identified as having committed a delinquent offense and occupational prestige of their parents were related to the disposition that they received from the juvenile division. At the same time, it was found that family situation was the more important factor in determining disposition. A further study might attempt to examine the relationship between occupational prestige and family situation more carefully and assess if juveniles whose parents are of low occupational prestige are actually more likely to come from families that are not intact than juveniles whose parents are of medium or high occupational prestige. That is, one might attempt to determine the amount of information available to the police concerning the family situation of each group.

The present study has attempted to illustrate the importance of understanding the historical development of the

juvenile court system. It might be useful to study a specific juvenile court system from the time it was established in the early twentieth century until the present. This could be done by taking a selected sample of case records from different time periods and developing a content analysis of these case records. This might give some insight into some of the changes that have occurred in the day-to-day operation of the juvenile justice system over the past fifty years.

Another important area of further research concerns the confusion between neglect and delinquency that has characterized the development of the juvenile court system. That is, it is apparent from this study that this confusion is still present in the system. Another study might attempt to determine the way in which this confusion of neglect and delinquency is influencing the decisions that are being made in regard to the processing of juveniles identified as having committed a delinquent offense.

The present study also indicated that juveniles who were counseled and released or referred to the Office of Youth Services were less likely to have subsequent contact with the police. At the same time, it did not clearly indicate what factors were at work that might influence this lack of subsequent involvement. A further study might attempt to determine if the court diversionary program is preventing subsequent involvement or if other factors are at work.

It is evident from the results of this study that a complete understanding of juvenile delinquency requires an examination of both the persons who are identifying and labeling

juveniles as delinquent and the juveniles who are so identified and so labeled. That is, whether a juvenile is labeled as delinquent by the juvenile justice system is dependent upon the decisions that are made by officials of this system. The decision to label a juvenile as delinquent or nondelinquent does not occur automatically as he engages in an offense that is legally defined as delinquent. Juvenile officers, for example, have a great deal of discretionary power in determining which juveniles have further involvement with the juvenile court and subsequently acquire delinquent labels. The decisions that they make in this matter are based on their reaction to the juvenile in question, their perception of the family situation of the juvenile, the type of delinquent offense, and their perception of the causes of juvenile delinquency.

Historical factors that have influenced the development and operation of the juvenile court system are key elements to be taken into account in any attempt to explain and understand juvenile delinquency in the United States. For example, the juvenile justice system has developed a number of vague and wide-ranging definitions of delinquency. Any attempt to formulate a theory of delinquency must take these definitions into account.

Most early definitions of delinquency tended to confuse neglect and delinquency (Lou, 1927: Chapter I). That is, it was never clear whether the juvenile justice system was designed to punish delinquent children or to help neglected children. It is evident that this confusion still exists in the juvenile justice system. Children from families not intact tend to

receive more severe dispositions from the juvenile division than juveniles from families that are intact. One of the reasons for this may be due to a sincere belief on the part of juvenile officers that the juveniles from families that are not intact need more help than juveniles from families that are intact. However, the help they receive, in terms of referral to juvenile court, does not seem to be very effective in preventing further contact with the juvenile justice system.

Finally, the results of this research lend support to Schur's dictum "leave kids alone wherever possible" (Schur, 1973:155). The historical development of the juvenile justice system has been characterized by the creation of a vast bureaucracy designed to deal with the phenomenon of delinquency. This bureaucracy has developed a vested interest in insuring a continuing supply of the type of juveniles it is supposedly designed to help. It is evident the more involvement that juveniles have with the juvenile justice system, the more likely it is that they will have subsequent involvement. This may be due, in part, to the organization of the juvenile justice system.

This study has indicated that the labeling perspective on deviance can be a useful frame of reference for understanding juvenile delinquency in the United States, both in terms of the historical development of delinquency and the actual operation of the juvenile justice system. It is apparent that the problem of juvenile delinquency is to a large extent a reflection of the organizations and agencies which are supposedly designed to deal with this problem.

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APPENDIXES

APPENDIX A
SAMPLE CASE FORMS

MANCHESTER POLICE DEPARTMENT

JUVENILE UNIT INVESTIGATION REPORT

Surname	First	Middle	Race	Sex	Hair
Address			Telephone Number		
Place of Birth	City	State	Date of Birth		
Previous Address			Resident of City Years: Months:		
Father's Name		Address	Employment		
Mother's Name		Address	Employment		
Deformities - Peculiarities			Nicknames - Alias		
School	Address			Grade	
Church	Address			Religion	
Date/Time of Offense		Nature of Offense			
Location of Offense			Area		
Complainant	Name	Address	Telephone Number		
Reporting Officer					

Details of Investigation, Interviews, Associates, Remarks:

Contact with Family:

Disposition/Referral and Date

Classification Date and Time of Report

Investigating Officer - Name Police Unit Director

OFFICE OF YOUTH SERVICES

FIRST CONTACT

Worker _____ Date: _____
 Appt. _____ New ___ Reopen ___
 Name: _____ Age _____ D.O.B. _____
 Address: _____ Tel. _____
 School or _____ Grade or _____
 Place of Employment _____ Occupation _____
 Referred by: _____
 Parents' Names: Mother: _____ Age _____ Occupation _____
 Father: _____ Age _____ Occupation _____
 Family Status: _____
 Other Agencies: _____

Siblings

	<u>Name</u>	<u>Age</u>	<u>Grade</u>	<u>Name</u>	<u>Age</u>	<u>Grade</u>
1.	_____	_____	_____	5.	_____	_____
2.	_____	_____	_____	6.	_____	_____
3.	_____	_____	_____	7.	_____	_____
4.	_____	_____	_____	8.	_____	_____

PRESENTING PROBLEM

DEVELOPMENTAL HISTORY

Pregnancy: _____ Birth: _____
 Milestones: Walked _____ Talked _____ Toilet Training _____
 Illnesses: _____
 Injuries: _____
 Hospitalizations: _____
 Other: _____

Disposition: _____

APPENDIX B

DATA COLLECTION FORMS

JUVENILE DIVISION DATA

<u>Variable</u>	<u>Code</u>
1. Age	()
(1) 10 & under	(4) 15
(2) 11 & 12	(5) 16
(3) 13 & 14	
2. Sex	
(1) Male	(2) Female ()
3. Number of Previous Contacts	
(1) None	(4) Three ()
(2) One	(5) Four or more
(3) Two	
4. Previous Contacts and/or Offenses	
(1) Larceny	(9) Disorderly Conduct
(2) Burglary	(10) Truant
(3) Runaway	(11) Drug Related Offenses
(4) Stubborn & Unruly	(12) Motor Vehicle Violations
Wayward & Disobedient	(13) Liquor Violations
(5) Assault	(14) Morals
(6) Vandalism, Wanton	(15) Investigation & Suspicion
Damage	(16) Theft other than Larceny
(7) Shoplifting	or Burglary
(8) Fighting	(17) Other
Most recent offense*	1. _____ ()
2nd most recent offense	2. _____ ()
3rd most recent offense	3. _____ ()
4th most recent offense	4. _____ ()
.....	
Least recent offense	5. _____ ()

*This offense will be followed through the process.

5. Disposition of Previous Contacts

- (1) Counsel & Release
- (2) Juvenile Court
- (3) Office of Youth Services
- (4) No Action
- (5) Other

Most recent offense 1. _____ ()

2nd most recent offense 2. _____ ()

3rd most recent offense 3. _____ ()

4th most recent offense 4. _____ ()

.....

Least recent offense 5. _____ ()

6. Number of Subsequent Contacts

- (1) None
- (2) One
- (3) Two
- (4) Three
- (5) Four or more

7. Subsequent Offenses and/or Contacts
(Use above code)

1. _____ ()

2. _____ ()

3. _____ ()

4. _____ ()

.....

5. _____ ()

8. Disposition of Subsequent Contacts
(Use above code)

1. _____ ()

2. _____ ()

3. _____ ()

4. _____ ()

.....

5. _____ ()

9. Investigating Officer ()
 (1) Goonan (5) Murby
 (2) Welsh (6) Carbajal
 (3) Marcoux (7) Tanguay
 (4) Weymans (8) Other ()
10. Number of Years Resident in City ()
 (1) Less than 5 years (3) Unknown
 (2) More than 5 years
11. Born in Manchester ()
 (1) Yes (3) Unknown
 (2) No
12. Father's Occupation ()
-
13. Mother's Occupation ()
-
14. Type of Family Situation
 (1) Mother and stepfather
 (2) Father and stepmother
 (3) Both parents present
 (4) Single parent (mother)
 (5) Single parent (father)
 (6) Both parents missing
 (7) Unknown
15. School Attended at Time of Offense ()
-
16. Grade
 (1) 4th and below (7) 10th
 (2) 5th (8) 11th
 (3) 6th (9) 12th
 (4) 7th (10) Not in school
 (5) 8th (11) Special class
 (6) 9th (12) Unknown
17. Religion ()
 (1) Protestant (4) Jewish
 (2) Catholic (5) Other
 (3) Greek Orthodox (6) Unknown

18. Complainant
 (1) Parents (4) Police
 (2) Neighbor (5) Other
 (3) School
19. Caught in Commission of Act
 (1) Yes (2) No
20. Complete Description of Act in Report
 (1) Yes (2) No
21. How Contact Made
 (1) Police initiated (3) School initiated
 (2) Parent initiated (4) Other
22. Alone in Act
 (1) Yes (2) No
- Negative Image of Juvenile (as presented in record)
 Code: (1) Yes, mentioned in report
 (2) No, not mentioned in report
- ___ 23. Previous trouble at school mentioned
 ___ 24. Previous trouble at home mentioned
 ___ 25. Previous contacts with police mentioned
 in negative context
- ___ 26. Associates mentioned in a negative context
 ___ 27. Previous contacts with other agencies for
 behavior problems mentioned
- ___ 28. Personal characteristics mentioned in a
 negative context
29. Negative Image of Juvenile (Scale Score)
- Positive Image of Juvenile
 Code: (1) Yes (2) No
- ___ 30. Never in trouble before
 ___ 31. Previous contacts with police mentioned
 in positive context
- ___ 32. No school problems or trouble
 ___ 33. No family problems or trouble
 ___ 34. Associates mentioned in a positive context
 ___ 35. Personal characteristics mentioned in
 a positive context
36. Positive Image of Juvenile (Scale Score)

Negative Image of Juvenile's Family

Code: (1) Yes (2) No

- _____ 37. Parents non-co-operative with police ()
 _____ 38. Broken home referred to ()
 _____ 39. Employment of family mentioned in negative context ()
 _____ 40. Negative reference to family in general ()
 _____ 41. Reference to family fighting, disagreements ()
 _____ 42. Parents poor disciplinarians ()
 _____ 43. Father and/or mother is an alcoholic ()
 _____ 44. Trouble with other family members mentioned ()

45. Negative Image of Juvenile's Family (Scale Score) ()

Positive Image of Juvenile's Family

Code: (1) Yes (2) No

- _____ 46. Parents co-operative with police ()
 _____ 47. Employment of family mentioned in positive context ()
 _____ 48. Good home in general mentioned ()
 _____ 49. Parents good disciplinarians ()
 _____ 50. Parents desire help ()
 _____ 51. Parents show concern for juvenile ()
 _____ 52. No problems with other family members ()

53. Positive Image of Juvenile's Family (Scale Score) ()

Negative Image of Encounter with Police

Code: (1) Yes (2) No

- _____ 54. No remorse shown ()
 _____ 55. Negative actions during encounter mentioned ()
 _____ 56. Non-co-operative with police ()
 _____ 57. Negative attitude mentioned ()

58. Negative Image of Encounter with Police (Scale Score) ()

Positive Image of Encounter with Police

Code: (1) Yes (2) No

- _____ 59. Remorse shown ()
 _____ 60. Co-operative with police ()
 _____ 61. Positive attitude mentioned ()
 _____ 62. Positive actions during interview mentioned ()

63. Positive Image of Encounter with Police (Scale Score) ()

PROBATION DEPARTMENT DATA

- | <u>Variable</u> | <u>Code</u> |
|---|-------------|
| 1. Investigation Done by Probation Department
(1) Yes (2) No | () |
| 2. How Held in Custody
(1) By parents (2) In SIS (3) By police | () |
| 3. Industrial School Diagnosis and Evaluation Made
(1) Yes (2) No | () |
| 4. Previous Court History of Juvenile | |
| (1) Breaking & Entering (7) Drug Related Offenses | |
| (2) Breaking & Entering, (8) Truancy | |
| Larceny (9) Assault | |
| (3) Burglary (10) Violation of Probation | |
| (4) Other Types of Theft (11) Shoplifting | |
| (5) Runaway (12) Motor Vehicle Violations | |
| (6) Stubborn & Unruly (13) Vandalism, Wanton Damage | |
| Wayward & Disobedient (14) Other | |
| Most recent offense 1. _____ | () |
| 2nd most recent offense 2. _____ | () |
| 3rd most recent offense 3. _____ | () |
| | |
| Least recent offense 4. _____ | () |
| 5. Disposition of Previous Court Appearances | |
| (1) Probation 6 months or less (7) Continued for disposition | |
| (2) Probation 1 year (8) Placed on file without finding | |
| (3) Probation 18 months (9) Case dismissed | |
| (4) Probation 2 years or more (10) Probation continued | |
| (5) Committed SIS without minority (11) Probation added | |
| (6) Committed SIS for minority (12) Referred to other agency (suspended sentence) | |
| | (13) Other |

Most recent offense 1. _____ ()
 2nd most recent offense 2. _____ ()
 3rd most recent offense 3. _____ ()

.....

Least recent offense 4. _____ ()

6. Subsequent Court Appearances
 (Use above code)

1. _____ ()
 2. _____ ()
 3. _____ ()

.....

Latest contact 4. _____ ()

7. Disposition of Subsequent Court Appearances
 (Use above code)

1. _____ ()
 2. _____ ()
 3. _____ ()

.....

Latest contact 4. _____ ()

8. Judge

(1) Capistran (3) Broderick
 (2) O'Neil (4) Unknown

9. Probation Officer

(1) Walsh (4) Myers
 (2) Fitzgerald (5) Lamarre
 (3) Blouin

10. Legal Counsel

(1) Yes (3) Unknown
 (2) No

Negative Image of Juvenile (as presented in record)

Code: (1) Yes, mentioned in report
(2) No, not mentioned in report

- ___ 11. Behavior problems at school mentioned ()
 ___ 12. Reference to behavior problems at home ()
 ___ 13. Previous contacts with juvenile court agents mentioned ()
 ___ 14. Associates mentioned in a negative context ()
 ___ 15. Personal characteristics mentioned in a negative context ()
 ___ 16. Psychological problems referred to (other than negative self-image) ()
 ___ 17. Negative self-image referred to ()
 ___ 18. Reference to a lack of long-term goals ()
 19. Negative Image of Juvenile (Scale Score) ()

Positive Image of Juvenile

Code: (1) Yes (2) No

- ___ 20. Reference to good behavior at home ()
 ___ 21. Reference to good behavior at school ()
 ___ 22. Never in trouble before ()
 ___ 23. Personal characteristics mentioned in a positive context ()
 ___ 24. Associates mentioned in a positive context ()
 ___ 25. Psychological strengths referred to ()
 ___ 26. Reference to a positive self-image ()
 ___ 27. Reference to an interest in long-term goals ()
 28. Positive Image of Juvenile (Scale Score) ()

Negative Image of Juvenile's Family

Code: (1) Yes (2) No

- ___ 29. Parents non-co-operative ()
 ___ 30. Broken home referred to ()
 ___ 31. Economic condition of family mentioned in negative context ()
 ___ 32. Reference to family fighting, abusiveness ()
 ___ 33. Negative reference to family in general ()
 ___ 34. Parents poor disciplinarians ()
 ___ 35. Drinking problems of parents referred to ()
 ___ 36. Negative reference to specific family member ()
 ___ 37. Reference to psychological problems of other family members ()
 38. Negative Image of Juvenile's Family (Scale Score) ()

Positive Image of Juvenile's Family

Code: (1) Yes (2) No

- ___ 39. Economic condition of family mentioned in a positive context ()
- ___ 40. Positive reference to family in general ()
- ___ 41. Positive reference to specific family member ()
- ___ 42. Parents co-operative ()
- ___ 43. Parents good disciplinarians ()
- ___ 44. Parents desire help ()
- ___ 45. Psychological strengths of family members mentioned ()

46. Positive Image of Juvenile's Family (Scale Score) ()

Negative Image of Encounter with Probation Officer

Code: (1) Yes (2) No

- ___ 47. No remorse shown ()
- ___ 48. Non-co-operative with interviewer ()
- ___ 49. Negative actions during interview mentioned ()
- ___ 50. Negative attitude mentioned ()

51. Negative Image of Encounter with Probation Officer (Scale Score) ()

Positive Image of Encounter with Probation Officer

Code: (1) Yes (2) No

- ___ 52. Remorse shown ()
- ___ 53. Co-operative ()
- ___ 54. Positive actions during interview mentioned ()
- ___ 55. Positive attitude mentioned ()

56. Positive Image of Encounter with Probation Officer (Scale Score) ()

OFFICE OF YOUTH SERVICES DATA

<u>Variable</u>		<u>Code</u>
1. Family Status		()
(1) Mother and father both present	(5) Father deceased	
(2) Parents divorced	(6) Mother & father both deceased	
(3) Parents separated	(7) Unknown	
(4) Mother deceased		
2. Juvenile Living with		()
(1) Mother & father	(5) Father	
(2) Mother & stepfather	(6) Other ()	
(3) Father & stepmother	(7) Unknown	
(4) Mother		
3. Contact with Other Agencies		()
(1) Welfare	(4) Family Education	
(2) Neighborhood Information & Referral	(5) Community Guidance	
(3) Child and Family Service	(6) Other ()	
	(7) None	
4. Interview with		()
(1) Mother & juvenile	(6) Father	
(2) Father & juvenile	(7) Juvenile	
(3) Mother, father & juvenile	(8) Other ()	
(4) Mother & father	(9) Juvenile & other ()	
(5) Mother	(10) No interview	
5. Number of referral		()
(1) First	(3) Third	
(2) Second		
6. Disposition		()
(1) Welfare	(6) Runaway Youth Project	
(2) Neighborhood Information & Referral	(7) Catholic Charities	
(3) Child & Family Service	(8) Follow-up by OYS	
(4) Family Education	(9) No action taken	
(5) Community Guidance	(10) Other ()	

Negative Image of Juvenile (as presented in record).

Code: (1) Yes, mentioned in report
(2) No, not mentioned in report

- ___ 7. Behavior problems at school mentioned ()
 ___ 8. Reference to behavior problems at home ()
 ___ 9. Previous contacts with juvenile court agents mentioned ()
 ___ 10. Associates mentioned in a negative context ()
 ___ 11. Personal characteristics mentioned in a negative context ()
 ___ 12. Psychological problems referred to (other than a negative self-image) ()
 ___ 13. Negative self-image referred to ()
 ___ 14. Reference to a lack of long-term goals ()
 15. Negative Image of Juvenile (Scale Score) ()

Positive Image of Juvenile

Code: (1) Yes (2) No

- ___ 16. Reference to good behavior at home ()
 ___ 17. Reference to good behavior at school ()
 ___ 18. Never in trouble before ()
 ___ 19. Personal characteristics mentioned in a positive context ()
 ___ 20. Associates mentioned in a positive context ()
 ___ 21. Psychological strengths referred to ()
 ___ 22. Reference to positive self-image ()
 ___ 23. Reference to an interest in long-term goals ()
 24. Positive Image of Juvenile (Scale Score) ()

Negative Image of Juvenile's Family

Code: (1) Yes (2) No

- ___ 25. Parents non-co-operative ()
 ___ 26. Broken home referred to ()
 ___ 27. Economic condition of family mentioned in negative context ()
 ___ 28. Reference to family fighting, abusiveness ()
 ___ 29. Negative reference to family in general ()
 ___ 30. Parents poor disciplinarians ()
 ___ 31. Drinking problems of parents referred to ()
 ___ 32. Negative reference to specific family member ()
 ___ 33. Reference to psychological problems of other family members ()
 34. Negative Image of Juvenile's Family (Scale Score) ()

Positive Image of Juvenile's Family

Code: (1) Yes (2) No

35. Economic condition of family mentioned in a positive context ()
 36. Positive reference to family in general ()
 37. Positive reference to specific family member ()
 38. Parents co-operative ()
 39. Parents good disciplinarians ()
 40. Parents desire help ()
 41. Psychological strengths of family members mentioned ()

Positive Image of Juvenile's Family (Scale Score) ()

Negative Image of Encounter with OYS Intake Worker

Code: (1) Yes (2) No

43. No remorse shown ()
 44. Non-co-operative with interviewer ()
 45. Negative actions during interview mentioned ()
 46. Negative attitude mentioned ()

47. Negative Image of Encounter with OYS Intake Worker (Scale Score) ()

Positive Image of Encounter with Intake Worker

Code: (1) Yes (2) No

48. Remorse shown ()
 49. Co-operative ()
 50. Positive actions during interview mentioned ()
 51. Positive attitude mentioned ()

52. Positive Image of Encounter with OYS Intake Worker (Scale Score) ()

APPENDIX C

QUESTIONNAIRE

This questionnaire is part of a study of the court diversionary program in the processing of juvenile offenders in the city of Manchester, New Hampshire. Part of the study involves an assessment of the opinions of various people in the juvenile justice system. The results of the study will be used for academic purposes only, and your responses will remain anonymous.

Please read the instructions for each part carefully and then answer the questions in the order in which they occur. It is not necessary that you spend a great deal of time on any one question. Sometimes the alternative answers may not quite fit your opinion--if so, simply select the alternative that is most likely to represent your opinion.

Be sure to answer all parts of the questionnaire.
Thank you for your cooperation.

1. There are three major elements in the court diversionary program in regard to the processing of juvenile offenders: the Juvenile Division of the Manchester Police Department, the Juvenile Court and Probation Department, and the Office of Youth Services. For each of these elements check what you feel are the three most important roles. Number them in order of importance--1. most important, 2. next most important, 3. least important.

A. The Juvenile Division of the Manchester Police Department

- Counseling juveniles and/or families of juveniles who come into contact with the police for behavior problems.
- Prevention of recidivism
- Detection of juvenile offenses
- Referral of juveniles to appropriate agencies
- Punishment of juveniles who engage in delinquent activity
- Detection of psychological problems of juveniles who come into contact with the police for behavior problems
- Detection of family problems of juveniles who come into contact with the police for behavior problems
- Prevention of delinquency among juveniles in general
- Distinguishing hard-core delinquents from those juveniles who only engage in minor or occasional misconduct
- Other (specify) _____

B. The Juvenile Court and Probation Department

- Counseling juveniles and/or families of juveniles who come into contact with the police for behavior problems
- Prevention of recidivism
- Detection of juvenile offenses
- Referral of juveniles to appropriate agencies
- Punishment of juveniles who engage in delinquent activity
- Detection of psychological problems of juveniles who come into contact with the police for behavior problems
- Detection of family problems of juveniles who come into contact with the police for behavior problems
- Prevention of delinquency among juveniles in general
- Distinguishing hard-core delinquents from those juveniles who only engage in minor or occasional misconduct
- Other (specify) _____

C. The Office of Youth Services

- Counseling juveniles and/or families of juveniles who come into contact with the police for behavior problems
 - Prevention of recidivism
 - Detection of juvenile offenses
 - Referral of juveniles to appropriate agencies
 - Punishment of juveniles who engage in delinquent activity
 - Detection of psychological problems of juveniles who come into contact with the police for behavior problems
 - Detection of family problems of juveniles who come into contact with the police for behavior problems
 - Prevention of delinquency among juveniles in general
 - Distinguishing hard-core delinquents from those juveniles who only engage in minor or occasional misconduct
 - Other (specify) _____
-

2. As a (Juvenile Officer, Probation Officer, Intake Worker) what do you feel is the most important aspect of your job?

- Counseling juveniles and/or families of juveniles who come into contact with the police for behavior problems
 - Prevention of recidivism
 - Detection of juvenile offenses
 - Referral of juveniles to appropriate agencies
 - Punishment of juveniles who engage in delinquent activity
 - Detection of psychological problems of juveniles who come into contact with the police for behavior problems
 - Detection of family problems of juveniles who come into contact with the police for behavior problems
 - Prevention of delinquency among juveniles in general
 - Distinguishing hard-core delinquents from those juveniles who only engage in minor or occasional misconduct
 - Other (specify) _____
-

3. There are a number of different types of juvenile offenses. Different people have different ideas concerning the degree to which these offenses constitute a threat to our society. For each of the following types of offenses, check the response which most closely coincides with your opinion as to the degree to which the offense is a threat to our society.
- A. Burglary
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- B. Theft
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- C. Runaway
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- D. Stubborn & Unruly, Wayward & Disobedient
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- E. Assault
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- F. Vandalism, Wanton Damage
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- G. Disorderly Conduct
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- H. Truancy
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- I. Drug Related Offenses
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- J. Motor Vehicle Violations
 A very serious threat Not a very serious threat
 A serious threat No threat at all
- K. Immoral Behavior (Sex Related Offenses)
 A very serious threat Not a very serious threat
 A serious threat No threat at all

L. Liquor Violations

A very serious threat Not a very serious threat
 A serious threat No threat at all

4. There are a number of factors which are involved in making a decision about the disposition of a case involving a juvenile who has been identified as having committed a delinquent act.

A. For each of the following check the response which most closely coincides with the degree of importance the factor is to you in making a decision about the disposition of a case involving a juvenile offense.

1. The type of delinquent act
 Very important Not very important
 Somewhat important Not important at all
2. The family situation of the juvenile (broken home, intact home)
 Very important Not very important
 Somewhat important Not important at all
3. The attitude of the juvenile
 Very important Not very important
 Somewhat important Not important at all
4. The attitude of the juvenile's parents
 Very important Not very important
 Somewhat important Not important at all
5. The juvenile's past history of delinquency or nondelinquency
 Very important Not very important
 Somewhat important Not important at all
6. The friends and associates of the juvenile
 Very important Not very important
 Somewhat important Not important at all
7. The juvenile's academic performance in school
 Very important Not very important
 Somewhat important Not important at all
8. The juvenile's behavior record in school
 Very important Not very important
 Somewhat important Not important at all
9. The neighborhood in which the juvenile lives
 Very important Not very important
 Somewhat important Not important at all

10. The involvement of other family members in violations of the law
 Very important Not very important
 Somewhat important Not important at all
11. Having other duties to perform at the time of the encounter with the juvenile
 Very important Not very important
 Somewhat important Not important at all
12. The appearance of the juvenile (clean, dirty, etc.)
 Very important Not very important
 Somewhat important Not important at all
13. Other (specify) _____

- B. In general of the above factors (directly above 1-13), which tends to be the most important to you in making a decision about the disposition of a juvenile case?
- _____
- _____

5. There are a number of alternative ways of dealing with juveniles who are identified as having committed delinquent offenses.

- A. Of the following alternatives, check the response which most closely coincides with your opinion as to its effectiveness in dealing with juveniles identified as having committed a delinquent act.

1. Counsel and release by the Juvenile Division
 Very effective Not very effective
 Somewhat effective Not effective at all
2. Referral to the Office of Youth Services
 Very effective Not very effective
 Somewhat effective Not effective at all
3. Appearance in Juvenile Court
 Very effective Not very effective
 Somewhat effective Not effective at all
4. Placing the juvenile on probation
 Very effective Not very effective
 Somewhat effective Not effective at all
5. Commitment to the Industrial School
 Very effective Not very effective
 Somewhat effective Not effective at all

6. Referral to an agency for psychological counseling
 Very effective Not very effective
 Somewhat effective Not effective at all
7. Referral to an agency for family counseling
 Very effective Not very effective
 Somewhat effective Not effective at all
8. Other (specify) _____

B. In general, which of the above do you feel is most effective? _____

6. There are a number of ideas concerning the causes of delinquency. Of the following, check the three factors which you feel are the biggest contributors to delinquency. Number them in order of importance--1. most important, 2. next most important, 3. least important.

- Lack of parental discipline
 Lack of an adequate family life (broken home, etc.)
 Leniency in the treatment of juveniles who commit delinquent acts
 Psychological problems of juveniles
 Unresolved family problems (family fighting, abusiveness, etc.)
 Economic problems of juveniles' families
 Other (specify) _____

APPENDIX D
SUPPLEMENTARY TABLES

TABLE XXVIII

FAMILY OF JUVENILE, INTACT OR NOT INTACT,
AND OCCUPATIONAL PRESTIGE OF JUVENILE'S PARENTS

Occupational Prestige:	Family					
	Intact		Not Intact		Total	
	#	%	#	%	#	%
Low	(57)	47	(37)	74	(94)	55
Medium	(46)	38	(8)	16	(54)	32
High	(18)	15	(5)	10	(23)	13
Total	(121)	100	(50)	100	(171)	100

Chi-square = 10.711 $p < .05$ ($p < .025 > .01$)
Gamma = -.442

TABLE XXIX

FAMILY OF JUVENILE, INTACT OR NOT INTACT, AND DISPOSITION
BY JUVENILE DIVISION: CONTROLLING FOR OCCUPATIONAL PRESTIGE
OF JUVENILE'S PARENTS*

Low Occupational Prestige

Disposition:	Family					
	Intact		Not Intact		Total	
	#	%	#	%	#	%
Counseled & Released	(26)	46	(9)	24	(35)	38
Referred to Office of Youth Services	(16)	29	(12)	33	(28)	30
Referred to Juvenile Court	(14)	25	(16)	43	(30)	32
Total	(56)	100	(37)	100	(93)	100

Gamma = .384

Medium Occupational Prestige

Disposition:	Family					
	Intact		Not Intact		Total	
	#	%	#	%	#	%
Counseled & Released	(24)	55	(1)	13	(25)	48
Referred to Office of Youth Services	(16)	36	(5)	62	(21)	40
Referred to Juvenile Court	(4)	9	(2)	25	(6)	12
Total	(44)	100	(8)	100	(52)	100

Gamma = .667

High Occupational Prestige

Disposition:	Family					
	Intact		Not Intact		Total	
	#	%	#	%	#	%
Counseled & Released	(14)	78	(1)	20	(15)	65
Referred to Office of Youth Services	(3)	17	(2)	40	(5)	22
Referred to Juvenile Court	(1)	5	(2)	40	(3)	13
Total	(18)	100	(5)	100	(23)	100

Gamma = .823

*Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute chi-squares.

TABLE XXX

OCCUPATIONAL PRESTIGE OF JUVENILE'S PARENTS
AND DISPOSITION BY JUVENILE DIVISION: CONTROLLING FOR
FAMILY OF JUVENILE, INTACT OR NOT INTACT*

Intact Family

Disposition:	Occupational Prestige							
	Low		Medium		High		Total	
	#	%	#	%	#	%	#	%
Counseled & Released	(26)	46	(24)	55	(14)	78	(64)	54
Referred to Office of Youth Services	(16)	29	(16)	36	(3)	17	(35)	30
Referred to Juvenile Court	(14)	25	(4)	9	(1)	5	(19)	16
Total	(56)	100	(44)	100	(18)	100	(118)	100

Gamma = $-.351$

Family Not Intact

Disposition:	Occupational Prestige							
	Low		Medium		High		Total	
	#	%	#	%	#	%	#	%
Counseled & Released	(9)	24	(1)	12	(1)	20	(11)	22
Referred to Office of Youth Services	(12)	33	(5)	63	(2)	40	(19)	38
Referred to Juvenile Court	(16)	43	(2)	25	(2)	40	(20)	40
Total	(37)	100	(8)	100	(5)	100	(50)	100

Gamma = $-.053$

*Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute chi-squares.

TABLE XXXI

DISPOSITION BY JUVENILE DIVISION AND NUMBER OF
SUBSEQUENT CONTACTS WITH JUVENILE DIVISION:
CONTROLLING FOR PERCEIVED SEVERITY OF OFFENSE
BY JUVENILE OFFICER*

Serious Offenses

Number of Subsequent Contacts:	Disposition							
	Counseled & Released		Referred to Office of Youth Services		Referred to Juvenile Court		Total	
	#	%	#	%	#	%	#	%
None	(24)	77	(26)	93	(9)	33.3	(59)	69
One	(3)	10	(0)	0	(9)	33.3	(12)	14
Two or More	(4)	13	(2)	7	(9)	33.3	(15)	17
Total	(31)	100	(28)	100	(27)	100	(86)	100

Gamma = .512

Nonserious Offenses

Number of Subsequent Contacts:	Disposition							
	Counseled & Released		Referred to Office of Youth Services		Referred to Juvenile Court		Total	
	#	%	#	%	#	%	#	%
None	(50)	80	(21)	70	(7)	39	(78)	70
One	(9)	14	(7)	23	(6)	33	(22)	20
Two or More	(4)	6	(2)	7	(5)	28	(11)	10
Total	(63)	100	(30)	100	(18)	100	(111)	100

Gamma = .460

*Due to a lack of a sufficient number of cases in some of the cells of the table, it was not possible to compute chi-squares.

TABLE XXXII

DISTRIBUTION OF SCORES FOR SCALE MEASURING NEGATIVE
IMAGE OF JUVENILE IN JUVENILE DIVISION RECORDS

Score:	Frequency	Percent
0	124	62.0
1	28	14.0
2	27	13.5
3	16	8.0
4	4	2.0
5	1	0.5
Total	200	100.0

TABLE XXXIII

DISTRIBUTION OF SCORES FOR SCALE MEASURING POSITIVE
IMAGE OF JUVENILE IN JUVENILE DIVISION RECORDS

Score:	Frequency	Percent
0	154	77.0
1	24	12.0
2	18	9.0
3	3	1.5
4	1	0.5
Total	200	100.0

TABLE XXXIV

DISTRIBUTION OF SCORES FOR SCALE MEASURING NEGATIVE
IMAGE OF JUVENILE'S FAMILY IN JUVENILE DIVISION RECORDS

Score:	Frequency	Percent
0	169	84.5
1	16	8.0
2	8	4.0
3	6	3.0
4	1	0.5
Total	200	100.0

TABLE XXXV

DISTRIBUTION OF SCORES FOR SCALE MEASURING POSITIVE
IMAGE OF JUVENILE'S FAMILY IN JUVENILE DIVISION RECORDS

Score:	Frequency	Percent
0	98	49.0
1	31	15.5
2	31	15.5
3	38	19.0
4	1	0.5
5	1	0.5
Total	200	100.0

TABLE XXXVI

DISTRIBUTION OF SCORES FOR SCALE MEASURING NEGATIVE
IMAGE OF JUVENILE'S ENCOUNTER WITH JUVENILE OFFICER

Score:	Frequency	Percent
0	183	91.5
1	12	6.0
2	4	2.0
3	1	0.5
Total	200	100.0

TABLE XXXVII

DISTRIBUTION OF SCORES FOR SCALE MEASURING POSITIVE
IMAGE OF JUVENILE'S ENCOUNTER WITH JUVENILE OFFICER

Score:	Frequency	Percent
0	111	55.5
1	50	25.0
2	37	18.5
3	2	1.0
Total	200	100.0

TABLE XXXVIII

DISTRIBUTION OF SCORES FOR SCALE MEASURING NEGATIVE
IMAGE OF JUVENILE IN PROBATION DEPARTMENT RECORDS

Score:	Frequency	Percent
0	11	24.4
1	7	15.6
2	5	11.1
3	11	24.4
4	8	17.8
5	3	6.7
Total	45	100.0

TABLE XXXIX

DISTRIBUTION OF SCORES FOR SCALE MEASURING POSITIVE
IMAGE OF JUVENILE IN PROBATION DEPARTMENT RECORDS

Score:	Frequency	Percent
0	30	66.7
1	5	11.1
2	4	8.9
3	2	4.4
4	4	8.9
Total	45	100.0

TABLE XL

DISTRIBUTION OF SCORES FOR SCALE MEASURING NEGATIVE IMAGE
OF JUVENILE'S FAMILY IN PROBATION DEPARTMENT RECORDS

Score:	Frequency	Percent
0	13	28.9
1	11	24.4
2	5	11.1
3	7	15.6
4	7	15.6
5	1	2.2
6	0	0.0
7	1	2.2
Total	45	100.0

TABLE XLI

DISTRIBUTION OF SCORES FOR SCALE MEASURING POSITIVE IMAGE
OF JUVENILE'S FAMILY IN PROBATION DEPARTMENT RECORDS

Score:	Frequency	Percent
0	22	48.9
1	4	8.9
2	7	15.6
3	6	13.3
4	5	11.1
5	1	2.2
Total	45	100.0

TABLE XLII

DISTRIBUTION OF SCORES FOR SCALE MEASURING NEGATIVE
IMAGE OF JUVENILE'S ENCOUNTER WITH PROBATION OFFICER

Score:	Frequency	Percent
0	38	84.4
1	5	11.1
2	2	4.4
Total	45	100.0

TABLE XLIII

DISTRIBUTION OF SCORES FOR SCALE MEASURING POSITIVE
IMAGE OF JUVENILE'S ENCOUNTER WITH PROBATION OFFICER

Score:	Frequency	Percent
0	21	46.7
1	15	33.3
2	6	13.3
3	3	6.7
Total	45	100.0

TABLE XLIV

NEGATIVE IMAGE OF JUVENILE IN JUVENILE DIVISION REPORT
(RAW SCALE SCORES) AND DISPOSITION BY JUVENILE DIVISION

Disposition:	Score						Total
	0	1	2	3	4	5	
Counseled & Released	81	8	5	0	0	0	94
Referred to Office of Youth Services	28	10	13	6	1	0	58
Referred to Juvenile Court	13	9	9	10	3	1	45
Total	122	27	27	16	4	1	197

Gamma = .685

TABLE XLV

POSITIVE IMAGE OF JUVENILE IN JUVENILE DIVISION REPORT
(RAW SCALE SCORES) AND DISPOSITION BY JUVENILE DIVISION

Disposition:	Score					Total
	0	1	2	3	4	
Counseled & Released	76	8	6	3	1	94
Referred to Office of Youth Services	33	14	11	0	0	58
Referred to Juvenile Court	42	2	1	0	0	45
Total	151	24	18	3	1	197

Gamma = -.059

TABLE XLVI

NEGATIVE IMAGE OF JUVENILE'S FAMILY IN JUVENILE DIVISION
 REPORT (RAW SCALE SCORES) AND DISPOSITION
 BY JUVENILE DIVISION

Disposition:	Score					Total
	0	1	2	3	4	
Counseled & Released	86	5	2	1	0	94
Referred to Office of Youth Services	43	7	4	3	1	58
Referred to Juvenile Court	37	4	2	2	0	45
Total	166	16	8	6	1	197

Gamma = .312

TABLE XLVII

POSITIVE IMAGE OF JUVENILE'S FAMILY IN JUVENILE DIVISION
 REPORT (RAW SCALE SCORES) AND DISPOSITION
 BY JUVENILE DIVISION

Disposition:	Score						Total
	0	1	2	3	4	5	
Counseled & Released	59	12	14	9	0	0	94
Referred to Office of Youth Services	5	8	15	28	1	1	58
Referred to Juvenile Court	31	11	2	1	0	0	45
Total	95	31	31	38	1	1	197

Gamma = .114

TABLE XLVIII

NEGATIVE IMAGE OF JUVENILE'S ENCOUNTER IN JUVENILE DIVISION
 REPORT (RAW SCALE SCORES) AND DISPOSITION
 BY JUVENILE DIVISION

Disposition:	Score				Total
	0	1	2	3	
Counseled & Released	92	2	0	0	94
Referred to Office of Youth Services	54	4	0	0	58
Referred to Juvenile Court	34	6	4	1	45
Total	180	12	4	1	197

Gamma = .730

TABLE XLIX

POSITIVE IMAGE OF JUVENILE'S ENCOUNTER IN JUVENILE DIVISION
 REPORT (RAW SCALE SCORES) AND DISPOSITION
 BY JUVENILE DIVISION

Disposition:	Score				Total
	0	1	2	3	
Counseled & Released	56	16	21	1	94
Referred to Office of Youth Services	17	25	15	1	58
Referred to Juvenile Court	35	9	1	0	45
Total	108	50	37	2	197

Gamma = -.127

TABLE I
 NEGATIVE IMAGE OF JUVENILE IN PROBATION REPORT
 (RAW SCALE SCORES) AND DISPOSITION
 BY JUVENILE COURT

Disposition:	Score						Total
	0	1	2	3	4	5	
Dismissed or Placed on File	4	1	0	0	0	0	5
Continued for Disposition	7	0	1	4	3	1	16
Probation	0	6	4	6	3	1	20
State Industrial School	0	0	0	1	2	1	4
Total	11	7	5	11	8	3	45

Gamma = .535

TABLE II
 POSITIVE IMAGE OF JUVENILE IN PROBATION REPORT
 (RAW SCALE SCORES) AND DISPOSITION
 BY JUVENILE COURT

Disposition:	Score					Total
	0	1	2	3	4	
Dismissed or Placed on File	3	0	0	0	2	5
Continued for Disposition	12	0	1	1	2	16
Probation	12	4	3	1	0	20
State Industrial School	3	1	0	0	0	4
Total	30	5	4	2	4	45

Gamma = -.098

TABLE LII

NEGATIVE IMAGE OF JUVENILE'S FAMILY IN PROBATION REPORT
(RAW SCALE SCORES) AND DISPOSITION
BY JUVENILE COURT

Disposition:	Score								Total
	0	1	2	3	4	5	6	7	
Dismissed or Placed on File	4	0	0	1	0	0	0	0	5
Continued for Disposition	6	3	3	1	3	0	0	0	16
Probation	2	7	2	5	3	0	0	1	20
State Industrial School	1	1	0	0	1	1	0	0	4
Total	13	11	5	7	7	1	0	1	45

Gamma = .394

TABLE LIII

POSITIVE IMAGE OF JUVENILE'S FAMILY IN PROBATION REPORT
(RAW SCALE SCORES) AND DISPOSITION
BY JUVENILE COURT

Disposition:	Score						Total
	0	1	2	3	4	5	
Dismissed or Placed on File	3	0	0	0	2	0	5
Continued for Disposition	10	1	3	1	1	0	16
Probation	6	3	4	4	2	1	20
State Industrial School	3	0	0	1	0	0	4
Total	22	4	7	6	5	1	45

Gamma = .148

TABLE LIV

POSITIVE IMAGE OF JUVENILE'S ENCOUNTER IN PROBATION REPORT
(RAW SCALE SCORES) AND DISPOSITION
BY JUVENILE COURT

Disposition:	Score			Total
	0	1	2	
Dismissed or Placed on File	5	0	0	5
Continued for Disposition	15	1	0	16
Probation	16	2	2	20
State Industrial School	2	2	0	4
Total	38	5	2	45

Gamma = .682

TABLE LV

NEGATIVE IMAGE OF JUVENILE'S ENCOUNTER IN PROBATION REPORT
(RAW SCALE SCORES) AND DISPOSITION
BY JUVENILE COURT

Disposition:	Score				Total
	0	1	2	3	
Dismissed or Placed on File	3	0	1	1	5
Continued for Disposition	7	7	2	0	16
Probation	7	8	3	2	20
State Industrial School	4	0	0	0	4
Total	21	15	6	3	45

Gamma = -.092