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Juvenile Injustice: Disproportionate Minority Contact in Oklahoma's Juvenile Justice System

Patrick M. Polasek
Loyola University Chicago

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LOYOLA UNIVERSITY CHICAGO

JUVENILE INJUSTICE:
DISPROPORTIONATE MINORITY CONTACT IN OKLAHOMA'S
JUVENILE JUSTICE SYSTEM

A DISSERTATION SUBMITTED TO
THE FACULTY OF THE GRADUATE SCHOOL
IN CANDIDACY FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

PROGRAM IN SOCIOLOGY

BY

PATRICK M. POLASEK

CHICAGO, IL

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For Mom and Dad

If you tremble with indignation at every injustice, then you are a comrade of mine.

—Ernesto “Che” Guevara

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LIST OF ABBREVIATIONS

DMC	Disproportionate Minority Contact
Official	District Attorney, Juvenile Court Specialist, Public Defender, or Judge
I	Interviewer
R	Respondent

ABSTRACT

Statistics show that minority overrepresentation in the juvenile justice system is not a new phenomenon. The problem, however, is not going away and might even be getting worse. In 2008, the FBI's Uniform Crime Report showed that 52% of juvenile Violent Crime Index arrests, and 33% of juvenile Property Crime Index arrests, are black youths. This occurring while black youth only accounted for 16% of the youth population. These statistics illustrate disproportionate minority contact. The question is whether disproportionate minority contact has improved, and what is influencing minority overrepresentation.

In this dissertation, I examine whether minorities are overrepresented in Oklahoma's Juvenile Justice System. I explore this by using quantitative data collected by the University of Oklahoma's research study on DMC using the Juvenile-On-line Tracking System, law enforcement data, and municipal court data. Once DMC is found existing in the juvenile justice system, I examine the relationship between covert racism, on the part of juvenile justice officials, and minority overrepresentation. This is done through 81 interviews with juvenile justice officials from Oklahoma City including: police, district attorneys, public defenders, judges, and juvenile specialists. Finally, I examine whether minority juvenile justice officials are similar to white juvenile justice officials in the use of color-blind racism. I do this by an analysis of the interviews, and comparing minority to white juvenile justice officials.

I argue that disproportionate minority contact exists, and that color-blind racism is present in juvenile justice officials, which has an adverse effect on the overrepresentation of minorities in the juvenile justice system. White juvenile justice officials are more likely to use color-blind rhetoric. Minorities use color-blind racism to a lesser degree than whites, but this can be explained through social identity theory. This dissertation might offer an explanation to research that supports differential treatment of minorities by the juvenile justice system, as a cause of minority overrepresentation. The difference between those studies, and this dissertation, is identifying that the ideology of juvenile justice officials could influence DMC. The implication of this dissertation then, is changing the beliefs of juvenile justice officials might be important in reducing DMC.

CHAPTER ONE

INTRODUCTION

In an era of supposed “color-blindness,” minority overrepresentation in the criminal and juvenile justice systems should not exist. Yet, a disproportionate number of minorities come in contact with the criminal and juvenile justice systems each year. In 2009, blacks represented 12.9% of the U.S. population (US Census), but 28.3% of all arrests (UCR). This is an example of disproportionate minority contact (DMC).¹ Although DMC occurs at various levels in the U.S. criminal justice system, it is especially prevalent in the juvenile justice system.

It is the juvenile justice system that is at the heart of the DMC problem. In 2008, the FBI’s Uniform Crime Report (UCR) shows that 52% of juvenile Violent Crime Index arrests, and 33% of juvenile Property Crime Index arrests, are black youth. This occurring while black youth only account for 16% of the youth population between the ages of 10-17 (Puzzanchera 2009).

In my dissertation, I examine if minorities are overrepresented in Oklahoma’s Juvenile Justice System. I do this by using quantitative data collected by the University of Oklahoma’s research study on DMC that used the Juvenile-On-line Tracking System, law enforcement data, and municipal court data. Once DMC is found to exist in the

¹ Researchers investigating minority overrepresentation in the juvenile justice system initially focused solely on confinement. In 2002, however, to take account of racial differences at all stages of the juvenile justice process, the Juvenile Justice and Delinquency Prevention Act broadened the concept from disproportionate minority confinement to disproportionate minority contact (Piquero 2008).

juvenile justice system, I examine the relationship between covert racism on the part of juvenile justice officials and minority overrepresentation. This is done through 81 interviews with juvenile justice officials from Oklahoma City including: police, district attorneys, public defenders, judges, and juvenile specialists. Finally, I examine if minority juvenile justice officials are similar to white juvenile justice officials in the use of covert discrimination (color-blind racism). I do this by an analysis of the interviews, and comparing minority to white juvenile justice officials.

In my dissertation, I argue that disproportionate minority contact exists, and that color-blind racism (Bonilla-Silva 2006) is present in juvenile justice officials, which is affecting, at least in part, the overrepresentation of minorities in the juvenile justice system. White juvenile justice officials are more likely to use color-blind rhetoric, but social identity theory (Ashforth and Mael 1989, Lapinski and Mastro 2001) explains why minority officials also use color-blind racism frames. My dissertation might offer an explanation to research that supports differential treatment of minorities by the juvenile justice system as a cause of minority overrepresentation (Piliavin and Briar 1964, Wordes and Bynum 1995, Frazier and Bishop 1995, Bishop and Frazier 1996, Bridges and Steen 1998). The difference between those studies, and my dissertation, is identifying that the ideology of juvenile justice officials is influencing DMC. The implication of my dissertation then, is changing the beliefs of juvenile justice officials might be a way to reduce DMC.

The existence of DMC is important to this study, because it shows that minority overrepresentation in Oklahoma's Juvenile Justice System is a problem. The interviews

could have been done without looking at the quantitative data for Oklahoma City. This could have contributed to the national research on DMC, but by having this piece of data it strengthens the project as a whole, by showing just how much overrepresentation is taking place. With this data showing the existence of DMC in Oklahoma and Oklahoma City, it really reinforces color-blind racism frames used by juvenile justice officials who attempt to justify DMC or claim it does not exist.

Color-blind racism is an ideology created out of Bonilla-Silva (2006) racialized social system approach, to address racism in a post Jim Crow era. Racial inequalities still exist after Jim Crow in many aspects of social life, including the juvenile justice system. Color-blind racism addresses how this is possible. The ideology revolves around the idea of a racialized social system. A racialized social system refers to societies in which social, economic, political, and ideological levels structure the placement of actors into racial categories, or races. Once the racial categories are created by those in power (whites), the racialized social system takes on a life of its own. It then provides powerful explanations that eventually become justifications for the unequal treatment of minorities. Color-blind racism are justifications used by whites to explain inequality for minorities (Bonilla-Silva 2006).

In my dissertation, juvenile justice officials are using color-blind racism to justify minority overrepresentation in the juvenile justice system. This ideology used by juvenile justice officials could influence their discretionary decisions when coming into contact with minority youths. If officials believe in these powerful explanations to explain DMC, then it becomes a self-fulfilling prophecy that minorities should be treated

differently because they are more likely to commit offenses.

Color-blind racism has four major frames: abstract liberalism, cultural racism, naturalization, and minimization of racism. All four of these frames are present in the research, and are so prevalent that they became chapters in this dissertation. Also, two new color-blind racism frames that I find are in my data. These two new frames are poor parenting and employment location/reactionary.

Abstract liberalism is when officials focuses on using concepts rooted in political and economic liberalism as justifications for racial inequalities, such as DMC. Cultural racism is when officials explain the position of minorities in society, i.e. minority overrepresentation in the juvenile justice system, through cultural based arguments. Naturalization is when officials explain that natural occurrences are ways to explain racial phenomena such as DMC. Minimization of racism is when the central factor affecting life chances for minorities is not discrimination. This allows DMC to not be taken seriously as a problem (Bonilla-Silva 2006). Poor parenting occurs when DMC is blamed on family values and parenting techniques. Employment location/reactionary is a color-blind frame that emphasizes the juvenile justice official's job location in the community as the reasons for DMC. Working in minority neighborhoods, along with having to react to the offenses committed, is the justification the juvenile justice officials use for an increase in minority contact.

A breakdown of the percentages in which the color-blind racism frames occur is listed below.

Table 1. Color-blind Racism Frame by Race

Color-blind Frame	Whites	Minorities
Abstract Liberalism	34%	29%
Cultural Racism	50%	35%
Naturalization	19%	0%
Minimization of Racism	94%	41%
Poor Parenting	100%	100%
Miracle Question	52%	35%
Employment	58%	29%
Location/Reaction		

This dissertation is divided into 9 chapters. Chapter 2 is the statement of the problem and the literature review for this dissertation. It shows the research that has been conducted and the amount of overrepresentation that exists on a national level. Chapter 3 is the methods section that shows DMC exists in Oklahoma from the quantitative data, and the cause of minority overrepresentation being color-blind racism on the part of white juvenile justice officials from the qualitative data. Chapter 4 is the foundation for this dissertation. It is the quantitative data that shows DMC is present in the state of Oklahoma. The data from this chapter shows, among other things, that black youth is not just overrepresented, but the majority on many of the juvenile justice's harsh discretionary decisions such as: referrals, petitions being filed, and being placed in OJA custody. Chapters 5 through 7 look at how whites use color-blind racism frames to justify DMC. These chapters focus on white juvenile justice officials, because Bonilla-

Silva (2006) found whites to use color-blind racism significantly more than non-whites. Chapter 5 is a combination of the color-blind racism frames abstract liberalism and cultural racism. White juvenile justice officials use individualism and choice in abstract liberalism; and blame inappropriate values, loose family organization, and a failure to emphasize hard work in cultural racism to blame minorities for DMC. Chapter 6 is a combination of Bonilla-Silva's (2006) final two color-blind racism frames naturalization and minimization of racism. White respondents use natural tendencies, such as minority communities to explain DMC in naturalization and deny that DMC takes place or that class is really the issue instead of race in the minimization of racism. Chapter 7 is a combination of two new color-blind racism frames parenting and location. Parenting is when white respondents blame the minority's family for DMC, and location is when juvenile justice officials use the location where they work as an explanation for DMC. Chapter 8 is a comparison chapter between whites and minorities, to see if there is a difference between the way color-blind racism frames are used. Chapter 9 is a conclusion of my findings with policy recommendations and recommendation for future research.

CHAPTER TWO

STATEMENT OF THE PROBLEM/LITERATURE REVIEW

Statement of the Problem

It is obvious that black youths are overrepresented in the juvenile justice system more than other racial groups, most notably whites. Based on the data collected by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), black youths are 4 to 8 times more likely to be arrested for an indexed violent crime and 2 to 4 times more likely to be arrested for a property crime. When it comes to involvement, black youths are 28% of delinquency cases, but represent 35% of detained cases. In relation to drug cases, black youths are involved in 22% of them, but 37% of detained drug cases. Black youths are also petitioned at a rate of 78% for drug cases, compared to 56% of whites that include Hispanics and 57% of other non-whites. Finally, black youths are more likely to have their case waived to the criminal court, and more likely to be “placed” in out-of-home placement than other racial groups (Ketchum 2008).

The issue of violent crime disparity for black youth is not a new phenomenon. In the 1980’s, black juveniles bore a Violent Crime Index arrest rate 6 to 7 times greater than whites. The Violent Crime Index refers to arrests made per 1,000 juveniles in a specific group, in this case race. The index does show a decline in the gap between black and white juveniles arrested in the 1990’s. The Violent Crime Index, during this time frame, reflects approximately a 4 to 1 ratio of black youths being overrepresented. The

racial divide in arrests began to rise in 2003. The racial disparity has now risen to a ratio of 5 to 1, black youth over white youth arrests. The upward slope relates to an increase in black youth arrests, and a decrease in white youth arrests. The black rate increased to 24% and the white rate decreased to 3%. Looking into specific crimes, black juvenile rate increased to 56% in the robbery category, while white juveniles accounted for 30%. In aggravated assault, black youth increased 4% and white youth decreased by 9% resulting in the 5 to 1 racial disparity (Puzzanchera 2009).

In 2008, black youth represented 5% of the U.S. juvenile population (ages 10-17). Whites represented 78%, Asian/Pacific Islander 5%, and American Indian 1%. Despite only representing 5% of the juvenile population, blacks were arrested for 52% of violent crimes. Whites, including Hispanics, were the second highest with 47%, followed by 1% of Asian, and 1% of American Indian of juvenile violent crime arrests. The Violent Crime Index arrest rate confirms the discussion earlier in this document, that black youth are arrested at 5 times the rate of white youth. Compared to other racial groups, black youths are 6 times the rate of American Indian juveniles, and 13 times the rate of Asian juveniles arrested (Puzzanchera 2009).

In terms of property crime rates; whites led with 65%, blacks with 33%, Asian with 2%, and American Indian with 1% of arrested youth. The Property Crime Index, however, shows the rate of black youth arrests to be double that of white youth. This appears to be conflicting data, because if white youth account for 65% of property crime, they should also exceed black youth arrests for property crime. The Property Crime Index does show in multiple places a greater number of black juveniles arrested from property crimes than white juveniles. The significance of this study in relation to DMC is

that it did not matter if it was a violent crime or a property crime, black youth are overrepresented (Puzzanchera 2009).

Disproportionate minority contact is not simply a black and white issue. This is why it is important to separate Hispanics from whites to demonstrate that DMC exists for Latinos as well. In a study by Kempf-Leonard and Sontheimer (1995), they found disproportionate minority contact for both black and Latino youth in Pennsylvania. In the 14 counties that Kempf-Leonard and Sontheimer studied, blacks represented 19% of the population and Latino's represented 4%. In terms of DMC, black youth accounted for 46% of juvenile court referrals and Latino's accounted for 7%. Minority youth also had a greater chance of being detained than white youth, and were found to be overrepresented at all five stages of juvenile justice system (Kempf-Leonard and Sontheimer 1995).

Kempf-Leonard and Sontheimer (1995) also found that Latino juveniles were most likely to have a poor family (52%), followed by 34% of blacks, and only 12% of white youth. A unique finding from this study was that black youths were less likely than other races to have injured the victim. This goes against stereotypical notions for differential involvement of violent minority youth as a reason for DMC. Parent, and or attorney not being present at hearings found blacks at 19%, Latinos at 18% and whites at 11% of cases. Perhaps one of the most disproportionate numbers comes from police department referrals. The main police department of the county referred 73% of Latino youths and 62% of black youths, while only referring 31% of white youths (Kempf-Leonard and Sontheimer 1995).

These DMC numbers are not limited to Leonard and Sontheimer's study (1995), but are common in the United States. Latino and black youth are clearly the most

overrepresented racial groups in the juvenile justice system. In 2008, black youth represented 16% of the general population of youth, yet accounted for 30 percent of juvenile court referrals, 38% of youth in juvenile placement, and 58% of youth in adult prison (Piquero 2008). The National Council on Crime and Delinquency (2007) data found that black youths are detained at higher rates than white and Latino youth; however Latino youth are detained at higher rate than white youths. Through the findings in The Sentencing Project, which calculated state rates of incarceration by race and ethnicity, the data shows that black youth are incarcerated at a rate of six times that of white youth, while Latino youth are incarcerated at double the rate of white youth (Piquero 1998).

American Indians are also victims of DMC. Poupart (1995) finds that at the intake level 61.3% of whites had their cases closed or handled informally compared to 37.3% of American Indian youth. At the detention level, 7.5% of whites were detained compared to 14.6% of Native American youth. At the petition stage, 119 delinquency petitions were filed for whites compared to 143 for American Indian juveniles. Finally, at the disposition stage, most American Indians and whites received in-home probation. It should be noted, however, that 9 Native American youths were sent to a correctional facility as compared to 2 whites. Also, one American Indian youth was transferred to an adult facility (Poupart 1995).

The information provided thus far has shown that minorities are overrepresented in both the criminal justice and juvenile justice systems. The data shows that DMC exists at different levels, and minority youth are especially susceptible to it. The following section, the literature review, will show the research that has been conducted on the possible causes of minority overrepresentation and DMC.

Literature Review

The origin of disproportionate minority contact, originally referred to as disproportionate minority representation, can be traced back to one place. In 1988, the National Coalition of State Juvenile Justice Advisory Groups had a conference on DMC. The primary purpose of the conference was to help policy makers understand that there was a problem, with minority youth being overrepresented in the juvenile justice system, and especially in the rate of confinement. This resulted in the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDPA). The JJDPA made it policy, that in order for states to receive federal resources under the JJDPA, they must address overconfinement of minority youth. This was commonly referred to as DMC or disproportionate minority confinement. The mandate passed down by JJDPA created a convergence between policy and research, which would not have occurred except for developments that were made in both these areas (Feyerherm 1995).

The first mention of a problem in minority confinement occurred in June of 1986, from the testimony of Ira Schwartz before the House Subcommittee on Human Resources. Schwartz stated, “minority youth now comprise more than half of all the juveniles incarcerated in public detention and correctional facilities in the United States” (Feyerherm 1995:7). Barry Krisberg of the National Council on Crime and Delinquency stated, “minority youth are more likely than white youth to end up in public versus private facilities and more likely to end up at the deep end of custody system” (Feyerherm 1995:8) at the same hearing that Schwartz spoke.

Based upon these findings, researchers investigating minority overrepresentation in the juvenile justice system initially focused solely on confinement. In 2002, however,

to take account of racial differences at all stages of the juvenile justice process, the Juvenile Justice and Delinquency Prevention Act broadened the concept from disproportionate minority confinement to disproportionate minority contact (Piquero 2008).

Disproportionate minority contact and the juvenile justice system are entwined together, as seen from the data that has been discussed in the previous section. The federal government, along with researchers, understand that DMC is a problem. In order to address the problem, researchers need to understand the cause or causes for minority overrepresentation in the juvenile justice system. The majority of the research can be broken down into two arguments or causes of DMC.

The first is differential offending by minority youth (Gottfredson and Hirschi 1990, Herrnstein and Murray 1994, Anderson 1999, Wilbanks 1986). In this argument, the cause of DMC is related to the idea that minorities commit more crimes than whites (Gottfredson and Hirschi 1990), and therefore the problem is not with the juvenile justice system, but rather minorities themselves. One reason, given under this argument, is that minorities commit more crimes because they lack the intelligence of whites (Wilson and Herrnstein 1985, Herrnstein and Murray 1994). Another reason is that minorities have a culture of violence that makes it socially acceptable in minority culture to commit crimes (Anderson 1999). Under this cause of DMC, there is no structural problem with the juvenile justice system and officials are not discriminating against minorities, but rather “doing their job.”

The second argument is differential handling/treatment of minority youths by the juvenile justice system (Piliavin and Briar 1964, Wordes and Bynum 1995, Frazier and

Bishop 1995, Bishop and Frazier 1996, Bridges and Steen 1998). In this argument, one cause of DMC is based on discretionary decisions of police officers (Piliavin and Briar 1964, Wordes and Bynum 1995). Police officers are the gatekeepers controlling who enters the juvenile justice system, and they are discriminating against minority youth. The other cause of DMC under the differential treatment argument is institutional racism (Austin 1995, Frazier and Bishop 1995, Bishop and Frazier 1996). The juvenile justice system systematically treats minorities harsher than it does whites, which accounts for DMC. Since differential offending and differential treatment are the two major arguments for DMC, they need to be discussed in greater detail.

Differential Offending

Differential offending refers to the idea that the reason there are more minorities in the juvenile justice system is simply because minorities are committing more crimes than whites. Gottfredson and Hirschi (1990) support this cause of DMC because of victimization data. Official crime data shows that more minorities are being arrested, detained, and sentenced more than their white counterparts. Some researchers believe this shows that the system is bias against minorities. Gottfredson and Hirschi (1990) state that this would be true if it was not for the victimization data that shows differences in offending were almost identical to crime data. Therefore, confirming that minorities are committing more crimes than whites. Gottfredson and Hirschi (1990) claim the reason that minorities commit more crimes is directly related to self-control. Minorities are not learning self-control and differential child-rearing practices, accounting for DMC (Gottfredson and Hirschi 1990).

A reason that could be used to justify why minorities do not have self-control, and an inability to raise their children to follow the laws of society, could be attributed to differential intelligence levels among racial groups. According to Wilson and Herrnstein (1985), there is a relationship between intelligence score and offending. When delinquents were studied, they had lower IQ scores than non-delinquents. Black IQ scores are typically twelve to fifteen points lower than those of whites. There are some differences in IQ scores and social class, but when class is controlled, race still accounts for lower IQ scores for blacks. Blacks have higher delinquent rates than whites. Therefore, intelligence and race shows that overrepresentation of minorities in the criminal justice system is justified. Minorities are committing more crimes than whites because blacks are not as intelligent as whites (Wilson and Herrnstein 1985). This cause of DMC was supported and discussed by Herrnstein and Murray in their book *The Bell Curve: Intelligence and Class Structure in American Life* (1994).

If minorities lack the intelligence of whites, it could also influence minority communities. Elijah Anderson believes that DMC occurs in the juvenile justice system because minorities have a culture of violence. Minorities live in poor communities in which violence and crime is socially acceptable and that is why minorities commit more crimes (Anderson 1999). He focuses on what he calls “street” families, who have given up on middle class ideologies because they are unattainable. Street families turn to crime as a way to survive and these families pass criminal techniques on to the next generation, which creates a never-ending cycle of violence and crime. At the root of Anderson’s argument is poverty, which in turn explains that class is the central component to crime, and not race (Anderson 1999). Cherish, Damphousse, and Davis (2004) have reinforced

this contention by finding that Black and Hispanic juveniles did commit more crime in Oklahoma than whites, but when the environment of the youth was controlled, the racial imbalance vanished.

Wilbanks (1986), on the other hand, believes it is not a class issue but rather a race issue. He believes that the data shows that minorities, especially angry black men, commit more crimes than whites. He uses a Webster definition of racism and prejudice to explain how the criminal justice system cannot be racist, because it is not actively discriminating based on race. The criminal justice system is just an institution that responds to the individuals who commit crimes (Wilbanks 1986). Wilbanks's entire argument is based on how the dictionary defines racism and uses it to attack the differential treatment researchers.

Differential Treatment

Differential treatment or differential handling of minorities in the juvenile justice system is the other side of the DMC argument. Minorities are not committing more crimes than white youth, but rather have been dealt an unfair hand, in which they are punished because of the color of their skin. Minorities are treated differently because of racist ideologies and stereotyping, not only minority youth, but also minority parents. Research conducted by Wordes and Bynum, Bishop and Frazier, and Bridges and Steen support differential handling of minorities by the juvenile justice system to be the root cause of DMC.

Wordes and Bynum (1995) found that differential handling of minorities begins at the first point of contact, which is police decision-making. Their quantitative analysis showed that DMC existed for blacks in every law enforcement agency in the nine

jurisdictions they studied. The data showed that DMC was most common in communities that were predominately white. Also, just as other studies have shown, DMC increased as one went deeper into the system (Wordes and Bynum 1995, Bishop and Frazier, Puzanchera 2009).

For example, in murder cases where there is a black offender and a white victim, there is a 22% chance it will end in a death sentence. Conversely, in murder cases when there is a black offender and a black victim there is only a 1% chance that it will end in a death sentence (Russell 1998). Also, blacks are 11 times more likely to get the death penalty for killing a white person, as compared to a white killing a black person (Cole 2000). Blacks are also more likely to get the death penalty based on how black they appear to be. Eberhardt et al. (2006) indentifies that more stereotypical black a person looks the more likely they will receive capital punishment. Characteristics such as broad noses, thicker lips, and darker skin influenced the decision of capital punishment. Light skinned blacks with thin lips and a lack of a broad nose created a less likelihood of the death penalty with crimes being a constant (Eberhardt et al. 2006).

Law enforcement officers identified six common themes for why minority youth are overrepresented in the juvenile justice system (Wordes and Bynum 1995). The most common explanation for DMC was a lack of parental supervision, lack of discipline, broken homes, and single-parent families. The second most common explanation was low socioeconomic status. The third most common explanation for DMC was that personal problems, poor school performance, and substance abuse issues. The fourth most common explanation was racial prejudice and bias by law enforcement officers, and community members being more likely to report minorities. The fifth most common

explanation for DMC was that minorities commit more serious crimes and are more likely to be involved in criminal behavior. The final explanation used by juvenile officers to explain DMC was the lack of concern by city officials and more formal urban police practices (Wordes and Bynum 1995).

These police officers believing that minority youth lack of parental supervision, lack of discipline, come from broken homes, and single-parent families influence their discretionary decisions. Patrol officers gave three reasons for making initial contact with juveniles. The first was the seriousness of the offense. The second was responding to calls. The third reason was the youth “looked suspicious” or “funny.” The most common characteristic patrol officers used for whether the juvenile entered the system or the matter is handled informally was family issues (Wordes and Bynum 1995).

Police making initial contact with juveniles who “looked suspicious” or “funny” was the same reason that Piliavin and Briar found in 1964. Piliavin and Briar’s (1964) research found three conclusions of how police interact with juveniles. The first conclusion is that police used wide discretion when dealing with juveniles. The second conclusion is that discretion was directly linked to prior records of the juveniles, as well as race, grooming, and demeanor. Demeanor was strongly correlated with officer decision. The third finding by Piliavin and Briar was black juveniles tendency to exhibit demeanor that the officers associated with true delinquent boys would lead to arrest (Piliavin and Briar 1964).

Clearly, things have not changed since 1964, because look and demeanor still count against minority youth. Regardless of the type of crime: felony, misdemeanor, or status offense, minorities are more likely to receive harsher treatment than their white

counterparts. Juvenile officers believe that the perceived ability of the juvenile's family to institute discipline is the most important factor in DMC. White juveniles, controlling for prior history and offense, are more likely to be dropped, diverted, or released at the scene than minorities. Blacks juveniles are more likely to be detained and referred to the courts (Wordes and Bynum 1995). At each level of the system minorities become more overrepresented, understanding the initial cause for entry into the system is important in the ultimate goal of reducing DMC.

Differential treatment of minorities can also be seen in confinement. Bridges et al. (1995) found that racial disparities in confinement are not the result of differential arrests rates and referral of minority youths. They also found that the violent crime rate is not an accurate explanation of DMC or minority confinement, and that minority concentration appears to have an indirect effect on minority referral rates. Bridges et al. (1995) data also contradicts the idea that class is the significant factor and not race. They found that economic inequality between whites and minorities does not account for higher disparities in minority confinement. Instead, greater economic inequality may relate to lower DMC. Finally, they found that urbanization decreases racial disparity by increasing the number of whites referred, and that minority confinement is positively related to court workload, but not when county characteristics are controlled (Bridges et al. 1995).

Bridges et al. (1995) accredits the cause of the disparity in confinement to differential treatment. They found this differential treatment in the referral rate and violent crime rate data on confinement. Minorities were more likely to be confined in

communities that had higher violent crime rates compared to whites. This occurred regardless of the differences in racial referral rates (Bridges et al. 1995).

Minorities are even treated differently when it comes to how probation officers describe juvenile offenders (Bridges and Steen 1998). These descriptions are used to persuade judges on their decisions of what course of action to take for the juvenile offender. Bridges and Steen (1998) used written accounts from probation officers to the judges to find minorities were assessed differently than whites in relation to sentencing recommendations and risk of reoffending. This disparity existed even when the offender characteristics and offense were controlled. Black juveniles were described as unremorseful in their attitudes and of an amoral character, while white juveniles for the same offense were victims of external circumstances. These descriptions influence judge's decisions in sentencing and potential danger of the juvenile, which can be a cause of DMC at this level of the juvenile justice system (Bridges and Steen 1998).

Institutional racism is also a factor in differential treatment. Austin (1995) and Frazier and Bishop (1995) found the central cause of DMC was institutional racism. They attempted to identify the significance and influence of race from several different points in juvenile processing in their study. The decision of intake officials, decision of judges on detention, decision of state attorneys to file formal charges, and judicial decisions of state attorneys to file formal charges, and judicial decisions regarding final disposition outcomes were all points of interest in processing that Frazier and Bishop studied (Austin 1995, Frazier and Bishop 1995).

Frazier and Bishop interviewed juvenile judges, state attorneys, public defenders, and Department of Health and Rehabilitative Services intake workers all of whom they

deemed “insiders” to the system. They found that at 53% of nonwhite youths that were referred to the intake officials were recommended for court, while white youths accounted for 42%. As they looked deeper into the juvenile justice system the racial disparity got worse. At the judicial disposition, 31% of minority youth were incarcerated compared to 18% of white juveniles. Even though minority youth between the ages of ten to seventeen represent 21% of the population, they account for 44% of those incarcerated or transferred (Bishop and Frazier 1996).

When controlling for the crime committed, and the previous record, juvenile racial disparities still exist. At the formal processing decision, 47% of white youth were recommended compared to 54% of nonwhites. The odds of being held in a secure facility for whites were 12% and 16% for nonwhite youths. At the prosecutorial referral stage the impact of race was small, but still shows a disadvantage for nonwhite youth. A white youth has a 32% of being referred to the court and nonwhite youth has a 34% chance. At the final processing stage, race becomes an important factor again. A nonwhite youth has a 16% chance of being committed, compared to just 9% for whites at the judicial disposition stage (Bishop and Frazier 1996).

Through interviews with juvenile judges, state attorneys, public defenders, and Department of Health and Rehabilitative Services intake workers Frazier and Bishop found 5 major themes: 1) racial differences attributable to racial bias, 2) racial differences attributable to prejudiced individuals, 3) racial differences and economic factors, 4) racial differences and family consideration, and 5) institutional racism. These themes are significant in that they are what “insiders” in the criminal justice system believe account for DMC (Frazier and Bishop 1995).

Looking past the individual prejudice of people, two explanations stand out.

The first is racial differences and family considerations. Frazier and Bishop (1995) found respondents thought youths that came from families that could not provide good supervision and/or came from single-family homes, were more likely to be referred to the court. Minority families were seen in a negative light that could not discipline their child, and this could account for minority youth overrepresentation at each level of processing (Frazier and Bishop 1995).

The second is institutional racism. Institutional racism implies that the juvenile justice system is set up structurally in a way that disadvantages racial minority and ethnic groups (Frazier and Bishop 1995). Respondents noticed a reliance on common racial stereotypes in relation to differences in dispositions received by nonwhites in comparison to whites. These stereotypes focused on community, family, and interpersonal styles (Frazier and Bishop 1995).

Research Positives and Limitations

Whether the cause of DMC is differential offending or differential treatment, the importance of studying multiple decision points cannot be overlooked. Over half of the research conducted on DMC focused on multiple decision points. Multiple decision points; such as arrest, detention, petition, adjudication, and disposition, allow researchers to see how DMC exists throughout the system, and see differences at each point. The studies show that significant differences between whites and minorities did not always occur at every decision point. Race effects can also have an indirect relationship between different decision points (Pope, Lovell, and Hsia 2003).

Type of jurisdiction also has influence on race effects. Feld (1995) found that

urban youths of all races are more criminally active than suburban or rural youths. He also found that urban courts are more likely to charge youths, and more likely to have status offenses than rural and suburban juvenile courts. Finally, Feld argues that juvenile court formality is the best way to eliminate DMC (Feld 1995).

A good indicator of procedure formality is the presence of defense council. Defense council appears in urban courts more than twice as often as rural courts. Urban courts are the most formal, while rural courts are more informally structured. Social structure, procedural formality, and sentencing severity all appear to be interrelated. Urban courts are twice as likely to detain youth pretrial and give more severe sentences, compared to youths who commit the same acts in suburban and rural counties (Feld 1995).

Feld (1995) put a lot of emphasis for DMC on “individualized justice.” Individualized justice is an informal procedure that focuses on judicial discretion, and is different for each organization. Discretionary decisions on youth from lower classes and nonwhite youths who are overrepresented in the juvenile justice system are a cause for great concern (Feld 1995). Discretionary judgments based in individualized justice lead to decisions based on social characteristics, which means that legal variables lose relevance and differential processing and more severe sentences occur based on race (Feld 1995).

When the current offense and their prior record are controlled for, individualized discretion is accountable for minority overrepresentation (Feld 1995). This is most notably relevant in suburban and rural counties that practice individualized justice. When the juvenile courts can only rationalize one fourth of variance on something as powerful

as legal factors, the system is too discretionary which makes it easier to be discriminator toward minorities (Feld 1995).

This dissertation will show that the elimination of individualize justice will not reduce DMC in the slightest. During a similar study, Ketchum (2008) found institutional racism enables color-blind racism and that is the cause of DMC. Even if individualized discretion were removed for more formal procedures, the decisions inside the juvenile justice system would still show DMC. Color-blind racism affects the juvenile justice officials in control of the system, until that can be changed DMC will always be present.

The literature is limited in that it does not take a race-centered approach to DMC. The two approaches focus on two perspectives. Either DMC is caused by minorities committing more crimes than white youth, or that the actors in the juvenile justice system are overtly racist in their treatment of minorities. I believe a third approach is necessary in studying DMC. The third approach needs the use critical race criminology (Glover 2009) in understanding the causes of DMC. Glover (2009) explains that critical race criminology, like critical race theory, puts race at the core of the social analysis. Critical race criminology focuses on the representation of race, crime, law, and justice specifically as they operate in the production of knowledge. At its fundamental level, critical race criminology is about contextualizing law and crime concerns within a race-conscience framework. In the next chapter, I will discuss how critical race criminology was used to put race at the center, and understand DMC through a color-blind racism approach.

CHAPTER THREE

METHODS

The purpose of my dissertation is to expand on the previous research on disproportionate minority contact and the juvenile justice system (Piliavin and Briar 1964, Austin 1995, Bridges et al. 1995, Frazier and Bishop 1995, Kempf-Leonard and Sontheimer 1995, Poupart 1995, Wordes and Bynum 1995, Bishop and Frazier 1996, Bridges and Steen 1998, Pope, Lovell, and Hsia 2003, Ketchum 2008, Puzzanchera 2009). My research is informed by critical race criminology. The tenets of critical race criminology include: (1) race is more than just a category, but rather the center of the analysis, (2) is interested in how race, crime, law, and justice are represented as they function in the production of knowledge, (3) it challenges how criminology as a discipline represents and produces race and the traditional and contemporary examinations of race in the field (Glover 2009).

I have three objectives in this research. First, examine if minorities are overrepresented in Oklahoma's Juvenile Justice System. Second, if DMC is present, examine the relationship between covert racism, on the part of juvenile justice officials, and minority overrepresentation. Third, examine if minority juvenile justice officials are similar to white juvenile justice officials in the use of covert discrimination (color-blind racism).

In order to test these hypotheses, I employed a mixed methods approach. In order to examine if minorities are overrepresented in Oklahoma's Juvenile Justice System, I utilized quantitative data collected by the University of Oklahoma's research study on DMC. The University of Oklahoma study provides Juvenile-On-line Tracking System data, law enforcement data, and municipal court data that can be compared by race. In order to examine the relationship between covert racism on the part of juvenile justice officials and minority overrepresentation, I used 81 semi-structured interviews with juvenile justice officials in Oklahoma City. Finally, to examine if minority juvenile justice officials are similar to white juvenile justice officials in the use of covert discrimination (color-blind racism), I use 17 semi-structured interviews with minority juvenile officials, and compare them with the 64 white juvenile justice interviews.

The data for my dissertation is a sample of a larger DMC project conducted by the University of Oklahoma. The original study looks at the existence and the causes of DMC in Oklahoma City, Lawton, and Tulsa. Oklahoma City is the focus of my dissertation, because it has a significant number of interviews (81) of police, public defenders, district attorneys, judges, and probation officers.

Tulsa is not selected, because despite great cooperation from their juvenile court officials, the Tulsa Police Department did everything in their power not to participate, while never officially opposing the project. Since the Tulsa Police Department did not actively participate, the number of interviews in Tulsa is limited to 14. This is not a sufficient sample size. The reason Lawton is not selected is because it is a military town. A military town brings a different dynamic to the research. Respondents often comment on different countries using the military base for training, and the influence the base has

over police and juvenile justice decision-making. Also, Lawton is a relevantly small community, so they do not have many juvenile justice officials on staff. Oklahoma City, therefore, is the logical choice because of the number of interviews, and because it has the ninth highest crime rate ranking for cities over 500,000 people (City Crime Rankings 2011-2012).

I contend that disproportionate minority contact (DMC) does exist in Oklahoma and Oklahoma City, with color-blind racism on the part of juvenile justice officials influencing, at least in part, the overrepresentation of minorities in the juvenile justice system. Officials having a color-blind racism ideology could influence discretionary decisions of juvenile justice officials that in turn influence the overrepresentation of minorities in the juvenile justice system. This might offer an explanation to research claiming that differential treatment on the part of the juvenile justice system is influencing DMC (Piliavin and Briar 1964, Wordes and Bynum 1995, Frazier and Bishop 1995, Bishop and Frazier 1996, Bridges and Steen 1998) and expands upon Ketchum's (2008) research on color-blind racism and DMC.

Quantitative Data

A number of quantitative data sources are used in my dissertation. The first source is the Juvenile On-Line Tracking System (JOLTS), which is administered by the Office of Justice Assistance (OJA). JOLTS has data on multiple contact points of juveniles in the system. The contact points are as follows: arrest, intact decision, court petition, adjudication and disposition, in-home or out-of-home placement, detention stays, and referral programs and services. The JOLTS data has the juvenile's demographic information that includes race, gender, and ethnicity. The system also allows for the

creation of groups for the seriousness of the offense, which allows for comparisons.

Four juvenile bureaus, nine Community Intervention Center's, district attorneys, district court judges, and nonprofit Youth Services agencies provided the JOLTS data.

I have transactional data, from the research team, from 2006, 2008, and 2010 for juveniles who had been referred to juvenile justice authorities in the three counties discussed. The reason multiple years are taken into account is to see if patterns developed for the effect of race and ethnicity during those years. For Oklahoma County, the county where Oklahoma City resides, the breakdown for juvenile referrals is the following:

- 2006- 1,728 juveniles referred in Oklahoma County
- 2008- 1,881 juveniles referred in Oklahoma County
- 2010- 1,546 juveniles referred in Oklahoma County

The JOLTS data is comprehensive in that it includes juveniles that are processed and reported in the state juvenile justice agency and country juvenile bureaus. There are limitations with the JOLTS data that need to be discussed. The first issue is with the race and ethnicity categories in JOLTS. There is a category of Hispanic, which is not a racial category anymore. Also, not all the census categories of races are represented. Next, there is no explanation of how the race of the juvenile is identified. From my interviews, I find that some juvenile justice officials always ask the juveniles, while others take their best guess. While taking their best guess may skew the numbers in racial categories, it does not affect the white/minority group differences, because the guessing is related to which minority group the youth belongs (Seguino, Brooks, and Mitofsky 2012). The third issue is that the JOLTS data does not have a grouping or field for citizenship status for the juvenile. Finally, the data is not shared between the OJA and the municipal courts,

which means the JOLTS system does not receive juvenile arrest or ticket data on juveniles processed in the municipal courts.

In terms of county of residence of the juvenile, the JOLTS data is missing 25.1% of referred juveniles in 2006. In 2008, 25.4% of the residential location data is missing and 25.8% in 2010. The limitations in the JOLTS data is thought to be useful when combined with Relative Rate Index (RRI) data, but this missing information in the residential data makes the RRI unpredictable. The research team is able to conclude that of the 1,728 juveniles referred in Oklahoma County in 2006, 1,110 resided in Oklahoma City. In 2008, of the 1,881 juveniles referred in Oklahoma County, 1,201 resided in Oklahoma City. Furthermore, of the 1,546 juveniles referred in Oklahoma County during 2010, 1,007 resided in Oklahoma City.

The last limitation with the JOLTS data is that Oklahoma City is missing an extensive amount of crime location data. Oklahoma City is missing 27.7% of crime location data in 2006. Compare this to Tulsa who is missing 5.2% of crime location data. The city of Lawton is more impressive who is missing only 1.0% of crime location in 2006. Oklahoma City did improve in 2008, missing 21.6% of the location data. The greatest jump is in 2010 however, where Oklahoma City is missing 11.0%. The 11.0% is still the worst of the three locations, and does not help with attempting to identify socioeconomic characteristics of the areas with high incidents.

In order to address the issue of socioeconomic status, the JOLTS data is combined with the Community Disadvantage Index (CDI). The CDI is a SMART mapping system created by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The CDI scores census track data, and assigns a number from 1 to 10 based on the concentration of

disadvantaged to the advantaged. Within the counties analyzed, there are several census tracts that are 8 to 10 times worse than that of the national average. These census tracts will prove to be a good indicator of the potential effect of socioeconomic status and DMC. The relevance is that most of the individuals and families living in poverty are minorities. This allows people to talk about social class when they really are talking about race (Ketchum 2008).

Finally, the JOLTS data is supplemented with data from the Oklahoma Health Care Authority (OHCA). OHCA works with the Office of Justice Assistance (OJA) to identify juveniles and their families who fall within poverty status. The data combination between OHCA and OJA helps find individuals who are eligible for Medicaid, which is how they locate the juveniles living in poverty. This allows the research team to take the data and compare white youth with minority youth and evaluate if there is a relationship between socioeconomic status and DMC.

Law Enforcement Data

Another valuable source is law enforcement data on juvenile arrests. This data allows for a complete look at police contacts of juveniles, during a specific time frame within a particular jurisdiction. The law enforcement data also provides juvenile residential location at the time of the contact, and supports or supplements the JOLTS data. The law enforcement data included the following variables:

1. Case Number
2. Contact Type
3. Unique Individual Identification Number
4. Name
5. Race
6. Gender
7. Ethnicity

8. Date of Birth
9. Residential Address
10. Offense Code
11. Offense Description
12. Incident Number
13. Incident Date
14. Incident Time
15. Incident Location Address
16. Age at Incident Date

I received juvenile law enforcement data, from the research team, from Oklahoma City, Lawton, and Tulsa. Again, the focus of my dissertation is Oklahoma City, and therefore will be the only city discussed. I received, from the project team, Oklahoma City Police data from 2006, 2008, and 2010. There are 33,932 juvenile arrest and ticket records in total, with a yearly breakdown as follows: 12,033 records in 2006, 11,706 records for 2008, and 10,193 records for 2010.

The police data from Oklahoma City does not have a unique individual identification number group. The data does contain 8 race categories, which includes one for mixed race, and another for Hispanic youth. Oklahoma City's figures do not, however, contain a category for ethnicity. Finally, the data is missing 2,167 juvenile residential addresses and 8,026 missing or incomplete addresses for arrest and citation location.

Municipal Court Data

The next quantitative data source for Oklahoma City comes from municipal court data. A municipal court is a court that usually tries criminal misdemeanors, and civil lawsuits (Legal Dictionary 2012). Oklahoma City operates under the Interlocal agreement with the District Court. Through an interview with the director of the city's Department of Court Administration, it is established that a juvenile could be processed

in municipal courts, if the following conditions are met. First, the city attorney, upon a review of the charges, approves. Second, the charges do not include any felonies.

Finally, the juvenile is not being charged with a third misdemeanor. I received, from the research team, an electronic database from July 1, 2005 through August 22, 2011 for the Oklahoma Municipal Court. The database is comprised of 37,888 juvenile records. For this project, 16,804 records, for 12,143 juveniles are selected. The year breakdown is as follows: 2,806 records referencing 2,041 juveniles for 2006, 7,213 records referencing 5,091 juveniles for 2008, and 6,785 records referencing 5,011 juveniles for 2010. The municipal court data included the following variables:

1. Name
2. Date of Birth
3. Gender
4. Race
5. Residential Address
6. Unique Juvenile Identification Number
7. Case Number
8. Police Incident Number
9. Police Officer Commission Number
10. Incident Date
11. Incident Time
12. Juvenile Age at Incident Date
13. Incident Location Address
14. Offense Code
15. Offense Description
16. Final Disposition
17. Disposition Date
18. Probation Indicator
19. Municipal Court Unit (Jury, Non Jury, Juvenile Jury, Juvenile Non Jure, etc.)

Race is broken down into 6 categories in the municipal court (White, Black, Indian, Hispanic, Asian, and Other). The data from Oklahoma City's Municipal Court is very extensive, and does identify juvenile offenders across multiple cases, but is not

transactional. The disposition data is updated, and then overwriting on the record performed, rather than maintaining separate records. Merging the JOLTS data and the police data in Oklahoma City could complete the gaps, and show the juvenile offenders in that district.

Qualitative Data

The second part of the research design is the qualitative data. I conducted semi-structured interviews, along with the research team, with juvenile justice officials to examine the impact of covert racism on the part of juvenile justice officials, with regard to the overrepresentation of minority youth in the juvenile justice system. The interviews are confidential, approximately one hour long, and conducted with police, prosecutors, public defenders, judges, probation, and intake officers in Oklahoma City, Lawton, and Tulsa. The respondents are given pseudonyms to protect their confidentiality, but it also makes my dissertation clearer to the reader. There are a total of 176 interviews conducted between the three cities. Tulsa interviews are conducted with similar juvenile justice officials, but police did not participate. Tulsa Police did everything in their power, not to take part in the study, by failing to return emails and phone calls. Since Tulsa did not have a significant number of interviews to sample, and because Lawton is a military town, Oklahoma City is a logical sample for my dissertation.

The interview questions are broken down into three parts. The first part asks general background questions about the juvenile justice officials. The background questions, start with the respondent's childhood, and attempt to address their socioeconomic status while going up. The questions also focus on the racial and ethnic makeup of their childhood community. Then, similar questions are asked about their

current life. The importance of these questions is to gain an understanding of the respondent's social class while growing up, and what they consider themselves today. Obviously, the respondent's current racial and ethnic neighborhood matters a great deal. The respondent's background characteristics, make it possible to see if there are any correlations between social class and racial attitudes. The role of race and ethnicity in the juvenile justice official's neighborhood can also be studied.

The second part of the interview asks the respondent general juvenile justice questions. The majority of the questions are asked to everyone, but some of the questions are tailored to the juvenile official's job (See appendix A for details). The questions do not have any race components, yet race is still brought up with regularity. This is evident during a question about how the respondent could reduce the need for the juvenile justice system. The issue of parenting and family is the answer that came up the majority of the time, and when the respondent is talking about family they really mean minority families (Ketchum 2008). This section allows the juvenile justice officials to talk about the juvenile justice system in general terms, but the issue of race is still extremely relevant.

The third part of the interview goes into the impact of race and ethnicity on the juvenile justice system. The questions are arranged in this way, to allow the respondent to bring up the impact of race at any time, prior to specifically being told these are race questions. The respondents are told at this point, that an overwhelming amount of data reveals that disproportionate minority contact occurs at almost every point in the juvenile justice system. However, there is also a large body of research that shows DMC differs dramatically from jurisdiction to jurisdiction. The purpose of this part of the interview is to gain insights from those who work within the juvenile justice system, in an effort to

understand how race and/or ethnicity becomes a factor, be it direct or indirect. The respondent is then asked to discuss DMC, and any factors, such as lack of educational resources, socioeconomic conditions, culture of violence, and/or family issues that might play a role.

Even with these statements juvenile justice officials, specifically police, have a hard time admitting that DMC exist in their department (Glover 2007, Jobard 2011). This made the next set of questions complex, because they want to reject the DMC issue. Eventually, these individuals give different reasons as to why minorities are committing offenses. The strongest explanation is the lack of discipline, and the poor child raising of the juvenile. Few step up and actually say it is the poor black family, but it is inferred. Clearly, respondents are in agreement with Anderson (1999) and Moynihan (1965) in their thoughts about minority families.

Qualified and trained interviewers are used for these interviews. White interviewers questioned white respondents, and minority interviewers questioned minority respondents. This is to help with the accuracy of the responses (Monette, Sullivan, and DeJong 2011). The questions are open-ended, to encourage a more open response (Rapley 2001). Many of the answers given are simply a yes or no, and the interviewer has to probe more deeply to get an explanation. The interviews are auto-recorded for quality and accuracy. Once the interviews are complete, they are sent to a transcribing agency, on the University of Oklahoma's approved list. The interview is designed to exclude identifiers, although if there are any remaining identifiers, they are removed in the transcription. Finally, before coding can take place, the research team does a final check, to ensure all identifiers are removed.

The transcribed interviews are uploaded to a private, University of Oklahoma internet site, to which only the PI, Dr. Paul Ketchum, and myself have access. The interview data is printed as well, and transferred to the NVivo 9 computer software program. The NVivo 9 software allows the team to manage large amounts of qualitative data. It allows me to organize the unstructured information, and analyze it. The most important element of the NVivo 9 program is that it has tools for classifying, sorting, and arranging information, making it easier to identify themes.

I coded all the interviews from Oklahoma City, Lawton, and Tulsa. First, the individual questions are separated and coded by location (Oklahoma City, Lawton, or Tulsa). Second, the respondents are given pseudonyms to provide confidentiality. Third, the answers are coded by race, either white or non-white. Fourth, themes that are prevalent in the interviews are broken down by race and coded using content analysis. Using content analysis, the number of times a theme or idea is discussed, allows for quantification. Lastly, the transcribed quotes and quantified themes are transferred to a word document, so that it can be used for my dissertation and other publications.

The specific themes, that became relevant during coding, and to an earlier extent during the interviews, shows a color-blind racism framework. There is a different type of racism that exists post Jim Crow. It is a type of racism that is covert, and is not overt or easily identified. In order to address this issue, Eduardo Bonilla-Silva formulated color-blind racism and new racism theories. Bonilla-Silva's ideology revolves around the idea of a racialized social system. A racialized social system refers to societies in which social, economic, political, and ideological levels structure the placement of actors into racial categories, or races. Once the racial categories are created by those in power

(whites), the racialized social system takes on a life of its own. It provides powerful explanations that eventually become justification for the unequal treatment of minorities. This justification used by whites to explain inequality for minorities is color-blind racism (Bonilla-Silva 2006).

There are four frames in color-blind racism. The four frames are *abstract liberalism, cultural racism, naturalization, and minimization of racism*. *Abstract liberalism* focuses on respondent's use of political liberalism and economic liberalism, in a nonfigurative manner, to discuss racial inequalities such as DMC. Political liberalism is the notion that force should not be used to achieve social policy, and that since everyone has an equal opportunity to succeed, social policy should not give anyone a perceived "benefit." Economic liberalism refers to the idea of choice or individualism (Bonilla-Silva 2006). When juvenile justice officials discuss individualism and choice as reasons for DMC, their responses are categorized as abstract liberalism.

Cultural racism focuses on white respondents attempt to use culturally based arguments to justify racial inequality. An example found in the data revolves around a question about a culture of violence existing in some communities. Juvenile justice officials frequently discussed minority communities being more likely to be violent, because it is in their culture (Bonilla-Silva 2006). When respondents discuss and, for the most part, blame minority culture for DMC, their statements are categorized as cultural racism. This is commonly expressed, when juvenile justice officials state it is in "their culture" or when respondents describe DMC as learned behavior.

Naturalization focuses on a biological explanation racial matters. Whites often suggest that things such as segregation are natural occurrences. Racial phenomena are

natural, because individuals from all types of backgrounds gravitate toward things that are similar to them. There is not a specific question that addresses naturalization, but it is a frame commonly used throughout the interviews (Bonilla-Silva 2006). When juvenile justice officials discuss DMC as something “natural” or inherent for minorities, their responses are categorized as naturalization. This is expressed when respondents claim that there is just something wrong with minorities, as a reason for DMC.

Minimization of racism is when white respondents do not see race as the central force behind racial inequality. Minorities’ life chances are not at the heart of discrimination under this frame. Factors such as poverty or class are what respondents focus on, instead of race. Examples of this frame are found throughout the interviews, but specifically when respondents are asked about overt racism still being present in the juvenile justice system today (Bonilla-Silva 2006). When respondents claim that race is not a factor in DMC but rather class, cite that discrimination is not as bad today as it was in the past, or that DMC does not exist in Oklahoma City’s Juvenile Justice System, their statements are categorized as minimization of racism.

Bonilla-Silva’s (2006) four color-blind racism frames are found to be the most commonly used by whites for justifications for racial inequalities. He did state that whites use other frames, but in his research only these four frames are prevalent. In my dissertation, I am able to identify two more frames that whites juvenile justice officials use to justify DMC. Those two frames are *poor parenting* and *employment location/reactionary*.

Poor parenting is when whites attempt to blame neglectful or bad parenting skills, along with the family, for minority overrepresentation. By using the poor parenting

frame, it allows white respondents to act like all families, of all races, could be blamed for juvenile delinquency; while really discussing minority families. Poor parenting is prevalent throughout the interviews, and is particularly meaningful during the “miracle” question. When juvenile justice officials blame the parents or the family for DMC, their responses are categorized under the poor parenting frame.

Employment location/reactionary is when white respondents explain that DMC is simply due to the location of where the juvenile justice official is employed. For example, when a white police officer is assigned to a beat in a predominately black neighborhood, it would only make sense that the officer would have more contact with black juveniles. This allows white juvenile justice officials to shift the blame off themselves, and claim they are just “doing their job” (Ketchum 2008). This frame occurs throughout the interviews, but is common when white juvenile justice officials claim that DMC does not exist, or when they admit DMC, but attempt to rationalize it away. When respondents claim to just be “doing their job” (Ketchum 2008), or that they only react to offenses being committed in their community, their statements are categorized as employment location/reactionary. Also, in cases where juvenile justice officials state that the location in which the official works is the reason for DMC, their responses are categorized under the employment location/reactionary frame.

The responses by juvenile justice officials do not always fit within one specific color-blind racism frame. Frequently, multiple frames are used in their responses. When this phenomenon takes place, the statements are coded in all the frames that applied.

The next chapter will set forth the foundation for my dissertation, by showing how extreme the DMC problem is in Oklahoma and Oklahoma City.

CHAPTER FOUR

OKLAHOMA'S DMC PROBLEM

The overrepresentation of minorities in the juvenile justice system is a national problem. The federal government understands this because the 1988 amendment to the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 (Public Law 93-415, 42 U.S.C. 5601 et seq.) mandates that states conduct research studies on Disproportionate Minority Contact (DMC), and states must make an effort to reduce minority overrepresentation, or at least show that they are trying (Feyerherm 1995, OJJDP 2012). I discuss in Chapter 1, how disproportionate minority contract is a national problem with 52% of juvenile Violent Crime Index arrests and 33% of juvenile Property Crime Index arrests being black youth. This is an overrepresentation because black youth only represent 16% of the youth population (Puzzanchera 2009). The national numbers give insight to the problem, but since I limit my research for this dissertation to Oklahoma, it is important to understand what is going on at a state and city level.

In my interviews with juvenile justice officials, over half (52%) of my whites respondents and one third (33%) of minority respondents stated minorities are not overrepresented in official contact with their department. For this reason it is important to show that DMC does exist in Oklahoma and Oklahoma City. Using quantitative methods, DMC is shown to exist, and the extent of minority overrepresentation is clearly evident. I use this chapter to set the foundation for the rest of my dissertation. I do three

things in this chapter. First, I explain the juvenile justice process. Then, I show that DMC does exist in Oklahoma and Oklahoma City. Finally, I reveal the extent of DMC in Oklahoma and Oklahoma City.

The Juvenile Justice Process

The initial contact point in the juvenile justice process begins with law enforcement. Police officers make a number of discretionary decisions when they come in contact with a juvenile. The police officer can take the juvenile home, resulting in an informal disposition; they can write the juvenile a ticket or a citation; or they can go ahead and make an arrest. If the juvenile is arrested, the police officer has three possible decisions on placement of the youth. The police officer could release the juvenile to their parent or guardian; they could put the youth in a community intervention center; or they could request the juvenile be placed in a secure detention facility (Ketchum et al.).

If the police officer has made an arrest and pressed charges, the next discretionary decision falls on the local city attorney. The local city attorney has three choices. They can dismiss the case, refer the case to the county's District Attorney (DA), or choose to go through the municipal court. The municipal court can dismiss the case, give community service, or impose some type of financial retribution such as fines (Ketchum et al.).

Youths referred to the District Attorney are tried as juveniles, unless a serious felony is committed, with the youth being a certain age at the time of the offense. When a serious felony occurs, the Youthful Offender Act allows a juvenile to be almost tried as an adult. A petition from the DA, and approval from the District Juvenile Court or the

District Criminal Court is needed to try a juvenile as a Youthful Offender. If a youth is pursued in the juvenile division, the DA has discretionary decisions to make. These decisions will be made with information about the juvenile from the intake officer, and the recommendations of the Office of Juvenile Affairs (OJA) or juvenile bureau staff. The DA can decline or dismiss the case, use voluntary services available from community-based providers to divert the youth, give the juvenile informal probation (a deferred prosecution if specific terms and conditions are met), or file a petition to charge the youth as a juvenile delinquent or as an adult (Ketchum et al.).

If a petition is filed on the juvenile, they are being charged as a Delinquent and they will be passed onto the juvenile court. The juvenile court will now have three decisions to make. They can dismiss the case with the juvenile being returned to their parent or guardian, with no further juvenile justice action taken. The juvenile court can defer adjudication, which could mean conditions need to be met. The case could end up being dismissed, or the court could eventually adjudicate the juvenile as a Delinquent. Finally, the juvenile court could adjudicate the youth as a Delinquent (Ketchum et al.).

If the juvenile is adjudicated as a Delinquent, the juvenile court has to make three additional decisions. The first decision is whether to give the Delinquent, Court Supervision. Court Supervision is where the court supervises the juvenile directly, or has another party take responsibility for the juvenile, with periodic court review hearings until the case can be dismissed. The responsible party in this case is not the Juvenile Bureau or Office of Juvenile Affairs. Next, the juvenile court can assign court ordered probation. In court ordered probation, the court assigns a supervisory who is responsible

for reporting to the Office of Juvenile Affairs or the Juvenile Bureau until the allotted amount of time is completed. The last option is court ordered custody. Court ordered custody is when the juvenile is put under the charge of a responsible party, which normally is the Office of Juvenile Affairs, until the court is satisfied. Court ordered custody can be out-of-home custody placements such as foster homes; Level E staff secure group homes, and physically secure confinement institutions. Delinquents cannot exceed the age of 18 for out-of-home custody, while Youthful Offenders cannot exceed the age of 21 (Ketchum et al.).

DMC Evidence and the Extent of DMC

I use this section to answer the first research question confirming that minorities are overrepresented in Oklahoma's Juvenile Justice System by focusing on the evidence and extent of DMC in Oklahoma using quantitative data from 2006, 2008, and 2010. I use the tables in this chapter to concentrate on the state of Oklahoma and Oklahoma City. For the state of Oklahoma, the state is represented in this chapter by three cities. The three cities are Lawton, Tulsa, and Oklahoma City. These are 3 out of 4 of the biggest cities and characterize the state of Oklahoma very well. Sometimes the tables will use the counties to describe Lawton, Tulsa, and Oklahoma City. When this occurs Lawton is in Comanche County, Tulsa is in Tulsa County, and Oklahoma City is in Oklahoma County.

This chapter looks at Oklahoma City in more detail because in the following chapters, interviews are conducted with juvenile justice officials from Oklahoma City. These interviews are used to explain the cause of DMC, so it is important to see what is

taking place in the location these respondents work. Using the quantitative data from this chapter and the qualitative data from the interviews, an understanding of the existence, cause, and extent of DMC can be determined.

The juvenile justice system is based around decision-making with the initial starting point being police contact. The youth is going to enter the juvenile system through decisions made by police. For example, Table 2 is a summary of the police reports that ended in arrest or a ticket for juveniles in Lawton, Tulsa, Oklahoma City, and sites combined.

Table 2. Summary of Police Reports that Ended in Arrest or Ticket/Citation.

	Arrests	Citations
Lawton (N=6,063)	32.7	67.3
Tulsa (N=20,352)	47.5	52.5
Oklahoma City (N=33,932)	32.8	67.2
Combined (N=60,347)	37.8	62.2

NOTE: Numbers are percentages.

Table 2 shows the decisions police officers make when race is not taken into account. This is a good foundation to explain what the overall breakdown looks like with arrests being compared to citations. Oklahoma City and Lawton are very similar, with police giving the lesser punishment of a ticket 67% of the time. Tulsa, on the other hand, is much harsher with nearly 48% of the time ending with the juvenile arrested.

Now race has to be taken into account. Table 3 is a breakdown of police reports that ended in arrest by race and the city. There is clearly a difference that exists between whites and minorities.

Table 3. Summary of Police Reports that Ended in Arrest by Race and Location.

Race	Lawton N=6,063	Tulsa N=20,352	Oklahoma City N=33,932	Total N=60,347
White	24.3	39.3	22.5	29.2
Black	42.3	57.4	38.4	46.4
Native American	54.2	57.6	42.1	49.4
Asian	25.8	26.7	7.1	14.7
Other/Don't Know	44.1	54.0	39.9	40.4

NOTE: Numbers are percentages.

Table 3 focuses on the odds of a juvenile being arrested based on their race. The difference between whites and blacks cannot be denied. Looking at Tulsa, there is a 57% chance that your contact with the police will end in an arrest instead of a citation. This is more than half the time, compared to the 39% chance of arrest if the individual is white. Lawton has a lower percent of arrests, but there is still an 18% disparity that is equal to Tulsa. Oklahoma City has a 16% differential between white and black juvenile arrest, which is better than Lawton and Tulsa, but is not a significant drop. Native Americans are at a greater risk than blacks. Their likelihood of arrest increases 20% when comparing Native Americans to whites in Lawton and Oklahoma City.

The percentages in Table 3 are concerning, but to understand that differential treatment is taking place, referred offenses broken down by race is needed. Table 4 is an analysis of referred offenses by race in Comanche, Tulsa, and Oklahoma counties. Again, Comanche is where is the city of Lawton is located.

Table 4. Summary of Referred Offenses by Race for the Counties of Comanche, Tulsa, and Oklahoma (N=16,208).

	White N=7,244	Black N=7,358	Asian N=133	Native Am N=1,175	Other N=228	Not Known N=70	Total N= 16, 208
<i>Felonies</i>	30.6	37.3	28.6	29.7	14.0	41.4	33.4
Sex Crimes	2.5	1.5	1.5	1.4	0.4	0.0	1.9
Against Persons	5.5	9.4	5.3	6.6	3.1	4.3	7.3
Drug Crimes	5.6	5.3	6.0	4.1	2.2	5.7	5.3
Weapon Crimes	1.4	2.7	2.3	1.0	0.4	4.3	2.0
Property Crimes	16.3	19.8	15.0	17.0	8.3	25.7	17.9
Public Order	1.0	1.4	3.0	1.7	0.4	2.9	1.2
<i>Misdemeanors</i>	56.5	51.7	64.7	53.7	39.9	50.0	53.9
Against Persons	10.7	12.3	6.8	11.0	6.6	4.3	11.3
Drug Crimes	11.6	6.0	6.8	10.7	5.3	8.6	8.8
Weapons Crimes	1.2	2.1	3.8	1.3	0.4	1.4	1.6
Property Crimes	28.4	23.2	38.3	24.7	19.7	30.6	25.7
Public Order	8.6	11.9	10.5	11.7	9.6	7.1	10.3
<i>All Others</i>	20.4	18.9	20.3	25.4	51.3	12.9	20.5
Status Offenses	15.8	13.4	18.8	19.1	50.9	12.9	15.4
Technical Violations	4.6	5.6	1.5	6.5	0.4	0.0	5.1

NOTE: Numbers are percentages.

Table 4 breaks down the offense into three categories. The first is felonies.

Overall, blacks are referred 37% of the time compared to 31% of whites. Blacks are

really pushed into the juvenile court, when the crime is against another person compared to whites. Native Americans are almost referred at the same percentage as whites for felonies. The second offense category is misdemeanors. Misdemeanors show that whites are 5% more likely to be referred than blacks. Now misdemeanors carry penalties that are not as harsh as felonies, but while the difference is not drastic, it is still relevant. This difference between black and white, in terms of misdemeanors, will be eliminated once the DA gets the case. The third category is everything not included under felonies or misdemeanors (i.e. status offenses). Here Native Americans are 5% more likely to be referred than whites.

Probably the most important issue that Table 4 shows is the total number of referrals by race. There are 7,358 black youths arrested. This is more than the 7,244 whites arrested. Blacks represented 15% of the total population in Lawton, Tulsa, and Oklahoma City for the combined years of 2006, 2008, and 2010 (US Census). Black juvenile youth are representing 45% of referrals. Native Americans are also overrepresented. Native Americans are 5% of the population but 7% of referrals. Whites, on the other hand, are 71% of the population during those years, but only represent 45% of referrals.

Since the interviews conducted with juvenile justice officials on the causes of DMC took place in Oklahoma City, it is necessary to look at that city and county in more detail because gives a context to understand or, in the case of claiming that DMC does not exist, dispute their responses. Table 5 is the total number of referral based on race for

Oklahoma County. The numbers are similar to the combination of all three cities in terms of type of offense, but the extent of DMC is even greater in Oklahoma County.

Table 5. Summary of Referred Offenses by Race for Oklahoma County (N=4,433).

	White N=1,652	Black N=2,383	Asian N=37	Native Am N=224	Other N=96	Not Known N=41	Tot al N= 4,4 33
<i>Felonies</i>	54.7	61.1	45.9	60.3	13.5	63.4	57.6
Sex Crimes	3.5	1.7	2.7	1.8	1.0	0.0	2.4
Against Persons	8.6	14.2	2.7	12.9	3.1	4.9	11.6
Drug Crimes	9.4	9.6	8.1	7.1	1.0	9.8	9.2
Weapon Crimes	3.2	4.8	0.0	3.6	1.0	7.3	4.1
Property Crimes	30.9	33.1	32.4	37.1	8.3	39.0	32.0
Public Order	2.1	2.6	5.4	3.1	0.0	4.9	2.4
<i>Misdemeanors</i>	46.5	40.8	56.8	36.2	7.3	19.5	41.9
Against Persons	11.7	11.5	8.1	5.9	1.0	2.4	11.1
Drug Crimes	16.4	8.9	8.1	12.9	4.2	9.8	11.8
Weapons Crimes	2.1	3.0	0.0	1.3	1.0	0.0	2.5
Property Crimes	11.3	11.0	35.1	10.3	1.0	0.0	10.9
Public Order	11.7	11.2	5.4	121.9	2.1	9.8	11.2
<i>All Others</i>	10.5	8.2	13.5	17.0	81.3	22.0	11.3
Status Offenses	10.2	7.6	10.8	16.1	81.3	22.0	10.8
Technical Violations	0.3	0.6	2.7	0.9	0.0	0.0	0.5

NOTE: Numbers are percentages.

In Oklahoma County, blacks represented 16% of the total population during the combined years of 2006, 2008, and 2010. Yet, blacks are referred at a rate of 54%. This is 8% higher than all three cities combined. Native Americans are referred at a similar rate with 5% of referrals, while representing only 3% of the population. The 2% differential is the same as the combination of cities. Whites are even more underrepresented in Oklahoma County. Whites represent 71% of the population in Oklahoma County, but only 37% of referrals. This is an 8% difference than when all three cities are combined.

The extent of DMC, in terms of referrals is staggering. Blacks are overrepresented at an alarming rate. The disparity is seen in all three cities, but it becomes even greater in Oklahoma County. When more than half of the referrals are black, while representing 16% of the population, this truly illustrates how prevalent DMC is in Oklahoma and Oklahoma City. While it is important to address the discrimination against blacks, it also means that favoritism toward whites also exists. Whites account for 71% of the population in Oklahoma County, but only 37% of referrals point toward unequal treatment.

If a juvenile is referred, then the DA has a decision to make. The juvenile can have their case declined, a petition filed, be diverted to receive voluntary services, or receive informal probation. A petition being filed is moving the case forward into the juvenile court. Table 6 is a summary of the intake decisions by race in all three locations.

Table 6. Summary of Intake Decisions by Race for the Counties of Comanche, Tulsa, and Oklahoma (N=16,048).

	White N=7,184	Black N=7,265	Asian N=132	Native Am N=1,169	Other N=228	Not Known N=70	Total N= 16, 048
Declined	26.9	27.8	28.0	29.8	26.8	12.9	27.5
Petition Filed	40.7	50.6	34.8	45.3	49.6	57.1	45.7
Diverted	13.8	9.4	17.4	10.6	13.2	21.4	11.6
Informal Probation	18.6	12.2	19.7	14.3	10.5	8.6	15.2

NOTE: Numbers are percentages.

The decision to file a petition is more prominent with blacks and Naive Americans than with whites. Whites are more likely to have their cases declined or diverted, than blacks or Native Americans. With more blacks (7,265) than whites (7,184) having their case referred, this 10% differential in relation to a petition being filed increases DMC in Oklahoma's Juvenile Justice System.

Table 7, is a summary of intake decisions in Oklahoma County. Oklahoma County is different in terms of a petition being filed compared to all three counties. The difference between blacks and whites having a petition filed is only 1%, but this 1% turns out to be very meaningful. Native Americans have a petition filed 84% of time, which is 5% greater than whites.

Table 7. Summary of Intake Decisions by Race for Oklahoma County (N=4,331).

	White N=1,613	Black N=2,325	Asian N=36	Native Am N=220	Other N=96	Not Known N=41	Total N= 4,3 31
Declined	6.4	9.2	2.8	9.5	0.0	2.4	7.9
Petition Filed	79.2	80.4	75.0	84.1	94.8	92.7	80.6
Diverted	0.7	0.3	0.0	0.9	0.0	0.0	0.5
Informal Probation	13.7	10.0	22.2	5.5	5.2	4.9	11.1

NOTE: Numbers are percentages.

Blacks had a rate of 80% for petitions filed, compared to 79% of whites. This difference does not seem significant, but it is when examining the larger picture. Blacks have more juveniles (2,325) referred compared to whites (1,613). With 80% of petitions being filed against blacks, this means that 1,860 blacks receive this intake decision. Whites have 79% of petitions being filed against them, meaning 1,274 whites receive this intake decision. Therefore, blacks have 586 more petitions being filed against them. This further extends DMC.

Finally, after a petition is filed a number of outcomes can occur. A juvenile can be: 1) transferred to an adult court, 2) placed in the Office of Juvenile Affairs custody, 3) have the case dismissed, 4) have the child in need of supervision sent to psychiatric care, 5) have a pending disposition, 6) be given probation, or 7) be convicted and sentenced as an adult. Table 8 is a summary of the legal status of those referred by race in the three counties.

Table 8. Summary of Legal Status of Referrals by Race for the Counties of Comanche, Tulsa, and Oklahoma (N=5,478).

	White N=2,132	Black N=2,857	Asian N=36	Native Am N=415	Other N=29	Not Known N=9	Total N=5,478
Transferred to Adult Court	0.2	1.2	0.0	1.2	0.0	0.0	0.8
Placed in OJA Custody	18.3	27.7	13.9	23.6	31.0	11.1	23.7
Case Dismissed	10.6	7.3	13.9	4.3	27.6	22.2	8.5
Child in Need of Supervision	0.1	0.0	0.0	0.0	0.0	0.0	0.1
Sent to Inpatient Psychiatric Care	0.1	0.0	0.0	0.5	0.0	0.0	0.1
Disposition is Pending	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Probation	69.6	60.0	66.7	66.7	41.4	66.7	64.2
Convicted, Sentenced as Adult	1.1	3.8	5.6	3.6	0.0	0.0	2.7

NOTE: Numbers are percentages.

Table 8 shows that blacks and Native Americans are more likely to be transferred to adult court, placed in the Office of Juvenile Affairs custody, and convicted and sentenced as an adult than whites. Whites are more likely to be given probation or have their case dismissed than black and Native Americans in the three counties. If the two least punitive decisions are looked at together, whites either have their case dropped or given probation 81% of the time. This is much higher than blacks at 67% and significantly higher than Native American at 72%.

Table 9 is a summary of the legal status of juveniles referred based on race for Oklahoma County. Just as this the combination of cities, blacks and Native Americans are more likely to be transferred to adult court, placed in the Office of Juvenile Affairs custody, and convicted and sentenced as an adult than whites. Whites are more likely to have their case dismissed or be given probation than blacks and more likely to have their case dismissed than Native Americans.

Table 9. Summary of Legal Status of Referrals by Race for Oklahoma County (N=2,424).

	White N=890	Black N=1,364	Asian N=19	Native Am N=129	Other N=13	Not Known N=9	Total N= 2,4 24
Transferred to Adult Court	0.1	1.4	0.0	0.8	0.0	0.0	0.9
Placed in OJA Custody	22.1	34.1	15.8	26.4	15.4	11.1	29.0
Case Dismissed	21.9	13.4	26.3	12.4	61.5	22.2	16.9
Child in Need of Supervision	0.1	0.0	0.0	0.0	0.0	0.0	0.0
Sent to Inpatient Psychiatric Care	0.0	0.0	0.0	1.6	0.0	0.0	0.1
Disposition is Pending	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Probation	54.5	46.8	57.9	54.3	23.1	66.7	50.0
Convicted, Sentenced as Adult	1.2	4.3	0.0	4.7	0.0	0.0	3.1

NOTE: Numbers are percentages.

Each of the categories above show how society views blacks and Native Americans compared to whites. When youths are transferred to adult courts, DA's are looking for harsher punishments than the juvenile justice system can deliver. Blacks have 1.4% of their cases transferred to the adult court and Native Americans have .8% compared to .1% of whites. The next category is placement in the Office of Juvenile Affairs custody. This is one of the harsher punishments and really distinguishes the differences between the races. Blacks received this outcome 34% of the time and Native Americans 26% of the time. Whites are only put in OJA custody 22% of the time. Whites are also more likely to have their cases completely dropped at 22% compared to 13% of black cases and 12% of Native Americans. Probation also is divided by black and white. Blacks get probation 47% of the time and whites 55% of the time. All of this disparity at this contact point increases DMC and adds to the extent of minority overrepresentation that has been growing at every point.

Conclusion

The data I outlined here suggests that justice is not blind. Just as Kempf-Leonard and Sontheimer (1995) found, minorities are overrepresented at all stages of juvenile justice system. Blacks and Native Americans are overrepresented beginning at the initial contact point with police, and continues as these groups move through the juvenile justice system. The data highlights that DMC not only exists, but it gets worse as the juvenile gets deeper into the system (Wordes and Bynum 1995, Bishop and Frazier 1996, Puzanchera 2009).

Police reports show that blacks and Native Americans are more likely to be arrested than given a ticket. This occurred in all three cities and is the start of DMC. From this point on, minority youths are overrepresented. When the minority gets to the referral stage, blacks are being held and treated harsher for felonies than whites. The District Attorneys are filing more petitions to minority groups that are already overrepresented. This is just causing a greater and totally unjust disparity between whites and minorities. Finally, the legal statuses show that blacks and Native Americans are more likely to be placed in OJA custody and less likely to have the case dismissed or receive probation.

At each decision point in the juvenile justice system, minorities are being treated harsher than their white counterparts (Kempf-Leonard and Sontheimer 1995, Wordes and Bynum 1995, Puzzanhera 2009). It begins with initial police contact and it amplifies from there (Piliavin and Briar 1964, Wordes and Bynum 1995). My data supports this through arrest and court statistics. This means that juvenile justice officials can claim they are not treating minorities differently, but my data shows otherwise.

The 52% of white respondents and 33% of minority respondents in Oklahoma City that claimed that DMC did not exist in their department are categorically wrong. Not only are these juvenile justice officials wrong, but also the level of DMC is incredibly high. This is one of the justifications used in color-blind racism, which is called minimization of racism that will be discussed in more detail in Chapter 6. Using this chapter as the foundation that DMC exists in the state of Oklahoma and specifically in Oklahoma City, I will discuss in the following chapters what juvenile justice officials

believe causes disproportionate minority contact, and how their color-blind racist statements may perpetuate an unjust juvenile justice system.

The next chapter will show how the color-blind racist frames of abstract liberalism and cultural racism are used to rationalize DMC, but really could be causing juvenile justice officials to discriminate against minorities.

CHAPTER FIVE

ABSTRACT LIBERALISM AND CULTURAL RACISM

Abstract Liberalism

As I stated in Chapter 3, my research is informed by critical race criminology. Using the tenets of critical race criminology, it is evident that juvenile justice officials use color-blind racism to justify disproportionate minority contact (DMC). The first color-blind racism frame used by white respondents is abstract liberalism. I found that abstract liberalism is a common justification used by juvenile justice officials for the understanding of minority overrepresentation in the juvenile justice system. Juvenile justice officials used the abstract liberalism frame because they believe the cause of DMC is differential offending; however, using this color-blind racism frame actually supports differential treatment as the cause of DMC.

Bonilla-Silva (2006) describes abstract liberalism as the foundation of color-blind racism. Liberalism has distinctive features such as individualism, universalism, egalitarianism, and meliorism, which is the concept that institutions and people can progress (Bonilla-Silva 2006:26). Abstract liberalism focuses on using concepts rooted in political and economic liberalism. Whites use choice and individualism in an obscure or abstract manner to address racial inequalities in an attempt to sound “reasonable” or “moral.” (Bonilla-Silva 2006)

I found abstract liberalism throughout the interviews. There is a total of 22 out of 64 (34%) white juvenile justice officials who used the abstract liberalism frame. These 22 respondents used the frame collectively 50 times in the course of the interviews.

There are 11 different questions answered using abstract liberalism. I also found white respondents blamed the parents and the minority family for DMC, but that is so common it became its own color-blind racism frame and will be discussed in Chapter 7.

White Privilege

Most white juvenile justice officials choose to see society as an equal opportunity for all races and refuse to recognize racial inequalities in terms of social, economic, and educational discrimination. Whites are able to do this because of their white privilege. White privilege looks at racism as something that puts whites at an advantage instead of how it puts minorities at a disadvantage (McIntosh 1988). This means that whites explain racial inequalities by putting it on the individual choices and lack of determination of minorities (Bonilla-Silva 2006). This is common throughout the interviews. An example is the following excerpt from Jimmy. Jimmy is a school resource officer who grew up middle class and out in the country.

I: Is there anything on the juvenile justice system, or the impact of race and ethnicity on the juvenile justice system, that you would like to add?

R: I would hope that the juvenile justice system would not set its goals or set any type of punishment on race and just deal with the individual or the crime itself. I don't believe that – it always seems everybody wants to put race into it and all these poor people, these poor people. It's not poor people. You know, everybody's like well, they had a rough childhood. My dad told me, he always knew that I would never amount to anything, so when somebody comes up to me and says, well you just don't understand. I do understand. Although I lived in a poor house – my house burned when I was in the sixth grade, went to the store with jean shorts on.

Yeah, I do know. That's just a cop out. I graduated from high school, I graduated from college.

You got to want it. In many cases, they just don't want it. It's always somebody else's problem. I'm here because of you. I don't owe the kids anything. You know, I have my kids, everybody has their own kids and that's our responsibility to deal with our children. I work just as hard and nobody ever gave me anything. (White-Male-Police-OKC)

Jimmy draws on his personal experience growing up. He thinks that since he made it out of poverty by his determination and "wanting it" minorities can do it too, but they choose not to try. The reason this police officer can have these thoughts is because of his white privilege (McIntosh 1988). Although poor, he had social, economic, and educational opportunities that minorities did not have in their life. Following the notions of abstract liberalism, this police officer is for political and economic liberalism and against anything that would give minorities any type of entitlement or aid.

I: Is disproportionate minority contact a problem, or is it merely a reflection of the real world?

R: I think it's a reflection of society and where society's going. The makeup of our society. And I think that can create a problem in the long run that we're going to end up with too many kids that are uneducated.

You know, to me the way it looks and I hate to say this, is that these kids are getting set up, or setting themselves up, without an education, that the only thing that they're going end up being able to do is flip burgers. I ask them, "So what are you going to do when you grow up?" Oh, I'm going roof a house with my dad, or I'm going lay concrete with my dad and I'm like, why are you setting your goals so low? I don't get it. Why do you set your goals so low? You go through (inaudible), you have opportunity to go to college for free and all you want to do is lay concrete. And I have good friends that are concrete layers. They're very good at it. But why are you setting yourselves up to fail when you could try to do something better? And their parents don't seem to want to push them either. (White-Male-Police-OKC)

Again Jimmy looks past racial discrimination and puts DMC on the individual's determination. In this case, the reason for racial inequalities and DMC is low

expectations. Jimmy believes minorities have the same opportunity as whites, but do not have the same drive. Actually, this police officer subtly refers to affirmative action or what he believes affirmation action is when saying that minorities have better opportunities than whites because they get to go to college “for free.” Yet again, putting the blame of minority overrepresentation on the juveniles themselves and their choices.

Culture of Poverty

Another way juvenile justice officials used abstract liberalism is through the culture of poverty argument and the problem with the “Negro family” (Moynihan 1965). The culture of poverty argument by Oscar Lewis (1966) is that over time a set of “cultural attitudes, beliefs, values, and practices” would form in impoverished communities even if the structure that created it were to change. Therefore, in terms of DMC, minorities have the opportunities for jobs, but cultural attitudes and values make them choose a life of crime instead (Anderson 1999).

An example of this is from Jamie. Jamie is a patrol officer who grew up middle class and in a city.

I: What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates?

R: Well, nobody has a job but everybody gets a check every month. Are there probably places they could be working? I’m thinking probably yes, within walking distance of where they’re living because there are other people in those same neighborhoods that have jobs and are walking to – And from work. So I think there is probably opportunities for jobs, I have not gone into the Taco Bell to see if they’re hiring.

I: Right.

R: Probably opportunities, who they choose but I've had them tell me specifically, "I can't get a job, it'll mess up my social security." (White-Female-Police-OKC)

Jamie refers to "everybody gets a check every month." This statement is addressing a specific group of people, in this case poor minorities. She supports the idea that poor minorities have adopted a culture that accepts not working and deciding to collect government assistance. Jamie says "social security," but clearly is discussing welfare or disability checks because social security generally relates more to retirement. The premise supports an abstract liberalism frame because the police officer believes that poor minorities are choosing this lifestyle (Bonilla-Silva 2006).

Linguistic Manners and Rhetorical Strategies

During the interviews respondents always try to say the "correct" answer and it is clear that many questions made them uncomfortable. They use linguistic manners and rhetorical strategies in attempts to discuss the issue of minority overrepresentation. Since we are no longer in a Jim Crow Era of overt racist statements (although a few did occur in these interviews), subtle language styles are used to discuss minorities in an attempt to justify DMC without sounding racist (Bonilla-Silva 2006, Bonilla-Silva, Lewis, and Embrick 2004).

An example of this is from Marie. Marie is a police officer in the gang intervention unit who grew up middle class and in the suburbs.

I: From your experience, are minority youths overrepresented in official contact with your department?

R: I don't want to answer this wrong. Because I think there is a way you can answer this that makes sense. So let me think of how I can put this. (pause) I will say yes and no. Okay? And I will say yes and no because

for the population that we have -- like 13 % population Black. I don't know what Hispanics are but I know it's getting bigger. We have more Black youth in the juvenile justice system than the population should say we should.

I: Okay. (nervous chuckle)

R: So absolutely yes. We are overrepresented. However, after saying that, I don't think it's, well, I think there is a myriad of reasons why that is, and a lot of reasons for that are that white kids have a place to go generally and they hang out at their friends houses, they are not outside doing -- they know better. They know, if you go out, because they have been told this is what police do, and Black kids know the same thing, but they just don't have -- I don't think -- the places to go to do things. I don't know how to an -- uhhh, there are lots of reasons why they would be overrepresented. Another reason they are overrepresented is they all generally live in well that doesn't make sense either. (pause) Let me say this. I've worked in an all Black area and I've worked in an all white area, and I've worked in a mixture area. (White-Female-Police-OKC)

Marie begins by addressing the issue of minority overrepresentation by trying to answer the question in a "correct" manner. In doing so she displayed a style of color-blindness. By responding with a "yes and no" the police officer is using rhetorical moves in an attempt to protect themselves from sounding racist and therefore making the interviewer navigate through this language to understand their answer (Bonilla-Silva 2006). After the "yes and no" response Marie states that the department is overrepresented but then immediately attempts to justify why they are overrepresented. The rest of this response is very abstract as she attempts to explain why DMC exists. At one point, Marie attempts to explain that whites "know better" than to go out and get in trouble. This means that DMC exists because whites are smarter than minorities (Wilson and Herrnstein 1985). She then attempts to explain that neighborhoods are responsible

for DMC, but realizes that does not make sense. Marie, struggling to find an acceptable answer, comes up with this explanation.

R: Like I said earlier, Black kids as a whole – not all by any stretch of the imagination, because a lot of people were raised to respect police officers, but when you have a parent who you take the kid home for stealing a car – they steal the car, they run from you, right? And back in the day when was a policeman on the street, you took them home, you didn't take them to (inaudible) farm is what I called it. If they wouldn't take them then you took them home, and they didn't take hardly anybody. Uhm, and we take 'em home and this is the response you get. "Why did you get caught." Now, not "Why did you do what you did?" but "Why did you get caught." Now, when I would take a white kid home the parents were pissed at the kids action, not at why I'm bringing them home, its there mad at "How did you get caught by the police." So they are getting the wrong message. Then you drive in and 2 year olds are pointing and shooting at you with their little fingers. That says a lot about the that area of town. The other thing that we do wrong is as a society is we lump all low income people in the same area. That is stupid! You know what, 'cause you're dumbin' everybody down to that level. What you need to do is everybody needs to be spread out and living in different areas and not everybody in one area, because then -- it's like in our program, we want everyone to rise up to this level, not dumb down to here, and we preach that constantly. So if you move this kid –this inner-city kid – over here to a suburban neighborhood then you are probably gonna get a better result because they are gonna rise to that level, this whole community is not gonna dumb down for this one kid, this kid is gonna rise to that level. But what we do is we just lump 'em all over in one little area, in the housing projects and they have no choice but to do what they do. So as a society we enable them to be in trouble all the time, cuz that's what they learn. (White-Female-Police-OKC)

Maria's response is laced with the abstract liberalism frame of color-blind racism.

First, she blames black parents for not raising their children to respect authority and instead being upset with their children for not displaying better criminal techniques (Gottfredson and Hirschi 1990). This response addresses the issue of police discretion when it comes to juvenile offenses. If police officers believe that they must be the parent to the minority youth and not white youth, this could explain DMC (Ketchum 2008).

Maria continues by relating poverty to intelligence level, again pushing the notion of individualism and choice. Finally, neighborhood conditions are used to explain DMC. Then Maria takes a social learning theory approach similar to Anderson's (1999) "code of the street." Social learning is explained as criminal techniques and attitudes are learned from and through close relationships with criminal families and peers (Akers 1977). Sutherland's differential association theory (1978), a social learning theory, supports this idea that juveniles commit offenses because of their environment and that criminal techniques are passed from generation to generation. These explanations are attempts at justifications for DMC by differential offending, but minorities being treated different because of abstract liberalism supports differential treatment.

Conclusion

Abstract liberalism is at the foundation of color-blind racism. The use of individualism and choice are used in many fashions to blame minorities for DMC (Bonilla-Silva 2006). The first way white juvenile justice officials used abstract liberalism is through white privilege. White officials blamed the individual choices and lack of determination of juveniles as the cause of DMC. The second way abstract liberalism is used to explain DMC is through expressing that minorities have developed cultural attitudes, beliefs, values, and practices (Lewis 1966) that accept violence and crime as a way of life. This is the culture of poverty argument. Finally, white juvenile justice officials use different linguist manners and rhetorical strategies to justify DMC in an attempt to not sound racist.

The importance of abstract liberalism is that juvenile justice officials are holding color-blind racist beliefs that could influence minority overrepresentation. In the juvenile justice system, there are discretionary decisions that every juvenile justice official has to make. The police officer can make an arrest or take the juvenile home. The district attorney can file a charge or drop the case. The judge can decide to be harsh or lenient on the punishment of the juvenile. The quantitative research has shown that DMC gets worse as the youth moves through the system (Frazier and Bishop 1995). By holding an abstract liberalism view on minority youth, non-white juveniles are being treated differently than whites. If juvenile justice officials believe that minority youths do not “want it” or accept a culture of poverty, then the official steps in and attempts to fix the juvenile through arrest and punishment. This could be what is effecting the overrepresentation of minorities. This is also seen in the next frame of color-blind racism, cultural racism.

Cultural Racism

The second color-blind racism frame used by juvenile justice officials is cultural racism. Whites commonly expressed cultural racism by blaming the victims for DMC. Cultural racism allows juvenile justice officials to blame minorities for their own criminality. Again, these respondents believe in differential offending, and this allows the juvenile justice officials to justify DMC by blaming minority culture as promoting crime and violence. This color-blind racism frame again could influence discretionary decisions, which supports differential treatment.

Bonilla-Silva (2006) describes cultural racism as a frame that explains the position of minorities in society through cultural based arguments. In my dissertation, cultural racism is used to explain why minorities are overrepresented in the juvenile justice system. An example of a culturally based argument is that blacks are lazy and do not try and get jobs; therefore stealing is acceptable in black culture. The foundation of the cultural racism frame is rooted in the “culture of poverty” argument (Moynihan 1965, Lewis 1966), as discussed in the previous section. The essence of cultural racism is blaming the victim by arguing that minority overrepresentation is a product of “their lack of effort, loose family organization, and inappropriate values” (Bonilla-Silva 2006:40).

White juvenile justice officials consistently used the cultural racism frame during these interviews. A total of 32 white respondents used the cultural racism frame during these interviews. The 32 white respondents used the cultural racism frame 72 different times throughout the course of the interviews. In this section, cultural racism will be discussed in three parts. The first part focuses on when whites blamed the inappropriate values of minorities, as a reason for minority overrepresentation in the juvenile justice system. The second area looks at how whites blamed minorities loose family organization for DMC. The final part examines how whites blamed minorities lack of effort for their overrepresentation.

Inappropriate Values of Minorities

The most common way that whites used the cultural racism frame is through claiming that minorities had a different set of values (Bonilla-Silva 2006). These values are always associated with negative connotations, such as criminal activity and violence.

One of the ways that white respondents blamed DMC on minorities is through parental immigration.

An example of this is Jimmy. Jimmy is a school resource officer who grew up middle class and in the country.

I: Are there any particular races that you see this happening or is it kind of even across the board?

R: Well the races that I deal with primarily are the Hispanic, Mexicans. A lot of them, or some of them I should say, are here illegally, improperly documented, however you want to look at that, and they have a different set of values from old Mexico than we have here. And that includes even the Hispanic culture that is from here, they have a different, in many cases they have a different set of morals than those coming here. The gang violence, I don't know. I think it still comes from the parents. If the students continue to get in trouble, in many cases, I still believe that it comes from the parents not caring and not taking responsibility. And that shows on the students, that will show on everything. (White-Male-Police-OKC)

Jimmy begins by making the claim that the majority of the people he comes into contact with are illegal "Mexicans." This first statement is significant; because it shows the mindset he has when he runs into any Latino while on the job (Piliavin and Briar 1964, Wordes and Bynum 1995, Puzanchera 2009), believing that a lot of them are criminals. Then, Jimmy addresses the idea that this particular race has a different set of values, because they come from "old Mexico." He believes that Latinos have values and morals that promote gang violence, which is passed onto the juveniles. This racist sentiment, which is the standpoint of many white respondents, is concealed with the use of culture (Bonilla-Silva 2006). This is a way for juvenile justice officials to justify DMC in a color-blind world.

Juvenile justice officials also used a cultural violence and culture of poverty argument (Moynihan 1965, Lewis 1966) to explain DMC. They claim that a cycle of

violence is passed through the family tree. An example of this is from Donald. Donald is a police officer from the athletic league that grew up lower middle class and in the suburbs.

I: What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates?

R: Yeah, it does. I think that has a lot to do with it. At Oklahoma City, there's, you know, a gang, gang issues which also entails weapons and drugs. And in lower income and different socioeconomic groups, that, that is, that's a very predominant thing.

So, as kids are brought up in those areas and brought up in those situations, they end up taking on what I call that cycle. And my job, I, my goals, when I interact with kids or even in a patrol or a school setting, is to break that cycle. Break that family tree, where cousins, neighbors are engaged in illegal activity. My job is to get one person, one child to break that cycle. Go out into the community, come back and replant those seeds so that it takes, you can plant a whole new community where you can eradicate the gangs and the drugs and the violence and all that kind of stuff, and those influences. (White-Male-Police-OKC)

Donald discusses the relationship between gangs and the culture of violence. He believes that it is not racial, but socioeconomic status (Bridges et al. 1995, Wordes and Bynum 1995). This is another example of "anything but race" (Bonilla-Silva 2006). Donald states that "lower income and different socioeconomic groups" are related to gangs. These gangs end up in a cycle of violence and it comes from the environment (Anderson 1999) and the family (Gottfredson and Hirschi 1990). The goal of Donald is to get one person to break the cycle, and that could change the culture of violence in that community. He attempts to explain his position as a class argument on gangs and violence, but later in the interview he identifies just what he meant when he said gangs.

I: Have you observed any racial or ethnic differences in gang participation? In other words, are some racial or ethnic groups more likely to belong to gangs?

R: In Oklahoma City, it's predominantly Hispanic and the black culture that participate in gang activity. (White-Male-Police-OKC)

Clearly, the culture of violence that Donald is trying to change is not socioeconomic, but rather racial. He addresses the notion that "Hispanic and black culture" is responsible for gang activity. Donald believes a cycle of violence, which teaches minorities criminal techniques and violence, is related to one's family tree. This is an example of juvenile justice officials using differential association theory to justify DMC (Sutherland and Cressey 1978). Just as respondents used differential association in the abstract liberalism frame, here they are using cultural racism by linking the inappropriate values of minorities as the reasons for minority overrepresentation.

Juvenile justice officials not only claim that inappropriate values cause DMC, but they also stereotype races and make statements that are clearly wrong. An example of this is from Mary. Mary is a police officer in the crimes against children unit who grew up middle class and in the suburbs.

I: Do you see any as far as cultural issues like with immigrants that perhaps have different laws in their countries when they come here then the laws are different than where they come from.

R: Sometimes we have that with the Hispanics and the age difference between the girls who are able to consent and those who are not. Sometimes we have an older male that's like 19-20 year old and he's messing around with an 11-12 year old and there is an obvious --culturally it's okay over there, but it's not here, so I'd say yes we do have some of that going on. (White-Female-Police-OKC)

In this response, Mary makes the claim that “Hispanics” have sex with young girls because it is culturally acceptable in their heritage. She is first making the case that learned behavior (Akers 1977) from another country is influencing these Latinos living in America. Obviously, this type of behavior is inappropriate and illegal in the United States, but Mary is saying that it is acceptable in Latino culture. The problem is that having sexual relations with 11 or 12 year olds is illegal in Mexico, where the legal age is 15 (Instituto de Investigaciones Juridicas). Respondents are using racial stereotypes and putting the blame on minority culture. The cultural blaming of minorities is so misguided that these inappropriate values are not even close to accurate. Juvenile justice officials believing that minorities have inappropriate values, means that white youth and minority youth are treated differently causing DMC.

Loose Family Organization

Loose family organization (Bonilla-Silva 2006) is another way that white juvenile justice officials used cultural racism. Loose family organization is related to the culture of poverty (Moynihan 1965, Lewis 1966). Latino and black families are described as having more disorganized families, because of weaker social ties (Gerstel, Naomi, and Sarkisian 2008). Minorities are more likely to have extended families living with them, which should be seen as a positive with the elderly being taken care of, and children having family members available to take care of and help raise them (Gerstel, Naomi, and Sarkisian 2008). Since it goes against the nuclear family, it is seen as a negative. Juvenile justice officials use extended families as a way to show bad parenting (Gottfredson and Hirschi 1990), and grandparents being too overwhelmed to discipline

these minority children. One of the ways that white juvenile justice officials focused on loose family organization is through blaming DMC on the lack of a father figure.

An example of this is from Phil. Phil is a criminal analyst in the police department who grew up lower middle class and out in the country.

I: Do you think that disproportionate minority contact can be largely explained by class? In other words, is DMC a reflection of poverty?

R: I think poverty is probably one of the, I'd say poverty probably contributes to, yeah, yes, I think yes. I think that, you know, a lot of the reasons were in poverty, maybe a mother grew up in poverty and you know, she's got multiple kids, there's no daddy in the picture. I think it's necessary for a dad to be in the picture, you know what I mean. I think kids, they need something else to do other than committing crimes, if they're out there, if they've got time to do that, to me they should be doing stuff with their family. There's no family, no family stuff at all. (White-Male-Police-OKC)

As Bonilla-Silva (2006) discussed, cultural racism has its ties to the culture of poverty argument. Phil focuses on a mother living in poverty, having multiple kids, with no "daddy" present in their lives. The lack of a father figure apparently causes juveniles to commit crimes. The blame for DMC falls on the family again (Wordes and Bynum 1995), and in this case the disorganized family is responsible (Gerstel, Naomi, and Sarkisian 2008). White families can have single mothers too, but when probing deeper on this question, it becomes clear that Phil is talking about minorities.

I: And when you're seeing these families with no dad's in the picture, is that equal across racial lines, is it more common in whites, more common in minorities?

R: I would honestly say it is across the board, but in, but I would say, god, I do notice it, okay, I don't notice it as much in Hispanic. It seems like even though they have a lot of problems a lot of times just like everybody else, the family seems to stick together even if it's something serious, like oh my gosh, they seem to stick together, and it seems like more and more

Caucasian couples are divorced so maybe there's a stepdad now, so maybe there is, or there have been a couple different stepdads, or there's not even a man in the picture at all. I would say, I don't even want to say, it just seems like more African American families are without the dad, it does seem like that, I'm not saying that's the case, it seems like that, and I don't want to say that because I don't want to sound like, it just seems like that, the dad is not in the picture and you know, dad needs to be in the picture, even if they're not going to stay together, whatever, cause I mean there's relationships don't work. I think that a lot, in like a school over on the East Side 44th there is going to be different than Westmore as far as teenage pregnancy and that probably does spring back to poverty like you were talking about earlier. It's going to be a lot different. There's going to be more teenage pregnancy over there. There just, I think there just is. There's just, kids are not, I'm sure that even parents that don't care at Westmore are telling their kids you better not get her pregnant, you know, and I think it all, I think it's, I'm a big family person, you can probably tell, but I really think that's where it all starts and I don't know if I answered that question. (White-Male-Police-OKC)

This is not a white family issue but rather black families that are lacking a father figure, and that is the cause of DMC. Phil uses rhetorical incoherence to express cultural racism (Bonilla-Silva 2006). He wants to say all races have a problem when fathers are not around, but then he stumbles by saying it is "African American" families that are more likely to be lacking in the father department. Phil has such a hard time saying this, that he quickly changes the subject to teen pregnancy. This rhetorical incoherence (Bonilla-Silva 2006) is used to justify his stance without sounding racist. Nevertheless, this whole response puts the accountability of DMC on minority culture for not having strong family organization with fathers in the picture (Wordes and Bynum 1995).

Another way that white juvenile justice officials used loose family organization for DMC is through blaming grandparents. An example of this is from John. John is a school resource officer who grew up middle class and in a rural community.

I: Do you think that DMC can be largely explained by class? In other words, is DMC a reflection of poverty?

R: We were talking about the minorities. I went blank for a second. You can tell that they'll have, what I call the old school values. You know, "I can't believe you're acting like this. I can't believe these kids act this way these days." But then if you start seeing grandparents in their late '30s, they're also in the same, say poverty stricken, it's a whole different ball game. You know, you're just picking on my child because they're black or Hispanic or something to that effect. But there's no excuses with the older group even though they probably grew up obviously in the '60s and they saw harder times, but it's still not an excuse to sag your pants, to wear (inaudible) and all that nonsense. But with the younger grandparents, it's a whole different ballgame. (White-Male-Police-OKC)

John begins by talking about the values of minorities being different depending on the age of the grandparent. He is discussing minority youth being raised by grandparents instead of parents, in a culture of poverty. By initiating a discussion of minorities being grandparents, it perpetuates the stereotype that minorities are having too many babies at a young age. The blame for DMC is placed on grandparents raising children, instead of the parents in a nuclear family as previously stated (Gerstel, Naomi, and Sarkisian 2008).

Finally, the idea that a loose family organization, or disorganized family, traditionally results in family members having contact with the juvenile or criminal justice system. An example of this is from Howard. Howard is an overseer of school resources officers who grew up lower middle class and in the suburbs.

I: What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates?

R: A huge force, I believe, is the existence of crime or law enforcement footprints in families already. I'll talk to a lot of children who did not grow up in either poverty or in families with much interaction with the police. And the idea of committing a crime or going to jail or being arrested is horrifying to them because it's just not part of their self image at all or their family's self image. And I deal with so many juveniles because uncle, brother, mother have been in jail, when they do the risk-

benefit analysis, the downside is I go to jail, that's such a smaller downside. It's just not horrifying to them, but it's almost a self-fulfilling prophecy. You know, everybody goes to jail, "Everybody goes to jail. I know I'll go to jail some day", so the day you finally arrest him for the first time, it's not a falling off the cliff about, "Oops, I did something wrong." It's well, we all end up in eighth grade eventually and we all go to jail eventually and I think eventually you all get driver's licenses. It's more of – not a positive expectation – but everybody knows you're going to get a C sometime on a test, whereas other kids know someday they'll get arrested. Whereas a lucky group of children do not grow up with that perception that they're going to get arrested some day. (White-Male-Police-OKC)

This is an example of a rational choice perspective (Paternoster 1989), to claim that youth are not deterred from committing criminal acts because their family members have had contact with the juvenile or criminal justice system. The culture of poverty is a factor in this thought process, because Howard claims that children not living in poverty, do not think that the risks of the criminal acts outweighs the rewards (Paternoster 1989). Howard did not bring race into this argument, so the interviewer probed deeper.

I: Do you see it more in one or the other, or is it equally the same regardless of race?

R: No, it does seem to vary by race. And again, this may be my perceptions of it, but I do, when I walk into the predominantly African American schools, I do hear so much more verbal violence. So many interactions couched in antagonistic terms and threats and counter threats, so many interactions are about who's going to do what violence to whom and then listening to their stories of hearing about how much violence does go on in their lives. (White-Male-Police-OKC)

So this acceptance of being arrested is not equal across racial boundaries, but predominantly found in African Americans. Juvenile justice officials are blaming minority families for accepting a culture that is not deterred by the law (Anderson 1999). They say that it is a self-fulfilling prophecy that minority youth are expecting to get arrested, so they are not surprised or affected when it happens. This use of cultural

racism is the real self-fulfilling prophecy. If juvenile justice officials believe that minority families are so disorganized, that they do not teach their children that breaking the law is wrong; the police, district attorneys, judges, and juvenile justice officials will treat minority youth differently, and punish them harsher because the juvenile justice officials feel they have to be the parent and discipline the minority juvenile.

Lack of Effort

The final way that white juvenile justice officials used the cultural racism frame is by claiming that minorities' lack of effort (Bonilla-Silva 2006) is the cause of DMC. Whites state that minorities do not put worth the effort to be successful, especially financially. The respondents attribute this to the culture of poverty argument (Moynihan 1965, Lewis 1966). Minorities' not having the drive to get a good job means that they have to commit criminal acts in order to survive. One of the ways that the white juvenile justice officials focused on the lack of effort is by claiming minorities are lazy (Frazier and Bishop 1995). An example of this occurred during the interview with Phil. Phil is the criminal analyst discussed earlier in this chapter. When the interviewer asked about groups that are overrepresented Phil said "blacks and Hispanics." Then the interviewer probed deeper with this question.

I: So does that then relate to higher crime rates based on not having something to do?

R: Well yeah, well, well first of all drug abuse in general, high crime rates, well I was talking about Meridian earlier, that's a focus of ours because it's a big business district and brings a lot of money into the city, you have to try to keep the crime down so that stuff will keep coming to the city, you know. Every time they have an event at the fairgrounds, there's thousands of people staying off Meridian getting their cars broke into, so that's a focus of ours. We're always over there trying to keep the business

up over there because that's what fuels the economy of the city, so we try to focus, and I'll tell ya, all that stuff over there, all the thefts, all the car break ins, it's all focused on people needing their next fix, and a lot of it is focused around drugs, it's not just money, a lot of it's drugs, so I would say drugs affects it a lot, and then a lot of the other crimes are, I'm sure that some people's like I can't get a job, whether it is or is not something that they did in the past that's keeping them from getting a job, maybe they're just lazy and don't want to work, you know, but there's a lot of different factors, but I would say it definitely influences, it definitely influences it. (White-Male-Police-OKC)

Just as the other sections of the cultural racism frame used the culture of poverty to blame DMC on minorities, the same goes for the lack of effort explanation. Phil puts a lot of emphasis on drug use and minorities (Wordes and Bynum 1995). Drug use in a culture of poverty argument is very common. Phil then indicated that unemployment is also an issue resulting in blacks and Latinos being overrepresented. The reasons for the drug use and lack of employment is attributed to minorities being lazy (Frazier and Bishop 1995). This is a racial stereotype, but whites can get away with saying it, because blaming minority culture conceals it (Bonilla-Silva 2006).

Another way white respondents explained DMC through the lack of effort of minorities, is blaming parents on federal assistance. An example of this is from Pete. Pete is a patrol officer who grew up poor and in the suburbs.

I: Let us address the issues outside of direct influence of the juvenile justice system. What effects, if any have you seen a lack of quality educational resources play in DMC?

R: Nobody can force this child to go do this or this and unfortunately, a lot of these children end up into a situation where peer pressure plays a lot into their decision-making. Because some could be – I mean, I've dealt with a lot of kids that are good kids but they get around other kids and then that they just fall into that trap of, you know, committing illegal crime – crimes. So their educational resources are about as good as anywhere else, sometimes even more. Those children have almost a better

chance of college out of the various funds available to them versus a higher income – a higher income child because there's an income level cap that says, "No, you can't get the same as this kid because your parents make too much." Well, these parents are paying for, you know, everything where this child's parents are just sucking off the system. (laughs) So now-

R: And I don't always, because I was there, I was – and I had the same things available, afforded to me, that these children have but I choose – I chose not to take them because I got tired of seeing the hand-outs, the government cheese, the DHS assistance and all this other stuff that I personally witnessed growing up in my neighborhood and I said, "No, I don't want to live this like this way," so I went – and I'm reverting back to talking a lot (laughs). So I went in the military when I graduated and I made a life but – but the thing is, is it's available to everyone. (White-Male-Police-OKC)

This is another culture of poverty argument (Moynihan 1965, Lewis 1966), with parents being held accountable for the overrepresentation of minorities in the juvenile justice system. Pete uses "sucking off the system" to explain minority families on government assistance. He brings class into the discussion by doing this, but explains that he did not take the "hand-outs." Pete focuses on poverty being a choice (Paternoster 1989), believing that with hard work a person can get out of it. Since Pete is able to get out of poverty, he has to rationalize people who do not. Therefore it comes down to determination. Whites work hard, where minority families do not put worth the same amount of effort as he did (Frazier and Bishop 1995). Again, this shows white respondents justifying DMC to a lack of effort by minorities.

Finally, whites do not believe that all minority cultures lack effort. These juvenile justice officials used cultural racism to blame black and Latino families for DMC. An example of this is from Brenda. Brenda is a lawyer who grew up middle to upper middle class and in the suburbs.

I: How significant is the overrepresentation? In other words, is there a lot of overrepresentation, a little, or somewhere in between?

R: I think that's hard for me to answer because I don't think it's a racial issue, I think it's a socioeconomic issue. But I would say that it's a – it's a lot of overrepresentation, it's, you know, I think on my caseload and it's – it's predominantly minority races but I do – I still maintain that it is a socioeconomic factor and not as much a racial factor.

I: Okay. Then which group or groups are?

R: African Americans and Hispanics.

It's weird, while I'm thinking about it, Asian Americans – I have – I can't think of any on my caseload and I think that is a cultural thing with Asian, the Asian American culture, it's very insular and it's very family-supportive; I have several friends who are Asian American and they are very family-dominated and very insular and I don't have very many, I have none Asian American delinquents and I think that the family support plays a large role in that. (White-Female-Official-OKC)

Brenda addresses that there are differences between racial cultures. Asian Americans are considered positive for having close families (Frazier and Bishop 1995). These close families are used to justify why Asian American are not overrepresented in the juvenile justice system. This also means that black and Latinos have a different culture and does not have close families. Their culture is considered negative and is the reason for DMC. Juvenile justice officials do not believe that the system is prejudice against minorities, and therefore continue to use color-blind racism to justify DMC.

Conclusion

Cultural racism is another color-blind racism frame used by whites to justify disproportionate minority contact. Using this frame blames the victim for their overrepresentation and ignores structural discrimination (Frazier and Bishop 1995). Whites interviewed believe in differential offending between races as the foundation of

their convictions, which puts the blame for DMC on minority culture. Whites stated that minority culture promotes violence and crime. Claiming that minorities have a culture that has inappropriate values, loose family organization, and fails to put worth any effort is used as justification for whites on why DMC exists (Bonilla-Silva 2006).

The cultural racism frame could support the differential treatment of minorities by the juvenile justice system. The respondents justify their answer by believing and using differential offending arguments, but at the heart of cultural racism is different treatment. Cultural racism is a color-blind racism frame (Bonilla-Silva 2006). Color-blind racism is how whites explain racial inequalities in a covert way by putting the blame on minority. The responses used by whites in this section would be considered overtly racist, if not for placing it on cultural differences. By having these racist ideologies and working in an industry filled with discretionary decisions, it is easy to see how DMC could be influenced by differential treatment. The next frames of color-blind racism that may influence DMC are naturalization and minimization of racism, which is in Chapter 6.

CHAPTER SIX

NATURALIZATION AND MINIMIZATION OF RACISM

Naturalization

The third color-blind racism frame used by juvenile justice officials is naturalization. Naturalization is the least used frame used to justify disproportionate minority contact (DMC). This is the least used frame for the Bonilla-Silva study as well. Naturalization is when respondents claim that there is something inheritably different between races. The focus is based upon a biological explanation; with the understanding that it is “natural” for races to act differently, because at a genetic level each race is different. The problem with that explanation for disproportionate minority contact (DMC) is that studies have shown that hair color requires more gene differential, than the color of a person’s skin (Angier 2000, Harris 2009). White respondents use the naturalization frame to explain DMC as something natural in minority culture; that blacks and Latinos are prone to violent and criminal behavior, because there is a genetic predisposition for the group act in this way. This frame once again takes the blame off the system and its participants (juvenile justice officials), and puts it on the victim (minorities).

Bonilla-Silva (2006) describes naturalization as a “frame that allows whites to explain away racial phenomena by suggesting they are natural occurrences” (Bonilla-Silva 2006:28). In my study, whites argue minorities “congregate together” in one environment, as a method to explain DMC. In Bonilla-Silva’s (2006) study, 50% of his

respondents used the naturalization frame. In this study, whites used the color-blind racism frame 19% of the time. This difference can be accountable to the questions asked, or that it is simply not the way a majority of whites attempt to justify DMC. I believe the difference is naturalization responses lost in cultural racism explanations for DMC. Juvenile justice officials would explain DMC as something in minority culture, but not asked to explain whether that culture is learned or inherent in each racial group.

When juvenile justice officials did use the naturalization frame, they did it in a variety of ways. The first way is through claiming that minorities congregate among themselves, and in these segregated communities gangs are more likely occur, that in turn brings about crime and violence. The second way is that white respondents used lack of intelligence as an explanation for DMC. This is an idea from Wilson and Herrnstein (1985) and Herrnstein and Murray (1994) and supports differential offending. The third way is through believing that minority youth have some type of mental problem that needs to be fixed in order to reduce DMC. The fourth way is through the culture of violence question. The culture of violence question states, “some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for ones goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?” This is the only time minorities used the naturalization frame.

They Divide Themselves Up

One of the ways that whites justified DMC is by claiming that society has a natural tendency to divide neighborhoods by race. Whites and minorities gravitated

towards their own race, because people are more comfortable around others that look like them (Bonilla-Silva 2006). White respondents stated that minorities choose their environment, and that these neighborhoods are more likely to be prone to violence. The reason minorities in these neighborhoods are more likely to commit violent acts is because it is in their nature.

An example of a white juvenile justice official using naturalization is Douglas. Douglas is a school resource officer who grew up middle class and in a city. He used the naturalization frame when discussing DMC in their department.

I: From your experience, are minority youths overrepresented in official contact with your department?

R: I don't think so because it depends on what area you work with. Nobody really wants to admit it, but society is divided up into different environments – they divide themselves whereas in our city over on the East side of town we have a large Black population and on the south side we have a large Hispanic population, on the northwest part of town you have a large Asian population. Then, in each one of those areas you have other ethnic groups that are mingled in with them. So just cause you live on a street where you have 10 houses and 9 of those houses are black families, you might have one house that is a white family. I mean that's, you know, that happens. (White-Male-Police-OKC)

Douglas states that DMC is not present in his department, because it is based on the community in which the officer works. He begins by explaining “society is divided up into different environments.” The environments that Douglas describes are all non-white neighborhoods. He continues after the interviewer asks to clarify that Oklahoma City is one of these divided up societies.

I: Which is the circumstance?

R: Yeah, and that is just the way different people group migrate towards each other where they feel comfortable, but at the same time my neighbor across the

street is Asian where I live and a good friend that is black. I guess yes to your question. (White-Male-Police-OKC)

Douglas maintains the naturalization frame by again stressing that people “migrate toward each other where they feel comfortable.” He then chooses to justify his position by stating that he has “a good friend that is black.” This is called a buffer. It is used after something said that may be considered racist. This is a style of color-blindness (Bonilla-Silva 2006). Finally, Douglas really addresses how the naturalization frame is used to justify DMC.

I: It again depends on the area, right?

R: I think, yeah it depends on the area and I think a lot of ethnic groups uh, choose to be in a certain area instead of making themselves better, you know? When you grow up a certain way and not having a lot of money and living in a poor environment; you make a choice to become part of the environment or move on to bigger and better things. I think there are a lot of white kids that grow up in that environment and I think there are a lot of black kids, and a lot of Hispanic that all grow up in those types of environments, but I don't think that one is more than the other. (White-Male-Police-OKC)

Douglas emphasizes that minorities choose to live in a crime-oriented community. He states that this is a natural occurrence. He does not use the differential offending frame, because he does not think that DMC exists. Douglas thinks that all groups can grow up in poverty, but only people who give into their environment will become criminal; however, he states that “a lot of ethnic groups” are the ones choosing to be in these communities. Therefore, in reality he is saying that it is the minorities that naturally group themselves together and choose to live a life a crime.

It's a Learning Problem

There are some researchers who think that crime is related to intelligence. Since blacks and Latinos could have lower IQ scores, this could account for DMC (Wilson and Herrnstein 1985, Herrnstein and Murray 1994). Using this explanation for DMC also falls under the color-blind racism frame of naturalization. Claiming that minorities lack the intelligence to either go on to better things than crime, or that minorities do not know any better is a biological justification for DMC. It makes DMC something that is unavoidable to a minority group, such as blacks, because it is in their genetic make-up. This is an attempt to reinforce differential offending, but IQ testing and other standardized testing is racially biased (Freedle 2003, Santelices and Wilson 2010). Therefore, when whites are using this naturalization frame, it strengthens my argument of differential treatment by juvenile justice officials, and the juvenile justice system is the actual cause of DMC.

An example of a white juvenile justice official blaming DMC on a lack of intelligence is Joseph. Joseph is a lawyer who grew up middle class and in the country on a farm.

I: Let us address the issues outside of direct influence of the juvenile justice system. What effects, if any have you seen a lack of quality educational resources play in DMC? I know you said earlier that education was what you would change, but what do you see a lack of quality educational resources play in this?

R: Well, most of the kids that we represent dropped out in the eighth grade and I think that's where I was going and I didn't get back to it. They dropped out in the eighth grade, you can almost track it, when did you quit, when did you quit? It's the eighth grade and one thing that I want to say is I've tried to make a study of this, is because if you have this IQ problem or this learning problem, it might not even be IQ, it may just not be, you

know, that anybody works with you when you get home at night, that there's no emphasis to do homework, to study or even to have the books or have books to take home, you know. I keep, I keep going back to that eighth grade, ask me that question again and I'll get off the eighth grade part. (White-Male-Official-OKC)

Joseph believes that DMC is directly related to an "IQ problem" or a "learning problem." The IQ problem is an inherent issue, but he also addresses that this is a learning problem. Joseph puts the blame on home life or the family. He claims that minority families do not emphasize homework, studying, or even books to accomplish these things. Joseph also thinks that the juvenile's parents are not available to help their children with their studies. This is a common response from white juvenile justice officials who used the naturalization frame.

Another way that white respondents used naturalization to blame the victims of DMC, is through minority youth choosing to commit crimes because of their intelligence level. An example of this is from Sean. Sean is a patrol officer who grew up lower-middle class in both a rural and suburban community.

I: What effect, if any, does direct or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system?

R: None.

I: None.

R: No, Other than, and this is a stretch because I don't think that kids are that smart, but to have heard a preconceived notion like a self-fulfilling prophecy, you know? Like the kids have heard it so they portray it. (White-Male-Police-OKC)

Sean attributes DMC to minorities being told they are going to be juvenile offenders, and then become one because they do not know any better. He gives the

reason that the lack of intelligence of non-whites is why they fulfill their criminal prophecy. Minorities are not being taught this, but rather have something conditioned in them to commit criminal acts, and are not smart enough to change their life path. It is another naturalization justification for DMC. Also, Sean does not believe that overt discrimination is the cause of DMC. Since there is no overt racism, it validates my argument that covert discrimination or color-blind racism is the cause of DMC.

Fix the Kid, He's Just Messed Up

Another way whites attempted to justify DMC is through claiming that minority youth have some type of mental problem that needs to be fixed. This explanation for DMC discusses how minorities must have some type of mental deficiency to account for all of the violence and crime. It is naturalization because these issues are the way things are for minorities (Bonilla-Silva 2006). White respondents claim that minority youth really had no other choice but to commit offenses, but instead making the case that poverty (Moynihan 1965, Lewis 1966) is the cause of this thought process, they blame the parents.

An example of this is Steve. Steve is a lawyer who grew up middle class and moved from a farm to a city. He used the naturalization frame to describe minorities as animals who have no other choice but to bite back.

I: Have you witnessed any other cultural problems, other than language that your department has run into, such as tribal issues, or cultural issues with certain racial or ethnic groups?

R: Tribal issues primarily affect us in DHS cases and deprived cases because the tribe comes in and inter – not interferes, intercedes in the case; as far as delinquency issues, not – not so much with the tribe. As far as cultural issues, absolutely; there is a large class of people who – who we

deal with, the parents who don't want the state involved in their lives in any way, oftentimes they're doing things that they don't want the state to – brought to the state's attention, so they are very –

I: They're leery –

R: Yeah, leery of the state, they're hesitant to be involved, they're hesitant to participate, they don't trust government, you know, the – the most dangerous words ever spoken: "I'm from the government, I'm here to help." They have been, in their minds, screwed by the system in many cases so they don't want – they don't want the government around, they want their kid fixed but they don't want people from the government in their house or looking over their shoulder. Also is the – the kind of perception of, "I didn't do anything wrong, he did, fix him;" well, I refer to it as the 'puppy syndrome,' you kick a puppy often enough, one day that puppy grows up and bites back. These parents, in many cases, have kicked the puppy as the kid has grown up, the kid has finally grown up and bitten back and then the parents say, "You know, I didn't do anything wrong, you fix the kid, he's just messed up." Well, they are the ones in many cases -

I: That created –

R: That created the messed up kid but they don't want to have any responsibility for it. (White-Male-Official-OKC)

Steve just related minority youth to a puppy. Other white respondents who said similar things did not go to that extreme, but the issue of non-white juveniles turning to crime because they have something mentally wrong did take place. As for Steve, the juvenile is thought of as broken, and the parents are the ones that did it. The blame is on the family because they apparently pushed their child to a point where they had to "bite back." White respondents believe that this is the way things are (Bonilla-Silva 2006) in minority families. They accept this as a natural occurrence and the reason for DMC.

It is common when white respondents use the color-blind racism naturalization frame to blame parents and family, as illustrated throughout my dissertation. However,

this response also points to the understanding that the white juvenile justice officials really have no idea what is going on in minority families. The juvenile is getting kicked, but it is by the juvenile justice system and society in general. With racial inequities in education, income, housing, and of course the juvenile and criminal justice systems, minorities are clearly at a disadvantage. This does not mean that we have to look at what is wrong with minorities, but rather what is wrong with this racialized social system that promotes inequalities, because it is beneficially to whites.

Culture of Violence

The culture of violence is something that has links to the culture of poverty (Moynihan 1965, Lewis 1966) and is often used to explain crime in minority communities (Anderson 1999). When respondents are asked about the culture of violence, respondents who believe it exists give answers that most of the time fell under cultural racism or the naturalization frame. Many interviewers did not probe deeper on this question so at times the responses could fall under either frame. The fascinating detail from this question is that it is the only time minority respondents used the naturalization frame.

The culture of violence question states, “some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for ones goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?” A total of 52 out of 64 white respondents (81%) answered this with a yes. There are 41 out of 50 police officers (82%) and 11 out of 14 juvenile court officials (79%) that believe a culture of violence exists in poor neighborhoods. As for

non-white responses, 14 out of 17 (82%) said yes to this question. Of those 17, 8 out of 10 are police (80%) and 6 out of 7 are juvenile court officials (86%).

One way that juvenile justice officials used naturalization to answer this question is through discussing gangs and the family. Gangs are always linked to the barrio or ghetto neighborhoods. A common explanation for why minority youth join gangs is the absence of family. When the family is absent or not around to supervise the children, it is natural for that youth to join gangs. An example of this is from Mike. Mike is a police officer in the crimes against children unit who grew up lower-middle class and in the country.

I: Some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for one's goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?

R: Absolutely, it is absolutely the case and especially when you get into the gang mentality. You know, young people will join gangs because – for a lot of different reasons, but one of the main things, the main draw is that feeling of family and support that they don't get at home and so they are willing to do whatever. I rode a rotation through our gang unit. The mentality -- we start to revert back from a sophisticated mentality of negotiations and talking things out to a much more animalistic mentality of predator versus prey, and it's natural for us to revert back. If we don't have an outside influence pushing us away from that, we revert back to you're either the predator or the prey. So the gang mentality only understands 2 things, they understand mutual respect and they understand brute force. The mutual respect usually comes as a result of the violence or force. If we have a respect for each other because we both know we are both capable warriors so-to-speak in our mentality, we will maybe dance a different dance looking at each other not looking at each other and not interact, but they can almost sense weakness and will attack. (White-Male-Police-OKC)

Mike uses naturalization because he points to the reason people join gangs is because of a lack of a family. Without a strong family it then becomes natural for

children in these communities (minorities) to join gangs. Once they are part of the gang, these juveniles resort back to some type of “animalist mentality,” according to Mike. This is then justification for why non-whites are going to commit a disproportionate amount of crimes (differential offending). Mike did not think of how his viewpoint influences his discretionary decisions when he is in these lower income communities, which is differential treatment (Piliavin and Briar 1964, Wordes and Bynum 1995).

Another way naturalization is used to answer this question is through blaming the family for violence. An example of this is from Victor. Victor is a police officer from the Family Awareness and Community Teamwork (FACT) unit who grew up poor and in the projects.

I: Some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for ones goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?

R: Yep, it does seem to be the case, but let's not get it twisted. America is violent and we've always been violent. It's okay to be violent when we feel it to be appropriate violence, but when you start, see—(Interviewer chuckles) Yes, violence, no, that'll take too long. Violence is a way of life in the inner city. It is a lot of time, it's, how do I use this? It is celebrated. It is what inner city people do when they don't have any other means of articulating their issues, we're going to fight, but that's men, that's what boys do when they were young, we don't, we solve our problems with our fists, so what you have, you have no men there to teach the boys any other way to do it, so in essence guys grow up thinking that a real man's a tough guy and as a result we have kids that are killing each other because that's what they think men actually do. Nobody actually taught them how to articulate themselves, how to have a discussion, and work these things out. It's like the old school take 10 steps, turn, and fire at each other thing. So, but hang on a second, there is a lot of violence in the inner city, but America is violent and has been violent for a long time, so yeah.
(Minority-Male-Police-OKC)

Victor also blames the family, in particular fathers who are not present in their child's life. He uses naturalization to claim "violence is a way of life in the inner city." It is natural for men to fight because fathers have not taught their sons how to use their words to solve problems, so the youth resorts back to their original instincts and they fight. The inner city and these "ghetto" neighborhoods are seen as minority communities. As one can see, there is not a lot of difference between white juvenile justice officials and minority juvenile justice officials on this question. This is because of social identity theory (Ashforth and Mael 1989, Lapinski and Mastro 2001), which will be explained in Chapter 8.

Conclusion

Naturalization is the least used color-blind racist frame in my dissertation. Yet, it is important to focus on this frame because it is used by 19% of whites and only used by minorities in the culture of violence question. The reason I believe it is the least used frame is because the interviewers did not probe deeper on certain question to gain a clear understand on whether it is a cultural racism response or naturalization. Whites used naturalization in four different ways. The first way is that minorities congregate among themselves and then create communities of violence. The next way is that minority's lack the learning skills or intelligence, which in turn accounts for DMC. The third way is through blaming parents for creating mental problems, which leads non-white youths to crime. Finally, the culture of violence question is used to blame minorities living in poverty for having poor parenting skills that does not discourage crime or violence.

The use of the naturalization frame by juvenile justice officials takes the responsibility off of themselves and the system and blames the victims of DMC instead. It is true that this is not the most common frame used to justify DMC, but at 19% it still effects the lives of juvenile youths. If some answers could be explained in more detail the 19% could be much higher. The fact remains that when juvenile justice officials have color-blind racism justifications for DMC, it might reinforce the problem. More minorities could be arrested, prosecuted, and detained because these juvenile justice officials believe they are doing the right thing. This is not an equal and fair juvenile system and changes are needed. Yet, most white juvenile justice officials do not even believe that DMC is a problem or exists. That is the focus of the next section.

Minimization of Racism

The fourth color-blind frame used by juvenile justice officials is minimization of racism. The minimization of racism allows juvenile justice officials to claim that race is not a factor in the juvenile justice system. This is why more than half of white respondents believe that DMC does not exist. As for the white respondents who have seen minority youth overrepresented in the juvenile system, they use this frame to explain that class is the issue not race or that discrimination is better today than in the past (Bonilla-Silva 2006). By using the minimization of racism frame, white respondents take the culpability off themselves and the system. This frame reinforces DMC practices and institutional racism.

Bonilla-Silva (2006) describes minimization of racism as a color-blind racism frame that claims that the central factor affecting life chances for minorities is not

discrimination. Whites think racism has improved because of slavery and Jim Crow laws are no longer present in society. There could be some discrimination, but only a few racist individuals that do not impact minorities as a whole. Whites also think that if any discrimination is taking place, it is socioeconomic and not racial (Bonilla-Silva 2006). The minimization of racism frame allows juvenile justice officials to avoid the problem of DMC, and therefore prevents identifying possible solutions to it.

Minimization of racism is found throughout the interviews, and is discussed thoroughly in three sections of this chapter. The first section discusses how a majority of white respondents do not believe that DMC exists in Oklahoma City. The second area discusses how white respondents use the minimization of racism frame to stress that class, not race, is really what effects juvenile overrepresentation. The final section is a breakdown of the “overt racism” question. This question asked, “What effect, if any, does direct, or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system.” When respondents are asked this question, juvenile justice officials dismissed racism in all its forms as a factor in DMC.

DMC: What DMC?

One of the major issues that surfaced during this project is that juvenile justice officials refused to admit that DMC existed in their department. What is found throughout the interviews is an attempt to remain politically correct. Police officers especially had a hard time admitting that DMC existed. One police officer, when asked if from his experience, are minority youths overrepresented in official contact with your department answered “No, I don’t see any racism or anything like that” (White-Male-

Police-OKC). Later in the interview, this same respondent discussed how they deal more with minority youths than whites. They just felt obligated to answer no to the DMC question because these police officers related it to racial profiling, which they have been conditioned to say they do not practice.

When white juvenile justice officials are asked “from your experience, are minority youths overrepresented in official contact with your department”, more than half said no. A total of 33 out of 63 respondents stated that minorities are not overrepresented in official contact with their department. This represents 52% of the white respondents. Before this question is even asked, interviewees listen to how an overwhelming amount of research has shown that DMC exists in the juvenile justice system, giving the respondents the information that minority overrepresentation is common, and yet half refused to admit or believe it. This clearly illustrates whites using the minimization of racism frame, because they believe that race does not play a factor in the juvenile justice system.

Of the 33 white respondents that claimed DMC did not exist in their department, 32 of them are police officers. This clearly shows the difference in law enforcement professionals and their opinions when it comes to DMC. This difference could be the result of police having to worry about being labeled racists because of years of discrimination against minorities that the media and researchers have shown during the last 10 to 15 years (Jones 2003). There are 22 responses to the question about DMC in their department that just answered no, 21 of those are police officers.

The respondents that gave more of an explanation as to why DMC did not exist in their department pointed to two different justifications. The first justification is the epitome of color-blind racism and is from Katerina. Katerina is a police officer in the crimes against children unit who grew up lower-middle class in a rural community.

I: Are minority youths overrepresented in official contact with your department?

R: I don't think so, it just happens to who is the victim of this. I mean, I have got cases on my desk and they deal with – Asian, African-American, Hispanic and Caucasian. I mean, I don't. Because I don't see that because to me and a lot of times I just don't pay attention – it's a kid, its just a kid it doesn't matter what their race is to me and same way if its juvenile offender it doesn't matter what race it is, if he is blue, green, yellow or whatever. A lot of times I don't pay attention to that. I know it's sad to say, but it's a kid to me, I don't look at race. (White-Female-Police-OKC)

Katerina is living in a color-blind society, like most whites claim (Bonilla-Silva 2006), in which race does not matter. Each individual is judged by his or her own merit. This is a lovely sentiment, but Omi and Winant (1994) state that one of the first things we do when we meet a person is attempt to identify their race. If a person's race cannot be identified, we are uncomfortable until we are able to categorize the individual, thus we do not live in a color-blind society. Katerina claims that DMC does not exist; she does not notice any overrepresentation of minorities, because she does not see color. Katerina admits that she does not pay attention to race, but still does not think that DMC exists in her department. This color-blindness is a minimization of racism, which allows police officers to continue business as usual, without addressing the problem of minority juveniles being overrepresented in the juvenile justice system.

The other way that white police officers minimized racism, claiming that DMC did not exist in their department, is by blaming the community or environment they patrol. This closely related to the reactionary frame that will be discussed in Chapter 8, but the emphasis is more on the location and not the offense. An example of this is from Melissa. Melissa is a detective in the sex crimes unit who grew up lower-middle to middle class in the suburbs.

I: Are minority youths overrepresented in official contact with your department?

R: Let me read it. Now that's – that's hard to – in my unit, I'm going to say, no, but I mean it's just – they just give me the cases that I'm assigned and I get what race they are, I mean, they might be White, they might be Black, they might be Hispanic. In patrol it's going to be different that it is for detectives, there's more calls, there's more calls that come out in other ethnic neighborhoods; the lower class, there's more crime so there's more all for patrol officers. Does that make sense? (White-Female-Police-OKC)

Melissa discusses that more calls come out of ethnic neighborhoods. The idea of responding to calls is a reactionary excuse, but the importance of location cannot be overlooked. Melissa is saying that minorities are not overrepresented, because ethnic and poor neighborhoods are the places where more offenses occur. This is claiming differential offending (Wilbanks 1986, Gottfredson and Hirschi 1990, Herrnstein and Murray 1994, Anderson 1999), but denying overrepresentation. This is not only a minimization of racism used by the police department, but also a minimization of race. Instead of race being a factor in DMC, the issue becomes class (Bonilla-Silva 2006). Minimization of racism through socioeconomic status is the focus of the next section.

Minimization through Class

There are a total of 64 white juvenile justice officials interviewed for my dissertation. Of the 64, 60 white respondents used the minimization of racism frame. Out of the 50 police officers, all 50 of them minimized racism. This shows just how programmed police officers are to deny racism at all costs. As for the other professions, 10 out of 14 juvenile court officials minimized racism. It is astonishing the number of times the minimization of racism frame is used. This color-blind racism frame is referenced 151 times by the 60 white respondents.

One of the more common ways that white juvenile justice officials minimized racism in terms of DMC is through blaming class or social economic status. This idea put forth the argument that there is not a race problem in this country, but rather a class problem. Juvenile justice officials claim that people living in poverty are more likely to commit crimes, and since more minorities live in poverty this accounts for DMC. The problem is that Bridges et al. (1995) found that economic inequality between whites and minorities does not account for higher disparities. This did not stop juvenile justice officials from using this justification.

There are 15 out of 60 white respondents that described class as the real issue behind DMC, not race. This is 25% or 1 out of every 4 white juvenile justice officials who believe this is the central cause. Of the 15, 13 are white police officers and the other 2 are white juvenile court officials. In summary, 26% of white police officers (13 out of 50) and 14% of white court officials (2 out of 14) held this belief. Whites expressed the importance of class, instead of race, to a variety of questions and in different ways. For

example, some white respondents used class to minimize race when discussing whether DMC is a problem or reflection of society. Donald an athletic league officer who grew up lower-middle class in the suburbs displays this minimization.

I: Is disproportional minority contact—DMC—a problem or merely a reflection of the real world?

R: Um, I want to say it's a reflection, because the way the city's split up. It's divided into four quadrants and you can see different types of socioeconomic groups live in different quadrants of the city. So, you could say, it could be twisted so that a white officer patrolling in northeast Oklahoma City, which is a predominantly black neighborhood, if he took the city as a whole and all of his contacts were, if he said it was 90%, 95% contacts with black, the black culture or the black community, then it could be construed as being, his contacts are, but, in the south of Oklahoma City, the majority of the contacts up there are Hispanic, could be due to the neighborhood that the officer patrols in.

Donald claims that minority overrepresentation is a reflection of the real world, because of the economics of geographical locations. DMC exists because police officers are patrolling higher crime areas that coincide with a group's class instead of race. Donald explains that the city is divided by socioeconomic groups living in different areas of the city, but this is immediately followed by talking about these quadrants of the city in racial terms. As much as Donald wants to put the emphasis on class, he still discusses minority overrepresentation in terms of race.

There is also a question that asked specifically about the role of class in relation to DMC. The point of this question is to see if respondents would rather blame class differences than racial discrimination. Mike, a police officer, became very angry about DMC during this question and stressed class through a culture of poverty argument.

Mike works in the crimes against children unit and grew up lower-middle class in the country.

I: Do you think DMC can be largely explained by class? In other words, is DMC a reflection of poverty?

R: I'd almost have to say I don't even like the term disproportionate contact. I don't like that. That is an assumption that we are doing things in a wrong manner. We are only responding to again what's there but in poorer neighborhoods and that can cross racial boundaries. In poorer white neighborhoods we have more crime, we have more contact, and we have more issues. In poor Black neighborhoods we have contact with blacks and the poverty does have a massive effect, but how do you address that especially when it becomes a generational issue. I mean how do you address that? We can't just go out there to everybody who is poor and give them thousands and thousands of dollars. But you can't take everybody that has money and take it away from them to put us all on a level, on the same playing field either. (White-Male-Police-OKC)

Mike minimized the role of racism, by not even liking the term disproportionate minority contact. He does not like the term because it makes it seem like the police are doing something wrong. Mike argues that they just respond to the calls that come in or what they see on the street. He tries not to make it racial though, stressing that they are more likely to have contact with poor whites and poor black neighborhoods. It is then noted that it is a generational issue, so it is passed down through the years. This is a culture of poverty argument used to explain DMC (Moynihan 1965, Lewis 1966), with an attempt to keep it on a socioeconomic level and not racial. Angry, Mike does not believe that anything is wrong with the current system of law enforcement and minimizes the important of race by pushing a class argument (Bonilla-Silva 2006)

The last way white juvenile justice respondents minimized racism through social class is in terms of buying one's way out of trouble. Respondents stated that having the

financial means is significant in which groups end up in the juvenile justice system. An example of this is from Bruce. Bruce is a supervisor in the patrol division who grew up middle class in the suburbs.

I: What effect, if any, does direct, or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system? Does racism or discrimination have an effect for them ending up in the juvenile justice system?

R: Two answers: I think money has an effect on who ends up in the juvenile justice system. Who can provide the lawyers and who can't? Then I think the other is you back to what's a minority and what isn't and you see a large number of one group than another because one group has grown significantly, so I think there's two answers to it. (White-Male-Police-OKC)

Kempf-Leonard and Sontheimer (1995) found that a parent and or attorney not being present at a hearing occurred in 19% of black cases, 18% of Latinos, and only 11% of whites. The argument that Bruce is trying to make is that the wealthy can afford lawyers that keep their juveniles out of the system, whereas the poor cannot. It is a social class argument instead of racial but when I examine the numbers by Kempf-Leonard and Sontheimer (1995), it is black and Latino's who are not represented with council the most. This is another attempt to minimize the role race plays in DMC, but in fact reinforces it.

It's Not Overt Discrimination

The last section of the interview ended with the respondent answering the question, "What effect, if any, does direct, or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system." This question prompted juvenile justice officials to use the minimization of racism frame the most. It

also confirms that since overt discrimination is not the cause of DMC, it must be color-blind racism.

The overt discrimination question is the second to last question asked in the interviews. It should be noted that just because a respondent stated no, that overt discrimination did not have an effect on juvenile ending up in the juvenile justice system, it did not necessarily show a minimization of racism. That depended upon if the respondent minimized racism through their explanation for DMC, i.e. blaming family. There are a total of 38 out of 64 white juvenile justice officials that minimized racism through this question on overt discrimination. There are 30 out of 50 police officers (60%) that used this frame within this question and 8 out of 14 court officials (57%).

The most common way that whites used the minimization of racism frame, in the overt discrimination question, is by claiming racism is better today than in the past. An example of this is from Ray. Ray is a supervisor of patrol officers who grew up lower class in the inner city.

I: What effect, if any, does direct or overt discrimination (think old fashioned racism) have in juveniles ending up in the juvenile justice system?

R: I just – I don't even know how to answer that question.

It's so ridiculous. You know, I mean that – I don't know who wrote that but they don't understand, obviously, how the justice system works either now. I'm not saying that there isn't some issues with some law enforcement agencies around the country. But to me, whoever wrote that question is somebody who thinks that we all still operate like the 1930's – and we don't. You can't get away with that stuff. Not in this department.

Respondents' using the excuse that racism is better today, than in the past, is at the foundation of this color-blind racism frame. Color-blind racism is a way to explain

racial inequalities, such as DMC, in a post Jim Crow era. Ray is another angry police officer discussing how overt discrimination is not the cause of DMC. While referencing that the police department no longer operates “like the 1930’s,” he addresses an interesting point. In the 1930’s, the police department did discriminate against minorities. An institution that discriminated in the past in overt ways now uses covert racism against minorities. Things are not like the 1930’s. They are not better, just different.

Conclusion

The minimization of racism is a common frame used by white juvenile justice officials. By claiming that racism is nonexistent, or that class is really the issue for minority overrepresentation, it reinforces racial practices and institutional racism. DMC will continue, because white juvenile justice officials are either denying that it is taking place, or stressing other factors instead of race. If DMC is not seen as a problem, it cannot get better.

Whites, in this chapter, had a hard time believing that DMC even existed in their department. A total of 52% of white juvenile justice officials denied that minority overrepresentation is taking place. They use a color-blind ideology, differential offending, and an offender’s community as explanations as why DMC did not exist. Throughout the white respondent’s interviews, the minimization of racism frame is used as a justification for DMC. There are 60 out of 64 that used the frame. Class is used 25% of the time as a way to minimize the role of race in the juvenile justice system. Sometimes, respondents used the culture of poverty argument to support class, instead of race, and sometimes it came down to not having money for a good defense team.

The next chapter looks at the creation of two new color-blind racism frames to how juvenile justice officials justify DMC.

CHAPTER SEVEN

POOR PARENTING AND EMPLOYMENT LOCATION/REACTIONARY

Bonilla-Silva's research identified four frames of color-blind racism that the majority of his white respondents use to justify racial inequalities. He stated that other color-blind racism frames existed, but they are not as prevalent as the four frames of abstract liberalism, cultural racism, naturalization, and minimization of racism. In my research, two other color-blind racism frames are used to justify disproportionate minority contact (DMC). The juvenile justice officials blamed parents, the officials own work location, and being reactionary to crimes as the cause of DMC.

Poor Parenting

DMC is primarily attributed to blaming family values, and lack of good parenting techniques. All 81 interviews put some emphasis on the family for DMC, but whites referenced this as the problem at a 3 to 2 ratio compared to minority respondents. The blaming of the family seems to be a neutral, non-overt racist way of addressing why minorities are overrepresented (Bonilla-Silva 2006). White respondents are using the individualism of families, and the choices parents make in raising children, as the cause of DMC. This relates to the abstract liberalism frame, but since poor parenting and the family are used so often, it needed to be a frame in and of itself. What respondents are saying in reality is that the problem is not the family, but rather minority families (Ketchum 2008). Hiding behind the notions of individualism and choice, white

respondents covertly blamed minority families for not raising their children in a correct, law-abiding way (Bonilla-Silva 2006, Wordes and Bynum 1995).

There is a question in the interview that dealt with the family. The question asked, “What role have you seen difficult family issues play?” This question is asked toward the end of the interview, so the majority of these responses identified the issue before the interviewer brought the idea up to the respondents. My data below shows just how strongly whites blame minority families for their overrepresentation. There are 14 white juvenile justice officials (District Attorneys, Judges, and Juvenile Specialists) from Oklahoma City that referenced the family or parents 52 times as the cause of DMC. If 14 cited the family question, then that still leaves 38 times that the family or parents are blamed for DMC, due to the respondent’s own beliefs.

An example of this is from Michelle. Michelle is a lawyer who grew up lower middle class to middle class and lived in a city.

I: Are mental health issues significant as a factor in juvenile delinquency or crime rates?

R: Yes. We see a lot of juveniles who have mental health issues whose parents either can’t, or won’t, or haven’t – you know, done anything to help them with those mental health issues or gotten any treatment for those mental health issues. And so it does lead, a lot of times, to them committing – you know, crimes. Usually it’s more, I guess, on the petty scale of – lower scale of our crime. But we do see a lot of kids who have mental health issues who are involved in arson cases – you know, just because they have lower IQ’s or they don’t understand, you know, that playing with fire in the middle of summer next to a hay bale is probably not the smartest thing. So yea, we do – a lot of the kids that we who come in do have a lot of mental health issues, and that’s one the – another issues in my – my world – if I could have it – would be to have, you know, enough information for the child and the parent to – and the help to have – to get them the mental health treatment that they need. So, that would significantly cut down on a lot of – a lot, not a huge amount – but it would

take out a chunk of kids that we have in our system. (White-Female-Official-OKC)

This is an excellent example of how white respondents take a question unrelated to the family, and make it about parents. Even though Michelle is stating that mental health is a significant factor in juvenile delinquency, it really comes back to blaming the parents. The parents are not helping his or her child with their illness and this is ultimately the cause of the juvenile's criminal behavior (Gottfredson and Hirschi 1990). There is a slight understanding that some parents might not be able to afford help for their child, but most of this response puts the emphasis on the choice or decision of the parent not to help.

Respondents also blamed the family for gang problems. Steve, a lawyer who grew up middle class, and lived in both a farming and city community, used the poor parenting frame in this way.

I: Is gang affiliation significant as a factor in juvenile delinquency or crime rates?

R: Yes.

I: How do you think that that is?

R: Many of my clients are gang members, they are gang members for a variety of reasons; socioeconomic, single-parent households or no parent households and I say 'no parent households,' yeah, they have a mother or they have a father –

I: But they're not –

R: But they're not the mother or father, they have their own problems, many of them are alcoholic or drug or they are, they're working so much that they're absentee parent. The kids see other people in the neighborhoods wearing new clothes or having new shoes or new cars –

I: And they get that from the gangs?

R: Yeah and they get that from the gangs, they – they make money selling drugs or they make, you know, but more fundamentally, the gangs provide or the kids think the gangs provide – I don't think the gangs really provide but the kids think the gangs provide identity, love, somebody who cares about them; well, I talk to a lot of kids who are in jail or in detention and one of the questions that I'll ask them is, "Well, you know, where are your boys now? They've – they've, of course, come and put money on your books?" "Well, no." "Will they come and visit you?" "Well, no." "Well, they're taking care of your mama at home aren't they? They're going by and taking out the trash and cutting the yard?" "No," And that's one of the things I talk about with the kids is, you know, all these people who you say love you and that you have love for your – your "homies" or your "bros" or whatever their – their term for them is, "Well, where are those guys now?"

And sometimes it takes them a while to get that but gangs are, gangs are an incredible feeder for our system. (White-Male-Official-OKC)

Similarity to Michelle admitting that mental health is a factor in juvenile crime, but ultimately blaming the minority family; the same situation occurs in this case with gangs. Steve states that gangs are a significant factor in juvenile delinquency, but once the interviewer probes more deeply, the issue of the family shows up once again. He points to socioeconomic reasons, single-family households, and households with parents who have drug/alcohol dependencies (Moynihan 1965, Lewis 1966, Wordes and Bynum 1995, Anderson 1999). It is evident that Steve is pointing to the culture of poverty argument and the minority family. Even toward the end of this response, the blame is placed upon the parents, because they are not capable of giving their children the love they needed, and as a result the juvenile turned to gangs.

I also found that white police officers in Oklahoma City followed suit in a similar thought process as white juvenile officials. There are 50 white police officers from

Oklahoma City that referenced the family or parents 182 times, as the cause of DMC.

Once again, 50 of these responses came from the family question, but there is a remaining 132 times that minority families and/or parents are seen as the cause of DMC.

An example of this is demonstrated from Mike. Mike is a police officer, in the crimes against children unit who grew up lower-middle class in the country.

I: What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates?

R: I think that becomes a downward spiral. Once you have one or 2 of those then you get everything else. It becomes generational. I grew up out in the country with parents that were married until the day they died. They didn't, didn't grow up in a single parent home, I didn't grow up with the fighting, the bickering, the drug usage, or anything else; but had I had that my chances of success would have been way, way down. So you are talking about areas of town that are poverty stricken that these people are more poor, it becomes the norm. We are what we are raised to be, so if they are raised to be that way and believe that, you'll see a few that will get out, that'll excel past that. But the norm becomes this is what we have, this is where we were raised, and that's what we are going to continue in. So if they are raised to be that way and believe that. (White-Male-Police-OKC)

This is an example that many white respondents used in explaining DMC.

Juvenile justice officials and police officers would state that juvenile delinquency is passed from generation to generation (Anderson 1999, Sutherland and Cressey 1978, Akers 1977). This also falls under the color-blind racism frame naturalization (Bonilla-Silva 2006) that is discussed in Chapter 6 of my dissertation. In this context though, single-parent homes are blamed for fights and drug use, and cited as the primary cause as of minority youth overrepresentation. Mike even attempts to sound racially progressive, by understanding that the police officers life chances are better than minority youth, but

he returns to how minority families raise their children, as primarily influencing crime rates (Gottfredson and Hirschi 1990).

Mike continues to explain the role of the family as the interview continues:

I: Finally, what role have you seen difficult family issues play? You've pretty much talked a lot about that.

R: That is the biggest issue, you know regardless of race, a child that grows up in a single parent home – especially – and I've known some fantastic people that have succeeded and done well in a single parent house. But if you take a single parent home that doesn't have a good parent to start with, or that is in difficult situations it makes it even worse. Because two parents staying together in a bad situation is not going to be a great either. But the parenting, the upbringing, that these children get, the things they are taught for right and wrong, the character that is instilled in them by their parents will have a bigger effect on the juvenile justice system than any other single factor. You know, we joke in this office all the time because we see the moms that are spitting out their 4th, 5th, or 6th kid and they don't have custody of any of them. That in the United States you have to take a test to get a drivers license, you have to test and be approved to do a number of things, but you don't have to have a test to make a baby and become a parent.

I: Right, Right.

R: So until we do a better job as a society, and I, not talking sex education on how to not get pregnant. Until, we do a better job teaching people morals, ethics, and how to live their life right, we are only gonna get worse and that goes back directly to when we get away from what God has instituted as right. (White-Male-Police-OKC)

It all comes back to the upbringing of the child and the family (Gottfredson and Hirschi 1990). Police officers and juvenile justice officials are using an individualistic concept in parenting techniques and attempting to address minorities as a whole. Wordes and Bynum (1995) found that this mindset influenced discretionary decisions by law enforcement that accounted for differential treatment of minorities. This respondent uses political liberalism (Bonilla-Silva 2006) in a vague way by stating that “you don't have to

take a test to make a baby and become a parent” showing that everyone has the right and equal opportunity to become parents, but minorities apparently do not have the necessary morals, ethics, and understanding on how to live in a society, and need to be taught how to do these things. Again, a very individualistic notion used to treat minorities differently than whites.

Miracle Question

One of the most important aspects of this research is how often white respondents blamed parenting and the family for DMC. Compared to all other themes, the family is noticeably the entity that stands out, as what juvenile justice officials find acceptable to justify racial inequalities in the juvenile justice system. With that said, one particular question has to be examined more closely, because of what the implication of the responses mean in terms of DMC. This would be the miracle question.

The miracle question asks, “Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system?” The question is asked after the respondent answers general background questions. It is the first question that deals with the juvenile justice system. There has been no real mention of race, other than what is presented in the beginning of the interview explaining the study; and a background question asking about the racial makeup of the respondent’s community. This question lets the respondent address what they feel is causing DMC, and other issues in the juvenile justice system. The surprising response to this question is that with the

power to change anything with magic or a miracle, white respondents flocked to the issue of the family (Ketchum 2008).

The quantitative numbers show that 27 out of the 50 white police officers would attempt to fix the family, if they could do anything to reduce the need for the juvenile justice system. This calculates to a rate of 54% of Oklahoma City's white police officers. Oklahoma City white juvenile court officials have similar responses. In fact, 6 out of 14 court officials thought parenting and family values need to be addressed in order to reduce the need for the system. This calculates to be 43% of white juvenile officials. Collectively, 33 out of 64 white Oklahoma City respondents or 52% expressed that the blame clearly falls on the family, which as addressed earlier means the minority family.

Some respondents indicate the way to minimize the need for the juvenile justice system is through punishment of the juvenile's parents. An example of this is demonstrated by Claudia. Claudia is a police officer in the child abuse unit who grew up middle class in a city.

I: That's definitely understandable. Okay. Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

R: Neuter and spay parents that can't be parents because it's a parental issue; juvenile delinquents are – it's not the system's responsibility to fix that; it starts at home with the parents. (White-Female-Police-OKC)

Claudia works in the child abuse unit for Oklahoma City. She believes that using barbaric practices, such as the ones used on animals would be a solution to reducing the need for the juvenile justice system. Some argue this is a way to deal with sex offenders (Wright 1992). Claudia continues explaining that it is in the African American

community that she deals with a “different” type of sex crime; reinforcing that the minority community has the parental issues (Gottfredson and Hirschi 1990).

I: Have you witnessed any other cultural problems, other than language that your department has run into, such as tribal issues, or cultural issues with certain racial or ethnic groups?

R: We see a lot more type of sex crimes of a different sort in the African American community. We see a lot of Hispanics that don't report because they take care of it, it's a family issue. If uncle's 'perping' the girl, they won't, you know, he's just shunned and most of the time those reports come to us from the schools.

I: The schools –

R: Not the families, oh yeah, it's –

I: Of the child saying something at school?

R: Yeah, they just don't bring, it's a family issue, cultural issue, they don't do it. The 'coining' – I forget what – where that comes from but the kids are 'coined,' they rub coins on them, that's their tradition but here it's abuse, in America. (White-Female-Police-OKC)

Even though this section is about the miracle question, it is important to note that cultural problems of “African Americans” and “Hispanics” is what Claudia is discussing. In Claudia's view, it is the African American community that needs to be neutered and spayed. Also, Hispanics not reporting sex crimes is discussed, but it still did diminish the idea that fixing the minority family is how to fix the system.

The miracle question also showed the tendency of juvenile justice officials to blame families through the generations (Anderson 1999, Sutherland and Cressey 1978, Akers 1977). Mike, the police officer from the crimes against children unit, who is discussed earlier in this chapter, expressed this viewpoint.

I: Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

R: Required parenting classes for people to be taught. I mean not everybody had great parents and so at some point we have to find a way to break that chain and change that. The problem in juvenile justice is that some of the juvenile offenders we see are that they are generational. Their parents were troublemakers as children and they didn't have good parents. At some point, we have to find a way in our country to get back to the basis of everybody wants to holler 'kids first' and 'children first,' but the children will benefit when we make it a 'families first.' When the family becomes an organized unit of hierarchy of discipline and learning and teaching from the parents view point about what's right and what's wrong, how to appropriately discipline your children, how to guide them, how to be respectful. Kids learn from example. They will very much try to live up to expectations that are given them. If those expectations are unreasonable too high standards, then they will rebel and they'll feel a failure and they won't be able to (inaudible); but if there are no expectations put on them other than get out of my way and leave me alone, then they have nothing to try to attain. (White-Male-Police-OKC)

Mike discusses a common theme of bad parenting being generational.

Throughout the interviews, police officers talk about arresting the parent in the past, and now they are arresting their child. Juvenile court officials would mention similar experiences. The focus turns to fixing the way parents discipline, (Gottfredson and Hirschi 1990) causing Mike to emphasize forcing parents to take classes. In this answer, two major criminological theories are used to address bad parenting and the effect it has on the next generation. The first is social learning theory, which can be seen with the statement "kids learn from example." The second theory is general strain theory. General strain theory occurs when expectations are set too high and cannot be obtained. When this occurs, juveniles rebel in antisocial behaviors such as delinquency (Agnew 1992). This type of logic is simply an attempt by juvenile justice officials to justify

minority overrepresentation, and shows why a criminological perspective only scratches the surface of the DMC problem.

Finally, a breakdown of the miracle question, illustrates that whites cited lack of positive male role models as a major factor in juvenile crime. An example of this is expressed by Brenda. Brenda is a lawyer, who grew up middle to upper-middle class in a suburban neighborhood.

I: Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

R: I would – I would increase the amount of community support for kids before they got to the juvenile justice system. In a perfect world, in the lower income areas because that is predominantly where our – our juvenile delinquents come from, I would increase support as far as mentors and positive role models. So many of my delinquents are being raised by a grandparents or by one parent or by an aunt or an uncle and I think that not having a strong family life, you've got a grandmother who's raising eight kids or your mom is, you know – I would – I would have so much more community support and intervention so that the kids don't end up in my system, so that we have positive male role models, in particular. I would love, love to see that, to see positive male role models in the lower income areas who show these kids that gangs aren't the answer, that you can be successful, you can be cool without being involved in gangs and gang lifestyle; that's just one of my five thousand things I'd like to change. (White-Female-Official-OKC)

The beginning of this statement addresses class, because Brenda mentions lower income areas is where juvenile delinquents live. This belief falls under another style of color-blindness known as “anything but race” (Bonilla-Silva 2006). Brenda is talking about juvenile delinquency in terms of class at the beginning of her answer, but the rest of the answer shows she actually is talking about race. A grandmother raising 8 kids is a stereotypical view of minority families. It has also been established during these

interviews, that juvenile justice officials see gangs as very racialized, who are predominately black and Latino. Therefore, the positive role models that she actually is asking for are positive minority role models, to help when juveniles do not have a “strong family life.”

Conclusion

All juvenile justice officials put some type of blame on a lack of good parenting skills or the family for a justification for DMC. White juvenile justice officials, however, cited this type of blame at a higher rate. It is easy for respondents to put the cause of DMC on the minority family, because it emphasizes individualism and choice. Each family is failing their child, and that is the reason why their youth is ending up in the juvenile justice system. The issue appears to be with the individual family, but in reality the white juvenile justice officials are making color-blind racist statements about all minority families. The questions in the interview are about the causes of DMC, and that is not individualistic. By using this color-blind racism frame of blaming the parents, it allows white juvenile justice officials to make assumptions about minority youth. An example of these assumptions is the juvenile’s lack discipline. If the juvenile justice official believes that the minority youth lacks discipline, he or she will take it upon themselves to be the parent (Ketchum 2008) and treat them harsher than white offenders. This practice is could influence DMC.

Employment Location/Reactionary

Another color-blind racism frame is evident in my data is employment location and reactionary responses. White juvenile justice officials claim that minorities are

overrepresented, because of the location a police officer or court official worked. They explained that Oklahoma City is divided by race, therefore if a juvenile justice official worked in a part of town that is predominately black then they are going to have more contact with a juvenile who is black. Another notion that surfaced is police and court officials are not responsible for a juvenile committing an offense. When a call comes out to a police officer, he or she has to react or when a juvenile is brought before the court there is a reason for it. This is a differential offending assertion, and is a similar concept to Ketchum's (2008) finding that officials claimed to just be "doing their job." It is an attempt to minimize racism, but this phenomenon needed its own color-blind racism frame because of how often it is used by white juvenile justice officials.

There are a total of 37 out of 64 (58%) white juvenile justice officials who used the employment location and reactionary frame to account for DMC or claim that it did not exist. Of the 37 white respondents who used the frame, 34 are police officers and 3 are court officials. With 34 out of 50 (68%) white police officers using this frame compared to 3 out of 14 (21%) of white court officials, it shows a significant difference in occupation and the use of the employment location and reactionary frame.

No DMC Exists

Just as with the minimization of racism frame, employment location and the reactionary color-blind frame is used to claim that DMC does not exist. White juvenile justice officials stated that minorities are not overrepresented because they are simply coming into contact with juveniles where they work, which is in minority communities; or that they are just reacting to the calls that come in or who is in the courtroom. The

place that white juvenile justice officials would use this frame and deny DMC is when they are asked “from your experience, are minority youths overrepresented in official contact with your department.”

As noted in Chapter 6 in the minimization of racism section, more than half of white juvenile justice officials said no to this question. A total of 33 out of 63 (52%) respondents stated that minorities are not overrepresented in official contact with their department. The disparity between occupations also is relevant with 32 out of the 33 white respondents claiming DMC did not exist being police officers. When the 33 white juvenile justice officials explained why they believe DMC did not exist in their department, 25 of them claimed it is because of where they work in town; or that they are reactionary to the juvenile who committed the offenses.

Of the 76% who feel that DMC did not exist through this frame; and out of the 37 white juvenile justice officials who used this frame; 25 (68%) of them use it on this question. An example of white juvenile justice officials, most notably police officers, claiming minority youth is not overrepresented by using this reactionary justification is seen with Mary. Mary is a police officer from the crimes against children unit, who grew up middle class in the suburbs.

I: Are minority youths overrepresented in official contact with your department?

R: I would say no, because the way that we get cases specifically have nothing to do with race. When we get a case, I mean most of the time in child abuse or in crimes against children we know who the perpetrators are because it's mostly caregivers to the children. So we are largely reactive to whatever, you know. So I would say no, I don't feel like we are. Like I said we are mostly reactive so whatever information is given to us, you know if it is suspect is white male or black male or whatever and it's

usually, like I said we know who the person is because most of the time it is a caregiver of a child and we go from there we go wherever the case leads us. (White-Female-Police-OKC)

This is the most common rationalization, for this question, for DMC not existing. Just as Ketchum (2008) found juvenile court officials claiming that they are “just doing their job,” these police officers are doing the same thing. Mary uses the reactionary part of this frame by claiming that they get cases that “have nothing to do with race,” they just react to the offense committed or the case assigned to them. These respondents seem to forget the amount of discretion they have in their job. Piliavin and Briar (1964) found that police discriminate against minorities in those discretionary decisions. White police officers claiming that they just react in response to the offense, is not an accurate portrayal of the role race plays in their department, which Chapter 4 showed to be significant.

It's Just Differential Offending

When white juvenile justice officials would admit that DMC did exist in their department, they would put the blame on the minority youths themselves. They would use the differential offending argument, stating that they cannot control who commits the crimes and they have to protect society. If minority youths are committing more offenses, and the juvenile justice official works in a predominately minority neighborhood, then they have to react to what is happening.

Juvenile justice officials “just doing their job” (Ketchum 2008) or reacting to the offenses committed is reinforced by Eric. Eric is a campus resource officer who grew up lower middle class on a farm.

I: What effect, if any, does direct or overt discrimination (like in old-fashioned racism) have in juveniles ending up in the juvenile justice system?

R: We don't force people to go out and commit crimes. We're not the ones that determine who does what. You take your calls, you take action, law enforcement action, on what you see, what you experience and I honestly could care less about race. The law is the law. If you break it, I don't care if you're green, you know, to me it's all the same, and 100% of the officers that I know and work with look at it the same way.

If I go out and arrest ten black kids and one white kid, does that make me a racist? Or does that make me, working in an area where it's 10 to 1 population, it's hard to say that because I arrest 10 to 1 that I'm a racist, when realistically, if I got real honest with myself, I would say I'm quicker to give the black kid the break if he's trying to do the right thing, than I am the white kid. Is that racism? Maybe. Because I'm showing a preference? But it's not racism in the tone that comes across because it's not I'm going to jack you up because you're black. You know, it's I'm jacking you up because that was a stolen car you were driving and I caught you in it. You know, I don't care what color you are. If that car is stolen, then, you know, it doesn't matter to me. It's the same crime black, white, red, green, yellow. It doesn't matter.

And I get offended by it when someone says you're just doing this because I'm black or you're just doing this because I'm white. It's offensive especially when, like I said, that's a stolen car you're in. It didn't matter to me when I stopped it and it still doesn't matter. So racism involved in arrests, not on my part or anybody that I know or work around. (White-Male-Police-OKC)

The beginning of this response, Eric addresses that they do not control who commits the offenses. Race, therefore, is not a factor. They just respond to calls or offenses, taking the blame off themselves. Eric goes into a color-blind defense, claiming the he does not care "what color you are" because a crime is a crime. Finally, he is angry that racism gets thrown in his face, when he is doing what his occupation calls for him to do. While this police officer is minimizing the role of discrimination in law enforcement, he is not thinking about the patrol practices of police departments being racist.

Chambliss (2000) claims that if you are looking for a crime, you are going to find a

crime. With patrol practices focusing on minority neighborhoods, doing your job does support a racist juvenile justice system. The racist juvenile justice system feeds into the racialized social system (Bonilla-Silva 2006).

White juvenile justice officials would also justify why racial discrimination cannot be a factor in DMC by using the employment location and reactionary frame. An example of this is exhibited by Hank. Hank is a lieutenant in the crimes against children unit, who grew up middle class in the suburbs.

I: What effect, if any, does direct or overt discrimination (like in old-fashioned racism) have in juveniles ending up in the juvenile justice system?

R: I would say it would be very minimal because, you know, there's always a possibility like something like that can happen but the culture with us is, it's so ingrained that it's – it's just, you're just kind of aware of that and you're not, you know, you're not looking – you're doing everything you can not to do that so – but I'm sure it slips in, I'm sure it does but I don't think it's anything that's a major factor, you know, you can't – you can't make up prosecutions, you just can't, I mean, you have to have evidence, you have to have testimony, you have to have, you know, witnesses so, you know... (White-Male-Police-OKC)

Hank uses the reactionary part of this color-blind racism frame, and stresses that police culture requires that law enforcement officers be trained to recognize discrimination, thereby making sure that it does not happen. This police officer is just thinking about overt discrimination and not covert racism (Bonilla-Silva 2006) practices. Then, to bolster his point that racism is not the cause and that he is reactionary, he states “you can't make up prosecutions” or “you have to have testimony.” This would make sense, except that eyewitness testimony has been shown to be extremely inaccurate, especially when it is whites that are trying to identify other racial groups (Free and Ruesink 2012).

It's Where Juvenile Justice Officials Work

I have discussed the color-blind racism frame, dealing with white juvenile justice officials, who use the reactionary part and not their employment location. The location of where the respondents work is also the reason they claim to be reactionary. The two parts of this frame go together for that reason. White juvenile justice officials say that DMC is the result of the community in which they work. While working in a predominately black or Latino neighborhood, the white juvenile justice official would have to react to the crimes that the minority youth committed.

An example of this is seen in the interview with Katerina. Katerina is a police officer in the crimes against children unit, who grew up lower middle class in a rural community.

I: Is disproportional minority contact (DMC) a problem or merely a reflection of the "real world"?

R: I just think it's a reflection of the -- it just depends on where you work. Like, ya'know? If I arrested someone it was Hispanic because that was the community that I was working in. I think it's just what part of the town you work in. If you work over here on the Northeast side, it's African-American. I mean, it's just, I think it's just wherever you work. So I think on that part it kind of gets a bum wrap because they'll be like 'this officer has arrested 20 Hispanics.' Well that's the area I work, you know, I can't be like driving off --. My brother is a police officer and where he works it's predominantly Caucasians that he arrests because that is just the area he patrols. That's his assignment.

Katerina uses the employment location as justification for DMC. She states that the DMC is a reflection of the real world because "it just depends on where you work." If Katerina is working in an African American community, then she is more likely to have contact with African-American juveniles. She then claims that her brother, a police

officer, works in white neighborhoods, and that whites are the majority of his arrests.

The problem is that if this is the case, and police are only arresting based on the racial demographic of their beat, then DMC should not exist. Whites are the majority in Oklahoma City, and therefore even if certain departments are in predominantly minority communities, at some point the other police stations balance out the inequalities. This is clearly not case, and shows that differential treatment is taking place against minority youth.

Conclusion

White juvenile justice officials have created powerful explanations in an attempt to justify DMC. They seem to honestly believe that minority youth are simply committing more crimes than white youth. This section of the chapter focuses on the use of the employment location and being reactionary as a new color-blind racism frame. Again, taking the blame off themselves and the juvenile justice system, and putting it on the minority juveniles.

By claiming that juvenile justice officials are just reacting to the crimes committed or the calls from the community, it minimizes the role of race in DMC. There are 25 juvenile justice officials who stated that DMC did not exist in their department because of this frame. DMC does exist, and decisions are being made that are creating and contributing to the overrepresentation of minorities in the juvenile justice system. If juvenile justice officials are just reactionary, then there would not be the racial discrepancy that exists in the juvenile justice system. Chapter 4 shows that minorities are

being treated differently for the same offenses as whites. This is differential treatment and the cause could be color-blind racism.

Finally, the other part of this frame uses the employment location as the reason DMC does not exist, or that race is not a factor. White juvenile justice officials are saying that they are coming into contact with the racial demographics of the community they work in. The problem with this logic is that Oklahoma City is made up of a majority of whites. If everyone is just coming into contact with the racial majority of the community they worked in, the numbers would show a proportionate representation of whites and minorities, which I demonstrate in Chapter 4, is not the case.

The next chapter looks at the extent to which minorities use color-blind racism.

CHAPTER EIGHT

COMPARING WHITES AND MINORITIES

The discussion so far has been on how whites use color-blind racism frames to justify minority overrepresentation in the juvenile justice system. This justification effects discretionary decisions by juvenile justice officials against minority youth. This leads to a self-fulfilling prophecy; in which minority youth are treated differently, and punished more harshly than white youth, because minorities are overrepresented and juvenile justice officials need to serve as parents (Ketchum 2008). The question is whether or not minorities use color-blind racism frames.

Minorities and Abstract Liberalism

The first color-blind racism frame discussed in my dissertation is color-blind racism. White juvenile justice officials use this frame in 22 out of the 64 (34%) interviews. Minority juvenile justice officials use abstract liberalism in 5 out 17 (29%) interviews. There are a total of 17 minorities interviewed in Oklahoma City. Non-white police represent 3 of the 5, with the other 2 being court officials (District Attorneys, Judges, and Juvenile Specialists). Although the sample size of minority juvenile justice officials is relatively small, there is not a substantial difference between white and non-white respondents using the abstract liberalism frame. Whereas white juvenile justice officials used abstract liberalism in a variety of ways (i.e. white privilege, culture of poverty, and linguist manners and rhetorical strategies), minorities are more likely to use

just the culture of poverty argument. An example of this is the interview with Quintin.

Quintin is a juvenile specialist, who grew up lower middle class, in a rough city neighborhood.

I: Some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for ones goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?

R: Of course, it does, you know, violence is violence, you know. I was in the gang when I was younger, but I made a decision to get away, it wasn't what I wanted to do, you know, I didn't want to be a thug or a big dude in prison, you know, for what? You know, so it is a way of life, and in some cultures, some communities, that's all they know, you know, they grew up, it's implanted in they mind. This is all the see, you know. You know, same as girls prostituting, you know, a mother's prostituting for drugs or father's hustlin', so this is all they see, this is all they know, and they become accustomed to this type of living style, not sitting down reading or having dinner together or watching TV together, you know that's another world in today's time.

Quintin's response is similar to whites that used abstract liberalism to explain DMC. He agrees that there is a culture of violence, which in turn means he believes in a culture of poverty. Just believing in a culture of violence does not mean the abstract liberalism frame is used; as Quintin talks about his ability to get out of the lifestyle, he says that he "made a decision to get away." This means that the culture of violence is a choice. Quintin believes that minorities are choosing to commit crimes, and live this lifestyle, and that accounts for DMC. An explanation, that is very similar to white juvenile justice officials.

To explain why minority juvenile justice officials use abstract liberalism more than in the Detroit Area Study, and the racial attitudes study of college students (Bonilla-Silva 2006), social identity theory needs to be examined. Social identity theory states that individuals classify themselves into different social categories, one of these being

organizational membership (Ashforth and Mael 1989). Within this organization membership normative beliefs, attitudes, and behaviors that are associated with the group are transferred to one's self-concept. This association with the group and the values that are emphasized become a social identity. Social identities are used as comparisons between groups, in this case police and minorities. Membership differences are easily identifiable with the social identity of law enforcement seen as a positive model of behavior compared to one's race (Lapinski and Mastro 2001).

Minority police officers and court officials are members of the juvenile justice system. Their social identities are tied to this group more than their race. It is beneficial for minority juvenile justice officials to use color-blind racism, and in this case the abstract liberalism frame for advancement in their life. Their social identity now holds the same normative beliefs, attitudes, and behaviors as white juvenile justice officials. Working on the street, or in the courtroom, reinforces these beliefs because DMC is so rampant.

Minorities and Cultural Racism

The second color-blind racism frame used in my dissertation is cultural racism. It focused on how whites use the cultural racism frame to blame minorities for having a culture that creates and supports violence and crime. Instead of looking at the structural problems that account for DMC, whites point to a lack of effort, loose family organization, and inappropriate values of minorities (Bonilla-Silva 2006) as the cause of minority overrepresentation. Having these beliefs about minority culture, has great influence over discretionary decisions that juvenile justice officials have to make every

day (Frazier and Bishop 1995, Wordes and Bynum 1995). The question is whether or not minorities use cultural racism and if so, to what degree, compared to whites.

There are a total of 17 minorities interviewed in Oklahoma City. Non-white police represented 10 of the 17, with the other 7 being court officials (District Attorneys, Judges, and Juvenile Specialists). The cultural racism frame is cited by 6 out of the 17 minorities. There are 4 out of 10 minority police officers and 2 out of 7 court officials who used the frame. This is much lower than white respondents in which 32 out of 64 used cultural racism justification for DMC. The percentages work out to 50% of white juvenile justice officials blame minority culture for minority overrepresentation compared to 35% of minorities.

There is not much difference in the number of times the frame is used between minorities and whites. The 6 minority respondents who used the cultural racism frame referenced it 14 times. This is comparable to the 32 white respondents who referenced culture racism 72 times. It works out to a little over 2 references per respondent. When minority respondents used cultural racism, it is very similar to whites, indicating inappropriate values and loose family organization as the cause of DMC. An example of this occurred after the family question, when the interviewer probed deeper to a juvenile specialist named Donna. Donna grew up upper-middle to middle class out in the country.

I: Do you have any examples of maybe cases you've had where you saw, like a big family thing that you thought influenced them to be in your office in the first place?

R: I can think of one that's real short and to the point because I have to get to someplace by 3. I have a kid on my case load who is fourth generation murder I Blood tattooed on his neck, and he is 19. Fourth generation, which means he's fourth generation so his father was a Blood, that would

be fourth generation. His grandfather would have been a Blood, that's third generation, and his great grandfather would have been a Blood. There you go. I think, I mean, my bad was Crippling it up, murder I? Oh my god, and what's messed up is his great grandfather is the same age as my grandpa, you know, cause his dad is just, fourth generation murder I on the neck. There you go. (Minority-Female-Official-OKC)

Donna uses cultural racism to discuss DMC in terms of a generational issue. This explains minority overrepresentation as inappropriate values passed along the family tree. Donna implies that gang membership in this individual's family is a positive. Criminal techniques and violence are taught to the younger generation, and it becomes a cycle (Akers 1977, Sutherland and Cressey 1978). This is example of minorities using social learning theory, just as whites did. It stressed minorities valuing crime and violence through belonging to the gang.

Another example of minorities having inappropriate values relates to the culture of poverty. Quintin a juvenile specialist who grew up lower middle class in a city illustrates this point.

I: What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates?

R: As far as?

I: As far as those things playing a role in disproportionate minority contact.

R: They play a major role, you know, the role is that if you have a family member or mother or father who is on drugs or, you know, or hustlin' in the streets, that's all they know and that's all they do. I mean, that's all they know, that's all they see, so that becomes their lifestyle. This is what they grew up thinking that, this is all I know how to do, you know, so when you talk about prepared to a student who has come form the lower economic community and then got, went on and got a college education, it's different, you know, something may have triggered a family member, or some other structured family they stayed with or a church or someone has took that kid under their wing and said this is what you need to do,

you know, and that kid made a choice. Now, we understand that a kid stays where they at by choice, you know, but is a choice really a choice or is it just all they know? So, we have a lot of factors to weigh, you know, or that comes into play and come to a conclusion about this, you know, but education, lack of education, you know, kid's will be on the streets, you know, and that's just something that we strongly recommend that our kids get high school diploma or a GED because they'll be just another statistic if they don't. (Minority-Male-Official-OKC)

Quintin begins by talking about the family. Mothers or fathers on the street “huslin” or “on drugs” is a reference to the culture of poverty (Moynihan 1965, Lewis 1966). The court official claims that juveniles see this and adopt this lifestyle. The family in poverty is not stressing the important values such as education. That is why Quintin tries to get juveniles to go to school, because he believes education is a choice, and that the youth will just become another statistic if they choose not to go to school. Quintin points the blame to the family for teaching inappropriate values to their children, because they have adopted a culture of poverty (Moynihan 1965, Lewis 1966).

Of the minorities that used the cultural racism frame, a loose family organization is also found as a cause for DMC. An example of this is from Ronald. Ronald is a campus resource officer who grew up lower class in an urban, working class neighborhood.

I: Finally, what role have you seen difficult family issues play?

R: Single mother households, grandparents raising kids. That's basically it. No strong male role models. (Minority-Male-Police-OKC)

This response is short and to the point. The role that difficult family issues play is a loose family organization that creates a lack of “positive male role models” (Gottfredson and Hirschi 1990). Just as whites put the blame of single mothers and

children being raised by grandparents, so did Ronald. The lack of a nuclear family (Gerstel, Naomi, and Sarkisian 2008) is being used to justify DMC.

Just as in the abstract liberalism frame, minorities are using cultural racism more than expected. Whites are still much greater at 50% but 35% is still something that needs to be considered. In the Detroit Area Study and the racial attitudes study of college students, Bonilla-Silva (2006) found that 24% of minorities used the cultural racism frame. The 16% difference between this study and Bonilla-Silva (2006) can be explained through social identity theory (Ashforth and Mael 1989, Lapinski and Mastro 2001).

There is still a conflict between membership in the juvenile justice system, and one's race, which is why the number of minorities that used cultural racism is lower than the number of whites (Ashforth and Mael 1989, Lapinski and Mastro 2001). Yet, the higher number than the Detroit Area Study, and the racial attitudes study of college students, indicates that this is taking place. The juvenile justice industry is conservative in nature and working a job that focuses on the worst parts of a community can influence a person's identity. Finally, it is beneficially to advance in one's career by accepting organizational attitudes, rather than combating them (Ashforth and Mael 1989, Lapinski and Mastro 2001).

Minorities and Minimization

Another color-blind racism frame used in my dissertation is the minimization of racism. It stressed how white respondents use the minimization of racism to claim that overt racism is no longer a factor in racial inequalities, such as DMC. This justification allows DMC to not be addressed by juvenile justice officials or the juvenile justice

system. Without addressing, or believing DMC is a problem, minorities will always be overrepresented in the juvenile justice system. This means the system is not equal and fair; instead, it is discriminatory. The question is whether minorities also use the minimization of racism frame.

Just as with white juvenile justice officials, some minorities claimed that DMC did not exist. When asked “from your experience, are minority youths overrepresented in official contact with your department” only 5 out of the 17 (29%) non-white respondents answered with a no. This compared to the 33 out of 63 (52%) white respondents, who claimed DMC did not exist in their department. Clearly, whites are not identifying minority overrepresentation compared to non-whites.

Although minorities did not have a problem identifying DMC, that does not mean they abstained from using the minimization of racism frame altogether, but it still is not as prevalent as with white respondents. There are a total of 17 minorities interviewed in Oklahoma City. Only 7 out of 17 (41%) used the minimization of racism frame. A total of 2 out of 7 (29%), are juvenile court officials, and 5 out of 10 (50%) are police officers. This compared to 60 out of 64 white officials that minimized racism. The breakdown of this frame showed 94% of white respondents used frame compared to only 41% of minorities. There is also a substantial difference in the number of times the color-blind racism frame is used. Whites used the minimization of racism an overwhelming 151 times in their interviews. Non-white juvenile justice officials used the frame 9 times.

When minority respondents used the minimization of racism frame it is similar to their white equivalents. For example, some non-white respondents, such as Victor a

police officer from the Family Awareness and Community Teamwork (FACT) unit who grew up poor in the projects, blamed class for DMC.

I: From your experience, are minority youths overrepresented in official contact with your department?

R: Yes, but only because like I, but I believe that the reason for the overrepresentation is based on the areas that they actually live. Like, there's an area called the Flats in Oklahoma City where I can't remember, I can't think of a whole lot of actual projects where the people where the majority of people are actually white, but the Flats is definitely one, and the police were always in that area, so we're going to be in the area where we think we're needed where there's the highest crime rate, and it was just written, if it's an upper middle class neighborhood, there's never really any crime there, why would we put our resources there? We're going to put our resources where they're needed in high crime areas. Unfortunately, high crime areas are the poverty stricken areas where our minorities live, so it's just inevitable that there is going to be more police contacts.
(Minority-Male-Police-OKC)

Just as the white respondents emphasized that DMC is not a racial problem, but rather a socioeconomic problem, so did some minorities who used this frame. Using Anderson (1999) notion that one's environment dictates criminal behavior, this respondent points to the Projects as the reason for minority overrepresentation. The "Flats" are a community that is made up of non-whites, but the blame falls on class. Anyone living in the "Flats" would participate in criminal acts, it just happens to be a non-white neighborhood. This police officer addresses that they are going to patrol "high crime areas" more, and those happen to be poverty stricken areas where minorities live.

The question of overt discrimination also brings out the explanation that racism is better today than in the past. An example is Anthony, who works for the FACT unit and grew up poor in the projects.

I: What effect, if any, does direct, or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system?

R: I think, I believe we've come a long way in this country as far as that's concern. Me being a minority I believe that. Are there still people that are going to have a certain mentality? Yes. You know, they're usually living off in the backwoods somewhere and they don't have contact with a lot of other races, but I think a lot of times we are our own worst enemy when we walk around with a chip on our shoulder thinking everyone is out to get us because they're not, and this a lot of times creates this attitude which in the long run just hurts us, it doesn't do anything for us, it hurts us. We have all these misconceptions about society that a lot of times aren't completely true, and we walk through life making decisions based on these misconceptions and that's what's wrong. You know, as far as society, as far as, you know, I think most police officers discriminate against criminals, not so much against minorities. Cops don't like criminals. That's the way it's supposed to be. It's supposed to be like that because we don't like them hurting people. We don't like them taking things away from people. We don't like them killing people. We don't like them hurting people because it's wrong, it's not accepted, it's not okay, but as far as, you know, racism and, you know, having certain preconceived notions, like I said, I think we've come a long way. I think those numbers are a lot lower, but we keep them high because, you know, you'll watch the news, on the news at 10 o'clock that we come with a headline that's catchy talking about racism, because race is a hot topic even though it's decreased in the last, you know, 40 years. (Minority-Male-Police-OKC)

The idea of the "backwoods" racist is how the other juvenile justice officials thought about overt discrimination. Racism is thought of as being a member of the KKK. Since Jim Crow laws no longer exist and overt racism is not seen blatantly on the streets these days, respondents have stated that things have improved on a race relation's front. The cause of DMC, in this response, points to minorities committing more crimes than whites, and police not liking criminals. Also, the reason for a study such as this is because of the media making race a big deal. Again, minorities only used the minimization of racism frame 41% of the time, but the use of the color-blind racism

frame can be attitude to social identity theory (Ashforth and Mael 1989, Lapinski and Mastro 2001).

Minorities and Poor Parenting

In Chapter 7, whites used the poor parenting frame of color-blind racism to justify minority overrepresentation in the juvenile justice system. Poor parenting is an attempt to blame individual families for their parenting choices, but in fact white juvenile justice officials are discussing minority parents as a whole. When white officials talk about the family as the cause of DMC, they really mean the minority family (Ketchum 2008). The question is whether or not minorities use the poor parenting color-blind racism frame. Blaming parents or the family for DMC is used 52 times collectively. Just as with the white respondents, when the question about the family is controlled for the number of references drops to 35. Oklahoma City non-white police blamed the family 15 times compared to non-white juvenile justice officials who held the family responsible 20 times when the family question is controlled. Yet, the important thing to take out of this data is even though minorities used the poor parenting frame it is not nearly as often as whites. Whites blamed the family 170 times compared to 52 times for minorities. Based on the number of respondents, whites used the poor parenting frame at a 3 to 2 ratio compared to minorities.

The miracle question also shows a significant difference between white and non-white respondents. There are 27 out of 50 (54%) white police officers that emphasized the family as a way to reduce the need for the juvenile justice system. Non-white police officers referenced the family under this question 4 out of 10 (40%). This is the same

trend for juvenile court officials. There are 6 out of 14 (43%) white juvenile officials that blamed the family for juvenile delinquency, compared to 2 out of 7 (29%) non-white juvenile officials. Rather remarkably there is a 14% difference between whites and non-whites for each occupation. Although, when I just focus on the miracle question, the difference between whites and non-whites increases. Only 6 out of 17 (35%) non-whites that accentuated the family compared to 33 out of 64 (52%) whites.

Minorities are more likely to address social forces as a way to reduce the need for the juvenile justice system. For example, non-white juvenile justice officials, such as Bethany, are more likely to discuss the need to implement more programs to help juveniles. Bethany is a juvenile justice specialist who grew up lower-middle class in a city.

I: Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

R: I've thought about this a lot because if I did have the money or whatever, the means, I would have places for the kids to go to keep them busy, do things, like say the Boys and Girls Club across the street. I would have more of those. I would try to reach them in their neighborhood, not necessarily going by and saying, "Oh hey, how ya doing," and leave, I'd try to be there in it with 'em. For the most part, I was one of those kids, and I was looking for something, someone, you know, to be a part of other than school and those activities, when that was over, there was nothing. So, I would want, you know, if it wasn't just individuals or agencies, to be in there with us doing things. I know when I was a kid, there was one community center that pretty much everybody would be there and it was a big deal, where as now you don't necessarily have that or if you do, it's in a smaller spectrum and not a whole lot of kids participate, so I would try to put something together whether if it would be in each neighborhood or as much across the inner city to promote positive things for the kids to do as opposed to the gangs and mischief that they try to get into. (Minority-Female-Official-OKC)

Instead of blaming the family and the parents (Gottfredson and Hirschi 1990),

Bethany believes that to reduce the need for the juvenile justice system, programs need to be implemented. Society needs to help the victims of racial oppression and inequalities, instead of blaming the victim. The problem is that Oklahoma City and other places have gone in the opposite direction.

Another example of minority juvenile justice officials calling for programs is from Wanda. Wanda is a lawyer who grew up lower middle class to middle class in a city.

I: Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

R: I would just have a lot more programs. We work with what we have, but it's definitely not enough. We also don't have enough participants to, you know, work those programs because of – you know, our decline in the economy – programs getting cut. We have facilities that we would normally, you know, send juveniles to – that because of money issues are getting shut down. So now you're taking those people and shoving them into other facilities, where now, you have overcrowding – or because you have nowhere else to put them, you're letting them out sooner than what you would have, and they're not getting the treatment that they need. So, definitely – you know, if I had all the money in the world, I'd have more programs, more people to work those program – better training for those programs. Yea, that's what I would do. (Minority-Female-Official-OKC)

The issue is the need for programs, but Wanda addresses how the decline of the economy affected the programs that originally existed. Programs shut down, and currently the ones that are available, do not have enough people to run them. This viewpoint commonly expressed by minorities does not blame families or the choices parents make. It is an attempt in looking at the social forces that play a role and understanding that government should be involved in fixing this problem.

Other minority responses to the miracle question put an emphasis on education.

An example of this is Quintin. Quintin is a juvenile specialist, who grew up lower middle class in a rough city neighborhood.

I: Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

R: I would create more, the awareness of education, and studies have been shown that when kids have been educated more, they are less likely to be involved in negative activities and can be, I'm not saying because you have a master degree then you not going to commit crime. Different situation call for different situation, different circumstances, so, but I think the education of the juveniles is very import, and what I mean by that, education means not only just high school education or GED, diploma, or high school education, GED education, but creating something whereas they're more programs, more hands on programs that, you know, they are taught to do more things. You know, I was thinking about Judge Mathis, famed lawyer, TV show, he was a juvenile, you know, so what's to say our juvenile kids can't be a lawyer, they can't be a doctor. What's to say that they can't do whatever, the politician, because the juvenile sometimes we close the book on them, say that's all they can do. That's wrong. I think they should be exposed to everything that society has to offer through education, and we often want to put some juvenile what they do with their hands, create construction workers for them or, now, let's make these juveniles, we have some smart juveniles, let's make these juveniles, introduce them to science and law and politics and medicine. How come we can't do that? So that's what I would do, and, and when, cause one of the things I want to do is create a boy's home that would train young men to do and expose them to all these things. That's what I would do.
(Minority-Male-Official-OKC)

Quintin stresses the importance of education, but he understands that programs are needed to assist these kids. For this respondent, it is about giving juveniles more opportunities and chances. Instead of following white responses with kids and parents needing to choose to take education seriously (Gottfredson and Hirschi 1990); Quintin took the blame off the individual and saw this as a societal issue.

The importance of the miracle question is that it allowed white and nonwhite respondents to address DMC without suggestions from the interviewer. The breakdown of this question by race shows that whites used the poor parenting frame more often than their minority peers. The 35% to 52% racial split is significant for the miracle question, but minorities at an alarming rate still blame parents and the family. This rate and the amount of times minorities used the poor parenting frame is understandable because of social identity theory (Ashforth and Mael 1989, Lapinski and Mastro 2001).

Minorities and Employment Location/Reactionary

The final color-blind racism frame used by white juvenile justice officials in my dissertation is employment location and reactionary. White juvenile justice officials would claim that DMC did not exist because officials cannot help but come into contact with community they work in or react to the offenses being committed. The officials understanding is that while working in neighborhood proximity of minorities, it only made sense that officials would have more contact with minority youth. The problem is that Oklahoma City is made up of a majority of whites, and Chapter 4 shows that DMC does exist. The question is whether minorities use the employment location and reactionary frame.

There are 37 out of 64 (58%) of white juvenile justice officials that used the employment location and reactionary frame. Of the 37 white respondents who use the frame, 34 are police and 3 court officials. Minority juvenile justice officials used this frame as a much lower rate. There are 5 out of 17 (29%) officials who used this color-blind racism frame. Of the 5 who use it, 4 are police and 1 is a juvenile court official. In

both white officials and minority officials the importance of occupation cannot be overlooked with police using the frame at a much higher rate than court officials.

Just as with white juvenile justice officials, minorities used the employment location and reactionary frame to claim DMC did not exist in their department; and as with white respondents, most just answered the question with a no. There is however one non-white official that explained himself. Timothy, a school resource officer who grew up poor and in a city, agreed with his white colleagues and expressed the idea that they cannot control who commits the crime.

I: Are minority youths overrepresented in official contact with your department?

R: No, they're the ones doing the crimes.

There is not a great deal of explanation in this response, but the point's still made. Just as white juvenile justice officials discussed how they could not control who commits the crime, so does Timothy. This is a differential offending notion, and it can be inferred that the other non-white respondents who just answered no, also believed in this idea. Even though this explanation is comparable to white respondents, it still represents only 29% of minority respondents who claimed DMC did not exist in their department.

Other minority juvenile justice officials would be reactionary and claim to just be "doing their job" (Ketchum 2008). An example of this is Wanda. Wanda is a lawyer who grew up lower-middle to middle class in the city.

I: What effect, in any, does direct or overt discrimination (think old fashioned racism) have in juveniles ending up in the juvenile justice system?

R: The only thing I would say, and obviously, I – from where we see – from where we start a case, racial profiling would be the only thing that would – you know, have more minorities coming into our system than non-, but that’s not like that wouldn’t be, like, on our part. Because once we get a case – if it’s a good charge – if we have the evidence to back it up regardless of the race of the individual – that is going to become a case that’s going to become a child that’s within our system. But like – as far as like, the old fashioned racism and things like that – racial profiling would be the only thing – you know, as far as like – you know, police patrolling and things like that. That would get minorities into our system than anything else. (Minority-Female-Official-OKC)

This respondent is a juvenile court official. The blame for overt discrimination fell on the contact point before them. Racism in the juvenile justice system could only be coming from the police; because once it gets to the DA, public defender, or juvenile specialist they have to do their job (Ketchum 2008) and race then is no longer a factor. This respondent states that if racism did exist in the system, aside from racial profiling, once it got to them it would be dismissed because there would be a lack of evidence. This frame, allows these juvenile justice officials to claim differential offending for DMC, instead of realizing that “evidence” does not mean that discrimination did not take place (Free and Ruesink 2012).

Conclusion

All of the color-blind racism frames are used more often by white juvenile justice officials than minority juvenile justice officials. In the most extreme case, white juvenile justice officials used the naturalization frame 19% of the time and minorities only used it on the culture of violence question. On the other hand, abstract liberalism is very similar in relation to white and minority juvenile justice officials. White respondents use of abstract liberalism occurred 34% of the time compared to 29% of minority respondents.

This close relationship between white and minority respondents is attributed to social identity theory (Ashforth and Mael 1989, Lapinski and Mastro 2001), but white juvenile justice officials are still using the frames more. White juvenile justice officials are using all the frames more and in most cases the difference is very significant.

The increase in the use of minorities using color-blind racism compared to Bonilla-Silva's study (2006) is understandable due to social identity theory. Minority juvenile justice officials have accepted the normative beliefs, attitudes, and behaviors that are associated with the group and it is a benefit to them for the sake of advancement in their job (Lapinski and Mastro 2001). This increase can have an effect on DMC, but the real influence is white juvenile justice officials. Minority juvenile justice officials can use color-blind racism, but not to the extent of white juvenile justice officials. The extensive gap between whites and minorities makes my argument that white juvenile justice officials have color-blind racism beliefs that effect the different treatment of minorities and cause DMC.

The next chapter is a conclusion of my dissertation, with a discussion on policy implications and future research ideas.

CHAPTER NINE

CONCLUSION

The purpose of my dissertation is to examine if minorities are overrepresented in Oklahoma's Juvenile Justice System. If minorities are disproportionately overrepresented, I examine the relationship between covert racism on the part of juvenile justice officials and minority overrepresentation. Finally, I examined if minority juvenile justice officials are similar to white juvenile justice officials, to determine if there is a difference between non-whites and whites justification/motivations for disproportionate minority contact (DMC).

There is significant support for minority overrepresentation in the state of Oklahoma, and specifically Oklahoma City, through the quantitative analysis. DMC is found at the initial contact point with police, and the disparity only increases as minorities move through the system (Wordes and Bynum 1995, Bishop and Frazier 1996, Puzzanchera 2009). Black youth are not just overrepresented, but are the majority in many of the juvenile justice's harsh discretionary decisions such as: referrals, petitions being filed, and being placed in Office of Juvenile Affairs (OJA) custody, to name a few. Native Americans are also overrepresented in all contact points of Oklahoma's Juvenile Justice System. Police reports show that blacks and Native Americans are more likely to be arrested, than given a ticket. When minorities get to the referral stage, blacks are being held and treated harsher for felonies than whites. With these minority groups

already overrepresented, the District Attorneys are filing more petitions to minority groups than whites, creating a greater disparity. Finally, the quantitative data shows that legal statuses for blacks and Native Americans are more likely to be placed in OJA custody and less likely to have the case dismissed or receive probation. There is sufficient data to support my argument that minorities are overrepresented in Oklahoma City and the state of Oklahoma.

Since minorities are overrepresented, I need to address the relationship between covert racism on the part of juvenile justice officials and minority overrepresentation. Juvenile justice officials are found to use color-blind racism frames to explain the cause of DMC in Oklahoma City from the qualitative data. Abstract liberalism, cultural racism, naturalization, minimization of racism, poor parenting, and employment location/reactionary are all common frames used by juvenile justice officials. I argue these beliefs influence, at least in part, minority overrepresentation in the juvenile justice system. A possibility is that this ideology affects their discretionary decisions, which in turn could bring about the overrepresentation of minorities in the juvenile justice system. If officials believe in these powerful explanations to explain DMC, then it becomes a self-fulfilling prophecy that minorities will be treated differently, because they are more likely to commit offenses. White juvenile justice officials are more likely to use color-blind rhetoric, but social identity theory (Ashforth and Mael 1989, Lapinski and Mastro 2001) explains why minority officials also use color-blind racism frames.

Abstract liberalism is a common color-blind racism frame used by juvenile justice officials. Respondents use individualism and choice in many ways to blame minorities

for DMC. Most notably is the culture of poverty argument. White juvenile justice officials believe minorities have “cultural attitudes, beliefs, values, and practices” (Lewis 1966) that form in impoverished communities. These attitudes and beliefs accept violence and crime as a way of life. This is a rationalization for DMC, because minorities are more likely to live in poverty. If white juvenile justice officials believe that minority youth do not “want it” or accept a culture of poverty, then the official steps in and attempts to fix the juvenile through arrest and punishment.

Cultural racism is used in a similar way. The juvenile justice officials blame minority culture for DMC. They claimed that minorities create an environment that promotes violence and crime. Respondents often believe that minorities have a culture with inappropriate values, loose family organization, and a failure to emphasize hard work. It is with this assumed culture, that juvenile justice officials attempt to rationalize DMC. This again is covert racism. If police officers and juvenile court officials make discretionary decisions such: as arrest or citation, petition filed or decline, based on what the respondent believes is a bad culture, it is discrimination. Minorities are not being treated equally because of where they come from, or due to the color of their skin.

Naturalization is the least used color-blind racism frame, but it is still used by 19% of white juvenile justice officials. There could have been more respondents who used this frame; but it is unclear due to ambiguous responses on certain questions. When respondents use this frame they blame the community; the lack of intelligence of minorities; the parents; and a culture of violence as the primary factors of DMC. If this is

the mindset of our juvenile justice officials, it could influence discretionary decisions affecting minority overrepresentation.

Minimization of racism is another color-blind racism frame used by respondents, and it is also the second most used frame. Minimization of racism is used by 94% of white respondents. One of the ways whites use this frame is in claiming that DMC did not exist in their department. A total of 52% of whites stated that minorities are not overrepresented. White juvenile justice officials also claimed social class, and not race, is really the problem with minority overrepresentation. This minimization of racism by class is used 25% of the time by white respondents. Minimization of racism is just a way for juvenile justice officials to not address the problem of DMC, so instead of trying to improve racial inequality, it just maintains the current structure.

Poor parenting is a color-blind racism frame used white juvenile justice officials to blame DMC on minorities themselves. All respondents use the poor parenting frame, but the importance of the miracle question is where whites and minorities are different. When white respondents had the ability to create a “miracle” to reduce the need for the juvenile justice officials, they still went back to the family as the cause of DMC. White officials blamed poor parenting 52% of the time on a question that is completely open-ended. This means white juvenile justice officials could be harsher on minority youth because officials believe the juvenile lacks discipline in their family.

The final color-blind racism frame is employment location/reactionary. Juvenile justice officials claim that the community an official works in, affects DMC. If respondents are working in minority neighborhoods, they are more likely to have contact

with minority youth. These juvenile justice officials are also responsible for the calls in that minority community and have to react to those offenses. The problem with this explanation is that the racial majority in Oklahoma City are whites. By juvenile justice officials using this color-blind frame, they do not see that DMC as a problem. If DMC is not seen as a problem, then solutions will not be developed and it will remain in Oklahoma's Juvenile Justice System.

As for the role of minority juvenile justice officials play in using color-blind racism frames, it is significantly less than whites, but more than the Bonilla-Silva (2006) study. Minorities, however, did not use the naturalization frame except when addressing the culture of violence question. The reason that minorities used color-blind racism frames more often than in the Bonilla-Silva's study (2006) is because of the social identity theory. Social identity theory stresses one's self-identity changes when associated with a group that has normative beliefs, attitudes, and behaviors (Ashforth and Mael 1989, Lapinski and Mastro 2001). This is why more minority juvenile justice officials use the color-blind racism frames, but the numbers are still less than white juvenile justice officials.

My overall reaction to the interviews is that white juvenile justice officials, most notably police officers, had a hard time even admitting that DMC existed. Fearing that saying minorities are overrepresented meant they are practicing racial profiling, more than half of the white police officers just denied it is taking place. The ones that did admit DMC, went out of their way to claim that overt racism had no part in DMC. I honestly believe that most of them are not practicing overt discrimination techniques

against minorities, but their responses show color-blind racism to be quite prevalent in the juvenile justice system.

DMC does exist in Oklahoma and Oklahoma City, so something has to be the cause of it. The juvenile justice officials claim that differential offending is what causes DMC, (Gottfredson and Hirschi 1990, Herrnstein and Murray 1994, Anderson 1999, Wilbanks 1986) and it might, but future research with juveniles is needed to examine that claim. One thing is for certain, and that is juvenile justice officials are using the color-blind racism frames as a justification for DMC. This ideology could affect discretionary decisions such as police choosing to arrest instead of giving tickets to minorities, because they feel the need to impose discipline, since the officials believe minorities do not have a family that is capable of good parenting. In terms of juvenile court officials, a petition could be more likely to be filed for the same reason. Finally, minority youths are placed in OJA custody; while whites at every other stage had a chance of receiving a lesser punishment. Juvenile justice officials holding this color-blind racism ideology might be the explanation for DMC. Further research is needed to see how this ideology affects decisions and if minorities are committing more offenses than white youth.

Policy Implications

This research has policy implications on three different levels. The first is at the local level in Oklahoma City. The second is at a state level with Lawton, Tulsa, and Oklahoma City being the basis for those implications. Finally, this research impacts the previous research conducted (Piliavin and Briar 1964, Austin 1995, Bridges et al. 1995, Frazier and Bishop 1995, Kempf-Leonard and Sontheimer 1995, Poupart 1995, Wordes

and Bynum 1995, Bishop and Frazier 1996, Bridges and Steen 1998, Pope, Lovell, and Hsia 2003, Ketchum 2008, Puzzanchera 2009) on DMC and the overrepresentation of minorities in the juvenile justice system.

Local Recommendations

Oklahoma City has done a terrible job in stressing disproportionate minority contact. Not only did the respondents have a hard time understanding the term, but also only a total of 6 juvenile justice officials knew their department's DMC numbers. Only 6 out of 81 juvenile justice officials (7%) knew the statistical data on DMC. The rest of the respondents relied on their personal experience. This data needs to be at least shown to juvenile justice officials. It needs to be a priority for police, lawyers, judges, and juvenile specialists. These employees of the city of Oklahoma City should have been able to guess that DMC is a problem from their personal experience, but that clearly is not the case. Getting this information and knowledge out to the workers in the system, must be the first thing accomplished.

The lack of communicating the DMC problem is seen when respondents are asked whether DMC existed in their department. When asked "from your experience, are minority youths overrepresented in official contact with your department," 33 of 63 (52%) of white respondents answered no. Also 5 out of 17 (29%) of non-whites responded in the same way. Oklahoma City needs to distribute this data and get accurate information out to their juvenile justice officials. I believe that can be accomplished.

I also recommend that all Oklahoma City juvenile justice officials be required to take at least one course on DMC. Ideally, I want them to take a course once a year, so

each department could look at their DMC numbers and see if they are improving.

Juvenile justice officials need to learn what DMC is and shown the officials numbers for their department, city, and state. They need to be taught that denying DMC is not an answer, as is not admitting that overt discrimination such as racial profiling is taking place. Some of the interviews I conducted, it felt like the police blatantly lied to me when DMC questions arose, and that is not a benefit to anyone. Then the juvenile justice officials need to be informed about these color-blind racism frames. They need to see that these justifications cause DMC. Perhaps then the next time a minority youth comes into contact with them, the juvenile justice officials can take his or her biases and the data on DMC into consideration.

State Recommendations

My dissertation is part of a larger study that focused on DMC in Lawton, Tulsa, and Oklahoma City. There are two major problems that existed in these two cities from a policy standpoint. The first problem is in Tulsa with the lack of participation from their local law enforcement. The other problem is not taking the classes on DMC seriously, and this happened in Lawton.

The Tulsa Police Department never came out and said they would not participate in this study. They made sure not to do this because it federally mandated (Feyerherm 1995) that states do studies like this to maintain federal funding. Tulsa decided not to take part in this study, and after an examination of their quantitative data on DMC, it appears obvious as to why. Tulsa had the greatest disproportionate minority contact gap than the other two counties. Rather than answer questions about that, the police

department decided to not return phone calls, not return emails, attempt to set up meetings and then cancel, or call back when they knew no one would be around. This type of activity has to be stopped in the future. The federal government recognizes that DMC is a problem and they want something done about it. The only way this can happen is if juvenile justice departments allow researchers access to data to help with the problem. DMC exists across the state of Oklahoma and across the nation. If people are really interested in fixing this crisis, then all agencies have to be on board.

As for Lawton, apparently a DMC class is offered to the police officers. This is what I am calling for in Oklahoma City, but there is a problem. During the last DMC class, top ranking white police officers that do not believe in DMC, walked out of the class. When the top ranking police officers walk out of a DMC meeting, then it sets a precedent for younger officers not to care about DMC. The message that these high-ranking officers sent by walking out is that they do not care about minority overrepresentation or what can be done to help it. This type of action cannot be tolerated. If punitive matters is all law enforcement understand, then I suggest taking away some of their funding. The federal government is taking this issue seriously, and it is not being passed down to the state and local level in that way. I think Lawton is on the right track with DMC meetings, but clearly the Lawton Police Department is not seeing DMC as a problem.

National Recommendations

Since minority overrepresentation is common across the nation, my dissertation can be used to address DMC on a national level. I hope future studies compare their

states data with mine to see if color-blind racism in the juvenile justice system is a national trend. Since we live in a racialized social system, color-blind racism responses are common whenever whites need to justify their privilege (Bonilla-Silva 2006). I believe this is what is occurring in other states as well.

If programs are implemented at the local level of Oklahoma City, and have success, they can be expanded to a state level and then a national level. The federal government at least sees DMC as a problem. They want states to do studies on it and show improvement or attempts at improvement. If states cannot do this then they are in danger of losing federal money (Feyerherm 1995). The problem is with states that make an attempt, but are not really reducing DMC. During my dissertation, it became obvious to me that there are some participants on this project that care about addressing and helping solve the DMC problem; however, there are others who just seem like they needed to fulfill their state's requirement of a DMC study. That is problematic, because then people are just throwing cash at a wall and claiming that things are not getting better because of differential offending. This is not the goal of the state requirement. The goal is to try and improve DMC. The federal government needs to look at these studies and make sure there really is an attempt at helping solve the DMC problem. Otherwise, this is just going to be one big circle in which nothing improves, which preserves the racialized social system (Bonilla-Silva 2006).

Future Studies

My dissertation originally had a quantitative analysis of minority overrepresentation in the Oklahoma City public schools. This analysis is a survey

distributed to middle school and junior high students, and focuses on juvenile offenses. It is a self-report study that would have addressed the issue of differential offending. The students are asked to answer an anonymous survey on their own status offenses, criminal acts, and even contact with police. Obviously, the survey is broken down by race. This would provide more support in understanding that different treatment, and not differential offending, accounts for DMC.

However, I, and the research team out of the University of Oklahoma, ran into a problem in obtaining this data. The problem is in gaining access to Oklahoma City public schools. Schools are overloaded with state requirements that do not allow a lot of free time to participate in these studies. Also, it is a survey about race and crime and even though it is anonymous, the schools want to protect their students, which is understandable. The problem seems to have been resolved and hopefully this study can take place in 2013 by the University of Oklahoma.

Another study that needs to be conducted is the influence of color-blind racism on discretionary decisions. A future study is needed to see how a color-blind ideology influences juvenile justice officials. Interviews need to be conducted to establish if the officials use color-blind racism frames and then ride-alongs with police and court observations are needed to see if it affects their decisions about minority youth.

These two studies will address the areas of DMC research that my dissertation could not. I believe my dissertation adds to the existing literature on DMC, but shows that minority youth should not be the focus of the DMC problem, but rather juvenile justice officials. Even if future studies show differential involvement exists for minority

youths, it still does not account for the entirety of the DMC problem. Juvenile justice officials are influencing the DMC problem and I believe the way to reduce DMC is through dealing with the officials themselves, instead of the minority youth.

APPENDIX A
LIST OF INTERVIEW QUESTIONS

INTERVIEW QUESTION SHEET

(Juvenile Specialist)

I will ask you scripted questions, though I may deviate from the script to pursue relevant information. I encourage you to give detailed answers rather than a simple yes or no answer.

There will be three main sections to this interview. First, I will ask some background questions about you. Next we will cover some general juvenile justice issues and finally we will discuss the impact of race and ethnicity in the juvenile justice system.

(BACKGROUND)

Describe your family's socioeconomic standing, when you were growing up. Were you poor, lower middle class, middle class, upper middle class, professional class such as doctors and lawyers or were wealthy?

What did/does your father do for a living?

What did/does your Mother do for a living?

As a child, what were your dreams and expectations for your future?

Do you recall what your parents' dreams and expectations were for you?

What was your childhood neighborhood like? If you had more than one, please describe the one you most identify with.

Did you live in the city, suburb, or country? Did the neighbors all know each other and how often did they interact with one another? In other words, describe the character of you childhood neighborhood.

What was the racial and ethnic makeup of your neighborhood?

What were the socioeconomic characteristics of your neighborhood like? Did most of your neighbors seem to have similar incomes as your family? Think back to things like the size of the houses, add-ons like pools, types and number of cars owned, etc.

How would you characterize your current economic standing? Poor, lower middle class, middle class, upper middle class, professional class or are you simply very, very rich?

Please describe the character of your current neighborhood.

What is the racial and ethnic makeup of your current neighborhood.

Are the socioeconomic characteristics of your neighborhood pretty similar to your childhood home?

Do you interact with any of the neighbors; Do you consider any of the neighbors to be your friend; Do you interact with any of the minorities in your neighborhood?

Do you consider any of the minorities in the neighborhood to be your friend?

What kinds of activities do you do with these friends?

(GENERAL JUVENILE JUSTICE)

Let's deal with the juvenile justice system in general for a moment

Let me first ask, is your title Juvenile Specialist II or III?

Would you describe your duties in that position?

Do you think protecting members of society from the actions of juvenile offenders and maintaining the extra protection of juvenile offenders afforded by the juvenile justice system are mutually exclusive? If there is a conflict, which takes priority? Could you explain?

Do most people have an accurate picture of the scope and significance of juvenile delinquency and crime? Overestimate? Underestimate?

Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

Are there legitimate reasons for being selectively harsh on a particular juvenile offender, such as stacking multiple offences for one incident? Without being overly specific, could you provide me with any examples?

Is there a person or office that makes the decision about an individual case which results in you working with a juvenile?

Do you work with juveniles from a single community or do you work with juveniles from different areas of the city?

Do you get to know any of the juveniles you interact with? If so, how might that happen?

In the time that you have worked as a juvenile specialist, has the focus on juveniles changed in any way? (If so, how?)

(RACE)

Let's move the discussion to race and ethnicity. Just so that you know what this research is looking at, we are, of course looking at arrest and incarceration data, but through these interviews with police, lawyers, judges and probation officers we are also trying to gain insight from those who actually work with juvenile offenders, regarding possible social influences which may combine with race or ethnicity, possibly contributing to minority overrepresentation.

Do you record a juvenile's race or ethnicity on any paper work. If so, do you know the options listed or do you come up with you own description?

How do you choose which race or ethnicity to list? Do you ask the juvenile? Do you take your best guess?

For purposes of this interview I will frequently refer to minority overrepresentation in the juvenile justice system as "disproportional minority contact" or "DMC" which is the term used by the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

An overwhelming amount of data reveals that disproportionate minority contact occurs at almost every point in the juvenile justice system. However, there is also a large body of research that shows that DMC differs dramatically from jurisdiction to jurisdiction. The purpose of this interview is to gain insights from those who work within the juvenile justice system, in an effort to understand how race and/or ethnicity becomes a factor, be it direct or indirect.

From your experience, are minority youths overrepresented in official contact with your department?

How significant is the overrepresentation? In other words, is there a lot of overrepresentation, a little, or somewhere in between?

Which group or groups are most overrepresented? (or "represented" if the participant states that there is no overrepresentation)

Is this from your own experience and observations or are you familiar with official numbers for your department?

Let us address the issues outside of direct influence of the juvenile justice system. What effects, if any have you seen a lack of quality educational resources play in DMC? Probe for examples

What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates? Probe for examples

Some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for one's goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?

Do you think DMC can be largely explained by class? In other words, is DMC a reflection of poverty?

Finally, what role have you seen difficult family issues play? Probe for examples

What percentage, approximately, of juveniles that you have contact with, do not have English as their first language?

What other primary languages have you run into?

What resources do you have to deal with parents and juveniles who don't speak English fluently?

Have you witnessed any other cultural problems, other than language that your department has run into, such as tribal issues, or cultural issues with certain racial or ethnic groups?

Are there times when using labels or stereotypes within the juvenile justice system, such as gang affiliation, benefits the larger community?

Have you observed any racial or ethnic differences in gang participation? In other words, are some racial or ethnic groups more likely to belong to gangs?

What effect, if any, does direct, or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system?

Is disproportional minority contact (DMC) a problem or merely a reflection of the "real world"?

This concludes the questions. Is there anything on the juvenile justice system or the impact of race or ethnicity on the juvenile justice system that you would like to add?

Thank you for your assistance in this research. Please don't hesitate to contact me with any questions which you may have.

INTERVIEW QUESTION SHEET

(Attorney - DA's office)

I will ask you scripted questions, though I may deviate from the script to pursue relevant information. I encourage you to give detailed answers rather than a simple yes or no answer.

There will be three main sections to this interview. First, I will ask some background questions about you. Next we will cover some general juvenile justice issues and finally we will discuss the impact of race and ethnicity in the juvenile justice system.

(BACKGROUND)

Describe your family's socioeconomic standing, when you were growing up. Were you poor, lower middle class, middle class, upper middle class, professional class such as doctors and lawyers or were wealthy?

What did/does your father do for a living?

What did/does your Mother do for a living?

As a child, what were your dreams and expectations for your future?

Do you recall what your parents' dreams and expectations were for you?

What was your childhood neighborhood like? If you had more than one, please describe the one you most identify with.

Did you live in the city, suburb, or country? Did the neighbors all know each other and how often did they interact with one another? In other words, describe the character of you childhood neighborhood.

What was the racial and ethnic makeup of your neighborhood?

What were the socioeconomic characteristics of your neighborhood like? Did most of your neighbors seem to have similar incomes as your family? Think back to things like the size of the houses, add-ons like pools, types and number of cars owned, etc.

How would you characterize your current economic standing? Poor, lower middle class, middle class, upper middle class, professional class or are you simply very, very rich?

Please describe the character of your current neighborhood.

What is the racial and ethnic makeup of your current neighborhood.

Are the socioeconomic characteristics of your neighborhood pretty similar to your childhood home?

Do you interact with any of the neighbors; Do you consider any of the neighbors to be your friend; Do you interact with any of the minorities in your neighborhood?

Do you consider any of the minorities in the neighborhood to be your friend?

What kinds of activities do you do with these friends?

(GENERAL JUVENILE JUSTICE)

Let's deal with the juvenile justice system in general for a moment

Do you think protecting members of society from the actions of juvenile offenders and maintaining the extra protection of juvenile offenders afforded by the juvenile justice system are mutually exclusive? If there is a conflict, which takes priority? Could you explain?

Do most people have an accurate picture of the scope and significance of juvenile delinquency and crime? Overestimate? Underestimate?

How important is a juvenile's prior record in determining how you will deal with that individual?

Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

Are there legitimate reasons for being selectively harsh on a particular juvenile offender, such as stacking multiple offences for one incident? Without being overly specific, could you provide me with any examples?

Are mental health issues significant as a factor in juvenile delinquency or crime rates? Could you explain your answer?

In the time that you have worked in juvenile court, has the focus on juveniles or the juvenile justice system changed in any way? (If so, how?)

Are there cases where you or your office would be involved, but where a judge is never involved? If so, can you describe how that might work?

(RACE)

Let's move the discussion to race and ethnicity.

Is gang affiliation significant as a factor in juvenile delinquency or crime rates? Could you explain your answer?

Have you observed any racial or ethnic differences in gang participation? In other words, are some racial or ethnic groups more likely to belong to gangs?

Gangs are often portrayed as highly racialized, such as Black, Latino, Native American and neo-nazi White gangs. Is this portrayal pretty accurate or are gangs less about race and ethnicity than the public might think?

Do you record a juvenile's race or ethnicity on any paper work or is that already included on the paper work that you receive?

If you do record a juvenile's race or ethnicity, how do you choose which race or ethnicity to list? Do you ask the juvenile? Do you take your best guess?

For purposes of this interview I will frequently refer to minority overrepresentation in the juvenile justice system as "disproportional minority contact" or "DMC" which is the term used by the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

An overwhelming amount of data reveals that disproportionate minority contact occurs at almost every point in the juvenile justice system. However, there is also a large body of research that shows that DMC differs dramatically from jurisdiction to jurisdiction. The purpose of this interview is to gain insights from those who work within the juvenile justice system, in an effort to understand how race and/or ethnicity becomes a factor, be it direct or indirect.

From your experience, are minority youths overrepresented in official contact with your department?

How significant is the overrepresentation? In other words, is there a lot of overrepresentation, a little, or somewhere in between?

Which group or groups are most overrepresented? (or "represented" if the participant states that there is no overrepresentation)

Is this from your own experience and observations or are you familiar with official numbers for your department?

Let us address the issues outside of direct influence of the juvenile justice system. What effects, if any have you seen a lack of quality educational resources play in DMC? Probe for examples

What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates? Probe for examples

Some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for one's goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?

Do you think DMC can be largely explained by class? In other words, is DMC a reflection of poverty?

Finally, what role have you seen difficult family issues play? Probe for examples. What percentage, approximately, of juveniles that you have contact with, do not have English as their first language?

What other primary languages have you run into?

What resources do you have to deal with parents and juveniles who don't speak English fluently?

Have you witnessed any other cultural problems, other than language that your department has run into, such as tribal issues, or cultural issues with certain racial or ethnic groups?

What effect, if any, does direct, or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system?

Is disproportional minority contact (DMC) a problem or merely a reflection of the "real world"?

This concludes the questions. Is there anything on the juvenile justice system or the impact of race or ethnicity on the juvenile justice system that you would like to add?

Thank you for your assistance in this research. Please don't hesitate to contact me with any questions which you may have.

INTERVIEW QUESTION SHEET

(Attorney – Public Defender’s office)

I will ask you scripted questions, though I may deviate from the script to pursue relevant information. I encourage you to give detailed answers rather than a simple yes or no answer.

There will be three main sections to this interview. First, I will ask some background questions about you. Next we will cover some general juvenile justice issues and finally we will discuss the impact of race and ethnicity in the juvenile justice system.

(BACKGROUND)

Describe your family’s socioeconomic standing, when you were growing up. Were you poor, lower middle class, middle class, upper middle class, professional class such as doctors and lawyers or were wealthy?

What did/does your father do for a living?

What did/does your Mother do for a living?

As a child, what were your dreams and expectations for your future?

Do you recall what your parents’ dreams and expectations were for you?

What was your childhood neighborhood like? If you had more than one, please describe the one you most identify with.

Did you live in the city, suburb, or country? Did the neighbors all know each other and how often did they interact with one another? In other words, describe the character of you childhood neighborhood.

What was the racial and ethnic makeup of your neighborhood?

What were the socioeconomic characteristics of your neighborhood like? Did most of your neighbors seem to have similar incomes as your family? Think back to things like the size of the houses, add-ons like pools, types and number of cars owned, etc.

How would you characterize your current economic standing? Poor, lower middle class, middle class, upper middle class, professional class or are you simply very, very rich?

Please describe the character of your current neighborhood.

What is the racial and ethnic makeup of your current neighborhood.

Are the socioeconomic characteristics of your neighborhood pretty similar to your childhood home?

Do you interact with any of the neighbors; Do you consider any of the neighbors to be your friend; Do you interact with any of the minorities in your neighborhood?

Do you consider any of the minorities in the neighborhood to be your friend?

What kinds of activities do you do with these friends?

(GENERAL JUVENILE JUSTICE)

Let's deal with the juvenile justice system in general for a moment

Do you think protecting members of society from the actions of juvenile offenders and maintaining the extra protection of juvenile offenders afforded by the juvenile justice system are mutually exclusive? If there is a conflict, which takes priority? Could you explain?

Do most people have an accurate picture of the scope and significance of juvenile delinquency and crime? Overestimate? Underestimate?

How important is a juvenile's prior record in determining how you will deal with that individual?

Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

Are there legitimate reasons for being selectively harsh on a particular juvenile offender, such as stacking multiple offences for one incident? Without being overly specific, could you provide me with any examples?

Are mental health issues significant as a factor in juvenile delinquency or crime rates? Could you explain your answer?

In the time that you have worked in juvenile court, has the focus on juveniles or the juvenile justice system changed in any way? (If so, how?)

Are there cases where you or your office would be involved, but where a judge is never involved? If so, can you describe how that might work?

(RACE)

Let's move the discussion to race and ethnicity.

Is gang affiliation significant as a factor in juvenile delinquency or crime rates? Could you explain your answer?

Have you observed any racial or ethnic differences in gang participation? In other words, are some racial or ethnic groups more likely to belong to gangs?

Gangs are often portrayed as highly racialized, such as Black, Latino, Native American and neo-nazi White gangs. Is this portrayal pretty accurate or are gangs less about race and ethnicity than the public might think?

Do you record a juvenile's race or ethnicity on any paper work or is that already included on the paper work that you receive?

If you do record a juvenile's race or ethnicity, how do you choose which race or ethnicity to list? Do you ask the juvenile? Do you take your best guess?

For purposes of this interview I will frequently refer to minority overrepresentation in the juvenile justice system as "disproportional minority contact" or "DMC" which is the term used by the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

An overwhelming amount of data reveals that disproportionate minority contact occurs at almost every point in the juvenile justice system. However, there is also a large body of research that shows that DMC differs dramatically from jurisdiction to jurisdiction. The purpose of this interview is to gain insights from those who work within the juvenile justice system, in an effort to understand how race and/or ethnicity becomes a factor, be it direct or indirect.

From your experience, are minority youths overrepresented in official contact with your department?

How significant is the overrepresentation? In other words, is there a lot of overrepresentation, a little, or somewhere in between?

Which group or groups are most overrepresented? (or "represented" if the participant states that there is no overrepresentation)

Is this from your own experience and observations or are you familiar with official numbers for your department?

Let us address the issues outside of direct influence of the juvenile justice system. What effects, if any have you seen a lack of quality educational resources play in DMC? Probe for examples

What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates? Probe for examples

Some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for one's goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?

Do you think DMC can be largely explained by class? In other words, is DMC a reflection of poverty?

Finally, what role have you seen difficult family issues play? Probe for examples
What percentage, approximately, of juveniles that you have contact with, do not have English as their first language?

What other primary languages have you run into?

What resources do you have to deal with parents and juveniles who don't speak English fluently?

Have you witnessed any other cultural problems, other than language that your department has run into, such as tribal issues, or cultural issues with certain racial or ethnic groups?

What effect, if any, does direct, or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system?

Is disproportional minority contact (DMC) a problem or merely a reflection of the "real world"?

This concludes the questions. Is there anything on the juvenile justice system or the impact of race or ethnicity on the juvenile justice system that you would like to add?

Thank you for your assistance in this research. Please don't hesitate to contact me with any questions which you may have.

INTERVIEW QUESTION SHEET

(Police Officer)

I will ask you scripted questions, though I may deviate from the script to pursue relevant information. I encourage you to give detailed answers rather than a simple yes or no answer.

There will be three main sections to this interview. First, I will ask some background questions about you. Next we will cover some general juvenile justice issues and finally we will discuss the impact of race and ethnicity in the juvenile justice system.

(BACKGROUND)

Describe your family's socioeconomic standing, when you were growing up. Were you poor, lower middle class, middle class, upper middle class, professional class such as doctors and lawyers or were wealthy?

What did/does your father do for a living?

What did/does your Mother do for a living?

As a child, what were your dreams and expectations for your future?

Do you recall what your parents' dreams and expectations were for you?

What was your childhood neighborhood like? If you had more than one, please describe the one you most identify with.

Did you live in the city, suburb, or country? Did the neighbors all know each other and how often did they interact with one another? In other words, describe the character of you childhood neighborhood.

What was the racial and ethnic makeup of your neighborhood?

What were the socioeconomic characteristics of your neighborhood like? Did most of your neighbors seem to have similar incomes as your family? Think back to things like the size of the houses, add-ons like pools, types and number of cars owned, etc.

How would you characterize your current economic standing? Poor, lower middle class, middle class, upper middle class, professional class or are you simply very, very rich?

Please describe the character of your current neighborhood.

What is the racial and ethnic makeup of your current neighborhood.

Are the socioeconomic characteristics of your neighborhood pretty similar to your childhood home?

Do you interact with any of the neighbors; Do you consider any of the neighbors to be your friend; Do you interact with any of the minorities in your neighborhood?

Do you consider any of the minorities in the neighborhood to be your friend?

What kinds of activities do you do with these friends?

(GENERAL JUVENILE JUSTICE)

Let's deal with the juvenile justice system in general for a moment

Do you think protecting members of society from the actions of juvenile offenders and maintaining the extra protection of juvenile offenders afforded by the juvenile justice system are mutually exclusive? If there is a conflict, which takes priority? Could you explain?

Do most people have an accurate picture of the scope and significance of juvenile delinquency and crime? Overestimate? Underestimate?

Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

Are there legitimate reasons for being selectively harsh on a particular juvenile offender, such as stacking multiple offences for one incident? Without being overly specific, could you provide me with any examples?

Tell me about your position within the police force, are you a patrol officer, do you work with a special unit, etc. Then please tell me a little about what kind of work situations you would find yourself interacting with juveniles.

If you are a patrol officer, this may not apply to you. Is there a person or office that makes the decision about an individual case which results in you working with a juvenile?

Do you work in a single community or do you work different areas of the city?

Do you get to know any of the juveniles you interact with? If so, how might that happen?

In the time that you have worked as a police officer, has the focus on juveniles changed in any way? (If so, how?)

(RACE)

Let's move the discussion to race and ethnicity. Just so that you know what this research is looking at, we are, of course looking at arrest and incarceration data, but through these interviews with police, lawyers, judges and probation officers we are also trying to gain insight from those who actually work with juvenile offenders, regarding possible social influences which may combine with race or ethnicity, possibly contributing to minority overrepresentation.

Do you record a juvenile's race or ethnicity on any paper work. If so, do you know the options listed or do you come up with you own description?

How do you choose which race or ethnicity to list? Do you ask the juvenile? Do you take your best guess?

For purposes of this interview I will frequently refer to minority overrepresentation in the juvenile justice system as "disproportional minority contact" or "DMC" which is the term used by the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

An overwhelming amount of data reveals that disproportionate minority contact occurs at almost every point in the juvenile justice system. However, there is also a large body of research that shows that DMC differs dramatically from jurisdiction to jurisdiction. The purpose of this interview is to gain insights from those who work within the juvenile justice system, in an effort to understand how race and/or ethnicity becomes a factor, be it direct or indirect.

From your experience, are minority youths overrepresented in official contact with your department?

How significant is the overrepresentation? In other words, is there a lot of overrepresentation, a little, or somewhere in between?

Which group or groups are most overrepresented? (or "represented" if the participant states that there is no overrepresentation)

Is this from your own experience and observations or are you familiar with official numbers for your department?

Let us address the issues outside of direct influence of the juvenile justice system. What effects, if any have you seen a lack of quality educational resources play in DMC? Probe for examples

What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates? Probe for examples

Some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for one's goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?

Do you think DMC can be largely explained by class? In other words, is DMC a reflection of poverty?

Finally, what role have you seen difficult family issues play? Probe for examples

What percentage, approximately, of juveniles that you have contact with, do not have English as their first language?

What other primary languages have you run into?

What resources do you have to deal with parents and juveniles who don't speak English fluently?

Have you witnessed any other cultural problems, other than language that your department has run into, such as tribal issues, or cultural issues with certain racial or ethnic groups?

Are there times when using labels or stereotypes within the juvenile justice system, such as gang affiliation, benefits the larger community?

Have you observed any racial or ethnic differences in gang participation? In other words, are some racial or ethnic groups more likely to belong to gangs?

What effect, if any, does direct, or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system?

Is disproportional minority contact (DMC) a problem or merely a reflection of the "real world"?

This concludes the questions. Is there anything on the juvenile justice system or the impact of race or ethnicity on the juvenile justice system that you would like to add?

Thank you for your assistance in this research. Please don't hesitate to contact me with any questions which you may have.

INTERVIEW QUESTION SHEET

(Judge)

I will ask you scripted questions, though I may deviate from the script to pursue relevant information. I encourage you to give detailed answers rather than a simple yes or no answer.

There will be three main sections to this interview. First, I will ask some background questions about you. Next we will cover some general juvenile justice issues and finally we will discuss the impact of race and ethnicity in the juvenile justice system.

(BACKGROUND)

Describe your family's socioeconomic standing, when you were growing up. Were you poor, lower middle class, middle class, upper middle class, professional class such as doctors and lawyers or were wealthy?

What did/does your father do for a living?

What did/does your Mother do for a living?

As a child, what were your dreams and expectations for your future?

Do you recall what your parents' dreams and expectations were for you?

What was your childhood neighborhood like? If you had more than one, please describe the one you most identify with.

Did you live in the city, suburb, or country? Did the neighbors all know each other and how often did they interact with one another? In other words, describe the character of you childhood neighborhood.

What was the racial and ethnic makeup of your neighborhood?

What were the socioeconomic characteristics of your neighborhood like? Did most of your neighbors seem to have similar incomes as your family? Think back to things like the size of the houses, add-ons like pools, types and number of cars owned, etc.

How would you characterize your current economic standing? Poor, lower middle class, middle class, upper middle class, professional class or are you simply very, very rich?

Please describe the character of your current neighborhood.

What is the racial and ethnic makeup of your current neighborhood.

Are the socioeconomic characteristics of your neighborhood pretty similar to your childhood home?

Do you interact with any of the neighbors; Do you consider any of the neighbors to be your friend; Do you interact with any of the minorities in your neighborhood?

Do you consider any of the minorities in the neighborhood to be your friend?

What kinds of activities do you do with these friends?

(GENERAL JUVENILE JUSTICE)

Let's deal with the juvenile justice system in general for a moment

Do you think protecting members of society from the actions of juvenile offenders and maintaining the extra protection of juvenile offenders afforded by the juvenile justice system are mutually exclusive? If there is a conflict, which takes priority? **Could you explain?**

Do most people have an accurate picture of the scope and significance of juvenile delinquency and crime? Overestimate? Underestimate?

How important is a juvenile's prior record in determining how you will deal with that individual?

Pretending for a moment that you had the ability, funding and support to do so (think magic or miracle if need be), what one change would you make to minimize the need for the juvenile justice system.

Are there legitimate reasons for being selectively harsh on a particular juvenile offender, such as stacking multiple offences for one incident? Without being overly specific, could you provide me with any examples?

Are mental health issues significant as a factor in juvenile delinquency or crime rates? Could you explain your answer?

In the time that you have worked in juvenile court, has the focus on juveniles or the juvenile justice system changed in any way? **(If so, how?)**

Other than cases dropped by the District Attorney's office before coming to court, are there any situations where a judge wouldn't be involved in a juvenile case? **(If so, could you explain?)**

(RACE)

Let's move the discussion to race and ethnicity.

Is gang affiliation significant as a factor in juvenile delinquency or crime rates? Could you explain your answer?

Have you observed any racial or ethnic differences in gang participation? In other words, are some racial or ethnic groups more likely to belong to gangs?

Gangs are often portrayed as highly racialized, such as Black, Latino, Native American and neo-nazi White gangs. Is this portrayal pretty accurate or are gangs less about race and ethnicity than the public might think?

Do you record a juvenile's race or ethnicity on any paper work or is that already included on the paper work that you receive?

If you do record a juvenile's race or ethnicity, how do you choose which race or ethnicity to list? Do you ask the juvenile? Do you take your best guess?

For purposes of this interview I will frequently refer to minority overrepresentation in the juvenile justice system as "disproportional minority contact" or "DMC" which is the term used by the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

An overwhelming amount of data reveals that disproportionate minority contact occurs at almost every point in the juvenile justice system. However, there is also a large body of research that shows that DMC differs dramatically from jurisdiction to jurisdiction. The purpose of this interview is to gain insights from those who work within the juvenile justice system, in an effort to understand how race and/or ethnicity becomes a factor, be it direct or indirect.

From your experience, are minority youths overrepresented in official contact with your department?

How significant is the overrepresentation? In other words, is there a lot of overrepresentation, a little, or somewhere in between?

Which group or groups are most overrepresented? (or "represented" if the participant states that there is no overrepresentation)

Is this from your own experience and observations or are you familiar with official numbers for your department?

Let us address the issues outside of direct influence of the juvenile justice system. What effects, if any have you seen a lack of quality educational resources play in DMC? Probe for examples

What about the accompanying socioeconomic conditions such as poverty, substance abuse, few job opportunities and high crime rates? Probe for examples

Some have suggested that a culture of violence (one which accepts and even embraces violence as an acceptable means for ones goals) exists in many barrio and ghetto neighborhoods. In your experience, does this seem to be the case?

Do you think DMC can be largely explained by class? In other words, is DMC a reflection of poverty?

Finally, what role have you seen difficult family issues play? Probe for examples

What percentage, approximately, of juveniles that you have contact with, do not have English as their first language?

What other primary languages have you run into?

What resources do you have to deal with parents and juveniles who don't speak English fluently?

Have you witnessed any other cultural problems, other than language that your department has run into, such as tribal issues, or cultural issues with certain racial or ethnic groups?

What effect, if any, does direct, or overt discrimination (think old-fashioned racism) have in juveniles ending up in the juvenile justice system?

Is disproportional minority contact (DMC) a problem or merely a reflection of the "real world"?

This concludes the questions. Is there anything on the juvenile justice system or the impact of race or ethnicity on the juvenile justice system that you would like to add?

Thank you for your assistance in this research. Please don't hesitate to contact me with any questions which you may have.

BIBLIOGRAPHY

- Agnew, Robert. 1992. "Foundation for a General Strain Theory of Crime and Delinquency." *Criminology*. 30: 47-87.
- Akers, Ronald. 1977. *Deviant Behavior: A Social Learning Approach 2nd Edition*. Belmont, CA: Wadsworth
- Anderson, Elijah. 1999. *Code of the Street: Decency, Violence, and the Moral Life of the Inner City*. New York, NY: W.W. Norton & Company.
- Angier, Natalie. 2000. "Do Races Differ? Not Really, Genes Show." *New York Times*. August 22.
- Ashforth, Blake E. and Fred Mael. 1989. "Social Identity Theory and the Organization." *The Academy of Management and Review*. 14: 20-39.
- Austin, James. 1995. "The Overrepresentation of Minority Youths in the California Juvenile Justice System: Perceptions and Realities." In *Minorities in Juvenile Justice*. Edited by Leonard, Kimberley K., Carl E. Pope, and William Feyerherm. Thousand Oaks, CA: Sage Publications.
- Bishop, Donna and Charles Frazier. 1988. "The Influence of Race in Juvenile Justice Processing." *Journal of Research in Crime and Delinquency*. 22: 309-328.
- Bishop, Donna and Charles Frazier. 1996. "Race Effects in Juvenile Justice Decision-Making: Findings of a Statewide Analysis." *Journal of Criminal Law and Criminology*. 86: 392-413.
- Bonilla-Silva, Eduardo, Amanda E. Lewis, and David G. Embrick. 2004. "'I did not get that job because of a Black man...': The Storylines and Personal Stories of Color Blind Racism." *Sociological Forum* 19: 555-581.
- Bonilla-Silva, Eduardo. 2006. *Racism Without Racists: Color-blind Racism and the Persistence of Racial Inequality in the United States*. Lanham, MD: Rowman & Littlefield.

- Bridges, George, Darlene Conley, Rodney Engen, and Townsend Price-Spratlen. 1995. "Racial Disparities in the Confinement of Juveniles: Effects of Crime and Community Social Structure on Punishment." In *Minorities in Juvenile Justice*. Edited by Leonard, Kimberley K., Carl E. Pope, and William Feyerherm. Thousand Oaks, CA: Sage Publications.
- Bridges, George and Sara Steen. 1998. Racial Disparities in Official Assessments of Juvenile Offending: Attributional Stereotypes as Mediating Mechanisms. *American Sociological Review*. 65: 554-570.
- Chambliss, William J. 2000. *Power, Politics, & Crime*. Boulder, CO: Westview Press.
- Cherish, Courtney, Kelly Damphousse, and Sebastian Davis. 2004. "Race/Ethnicity and Gender Effects on Juvenile System Processing." Oklahoma City, OK: Oklahoma Office of Juvenile Affairs.
- City Crime Rankings 2011-2012.
<http://os.cqpress.com/citycrime/2011/CityCrimePopRank2011.pdf>
- Cole, David. 2000. *No Equal Justice: Race and Class in the American Criminal Justice System*. New York, NY: The New Press.
- Eberhardt, Jennifer, Paul Davies, Valerie Purdie-Vaughns, and Sheri Johnson. 2006. "Looking Deathworthy: Perceived Stereotypicality of Black Defendants Predicts Capital-Sentencing Outcomes." *Psychological Science*. 17: 383-386.
- Feld, Barry. 1995. The Social Context of Juvenile Justice Administration: Racial Disparities in an Urban Juvenile Court. In *Minorities in Juvenile Justice*. Edited by Leonard, Kimberley K., Carl E. Pope, and William Feyerherm. Thousand Oaks, CA: Sage Publications.
- Feyerherm, William. 1995. The DMC initiative: The convergence of policy and research themes. In *Minorities in Juvenile Justice*. Edited by Leonard, Kimberley K., Carl E. Pope, and William Feyerherm. Thousand Oaks, CA: Sage Publications.
- Frazier, Charles and Donna Bishop. 1995. Reflections on Race and Effects in Juvenile Justice. In *Minorities in Juvenile Justice*. Edited by Leonard, Kimberley K., Carl E. Pope, and William Feyerherm. Thousand Oaks, CA: Sage Publications.
- Free, Marvin D. and Mitch Ruesink. 2012. *Race and Justice: Wrongful Convictions of African American Men*. Boulder, CO: Lynne Rienner Publishers.
- Freedle, Roy. 2003. "Correcting the SAT's Ethnic and Social-Class Bias: A Method for Reestimating SAT Scores." *Harvard Educational Review*. 73: 1-43.

- Gerstel, Naomi and Natalia Sarkisian. 2008. "The Color of Family Ties: Race, Class, Gender, and Extended Family Involvement" In *American Families: A Multicultural Reader* Edited by Stephanie Coontz et al. New York, NY: Taylor and Francis.
- Glover, Karen S. 2007. "Police Discourse on Racial Profiling." *Journal of Contemporary Criminal Justice*. 23: 239-247.
- Glover, Karen. 2009. *Racial Profiling: Research, Racism, and Resistance*. Lanham, MD: Rowman & Littlefield Publishers.
- Gottfredson, Michael and Travis Hirschi. 1990. *A General Theory of Crime*. Stanford, CT: Stanford University Press.
- Harris, Marvin. 2009. "How Our Skins Got Their Color." In *Rethinking the Color Line, 4th Edition*. New York, NY: McGraw-Hill Companies.
- Herrnstein, Richard and Charles Wilson. 1994. *The Bell Curve: Intelligence and Class Structure in American Life*. New York, NY: Free Press Paperbacks.
- Instituto de Investigaciones Juridicas. <http://www.juridicas.unam.mx/>
- Jobard, Fabien. 2011. "Racial Profiling: The Parisian Police Experience." *Canadian Journal of Criminology and Criminal Justice*. 53.
- Jones, Iris. 2003. "Collecting and Analyzing Racial Profiling Traffic Stop Data: Is It a Reliable Method of Detecting Racial Profiling?"
<http://heinonline.org/HOL/LandingPage?collection=journals&handle=hein.journals/urban35&div=41&id=&page=>
- Kemph Leonard, Kimberly and Henry Sontheimer. 1995. "The Role of Race in Juvenile Justice in Pennsylvania." In *Minorities in Juvenile Justice*. Edited by Leonard, Kimberley K., Carl E. Pope, and William Feyerherm. Thousand Oaks, CA: Sage Publications.
- Ketchum, Paul. 2008. "Where are all the White Kids? The Effects of Race in Juvenile Court Decision Making." A dissertation submitted and approved by Texas A&M.
- Ketchum, Paul, Mitchell Peck, John Duncan, Sebastian Davis, and Patrick Polasek. 2012. "Analysis of DMC in Oklahoma City, Tulsa and Lawton." A Report Prepared for the Office of Juvenile Affairs and the State Advisory Group on Juvenile Justice and Delinquency Prevention.
- Lapinski, Maria K. and Dana E. Mastro. 2001. "A Social Identity Approach to Understanding the Jury Decision-Making Process: Race as a Social Indicator." *The Journal of Intergroup Relations*. 48-62.

- Legal Dictionary. 2012.
<http://legaldictionary.thefreedictionary.com/municipal+court>
- Lewis, Oscar. 1966. *La Vida: A Puerto Rican Family in the Culture of Poverty- San Juan and New York*. New York, NY: Random House.
- McIntosh, Peggy. 1988. "White Privilege: Unpacking the Invisible Knapsack"
In *Race, Class, and Gender in the United States: An Integrated Study Sixth Edition*.
Edited by Rothenberg, Paula S. New York, NY: Worth Publishers.
- Monette, Duane R., Thomas J. Sullivan, and Cornell R. DeJong. 2011. *Applied Social Research: A Tool for the Human Services*. Belmont, CA: Brooks/Cole
- Moynihan, Daniel Patrick. 1965. "The Negro Family: The Case for National Action."
Washington, DC: U.S. Department of Labor. Retrieved June 17, 2008
(<http://www.dol.gov/oasam/programs/history/webid-moynihan.htm>).
- National Council on Crime & Delinquency. 2007. <http://www.nccdglobal.org/>
- OJJDP. 2012. <http://ojjdp.gov/ojstatbb/dmcd/index.html>
- Omi, Michale and Howard Winant. 1994. *Racial Formation in the United States: From the 1960's to the 1990's*. New York, NY: Routledge.
- Paternoster, Raymond. 1989. "Decisions to Participate in and Desist From Four Types of Common Delinquency: Deterrence and the Rational Choice Perspective." *Law & Society*. 23: 7-40.
- Piquero, Alex. 2008. Disproportionate Minority Contact. *The Future of Children*. 18: 59-79.
- Piliavin, Irving and Scott Briar. 1964. Police Encounters with Juveniles. *American Journal of Sociology*. 70: 206–214.
- Pope, Carl, Rick Lovell, and Han Hsia, 2003. *Synthesis of disproportionate minority confinement (DMC) literature (1989-1999)*. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice & Delinquency Prevention.
- Poupart, Lisa. 1995. Juvenile Justice Processing of American Indian Youths: Disparity in One Rural County. In *Minorities in Juvenile Justice*. Edited by Leonard, Kimberley K., Carl E. Pope, and William Feyerherm. Thousand Oaks, CA: Sage Publications.
- Public Law 93-415, 42 U.S.C. 5601 et seq. <https://www.ncjrs.gov/pdffiles1/176342.pdf>

- Puzzanchera, Charles. 2009. "Juvenile Arrests 2008." *Office of Juvenile Justice and Delinquency Prevention*. njjn.org
- Rapley, Timothy J. 2001. "The Art(fullness) of Open-ended Interviewing: Some Considerations on Analyzing Interviews." *Qualitative Research*. 1: 303-323
- Russell, Kathryn. 1998. *The Color of Crime: Racial Hoaxes, White Fear, Black Protectionism, Police Harassment, and other Macroaggressions*. New York, NY: New York University Press.
- Santelices, Maria V. and Mark Wilson. 2010. "Unfair Treatment?: The Case of Freedle, The SAT, and the Standardization Approach to Differential Item Functioning." *Harvard Educational Review*. 80: 106-134.
- Seguino, Stephanie, Nancy Brooks, and Kyle Mitofsky. 2012. "Racial Disparities in Policing? An Assessment of 2009-10 Traffic Stop Data in Chittenden County, Vermont." http://www.bpdvt.org/HomePage%20Docs/Racial%20Disparities%20in%20Traffic%20Stops_Final_04.02.12.pdf
- Sutherland, Edwin H. and Donald Cressey. 1978. *Criminology, 10th Edition*. Philadelphia, PA: J.P Lippincott.
- Uniform Crime Report. <https://www.fbi.gov/about-us/cjis/ucr/ucr>
- US Census. www.census.gov
- Wilbanks, William. 1986. *The Myth of a Racist Criminal Justice System*. Belmont, CA: Wadsworth.
- Wilson, James and Richard Herrnstein. 1985. *Crime and Human Nature*. New York, NY: Simon and Schuster.
- Wordes, Madeline and Timothy Bynum. 1995. "Policing Juveniles: Is there Bias Against Youths of Color?" In *Minorities in Juvenile Justice*. Edited by Leonard, Kimberley K., Carl E. Pope, and William Feyerherm. Thousand Oaks, CA: Sage Publications.
- Wright, Lawrence. 1992. "The Case for Castration." In *Taking Sides: Clashing Views in Crime and Criminology*. Edited by Hickey, Thomas. New York, NY: McGraw-Hill Professional

VITA

Patrick M. Polasek was born in Chicago, IL but moved to Glendale Heights, IL as a child. He attended St. Francis High School in Wheaton, before attending college at St. Mary's University of Minnesota in Winona. While at St. Mary's, Patrick majored in both sociology and criminal justice. He earned his B.A. in the Spring 2005. Patrick enrolled at Loyola University Chicago in the Fall 2005. In the Winter 2007, he earned his M.A. in sociology. Patrick began teaching immediately upon earning his M.A., and taught extensively in the field of criminology while pursuing his Ph.D.

Patrick earned the Graduate Teacher of the Year Award in the sociology department in 2011. He then proceeded to work on a research grant at the University of Oklahoma in the Fall 2011. Patrick concluded his work on the grant in December 2011 and returned to Loyola to teach in the Spring 2012.

In Fall 2012, Patrick will join the faculty at Benedictine University in Lisle, IL as Assistant Professor of Criminal Justice.